



## Hearing Transcript

<b>Project:</b>	Oaklands Farm Solar Project
<b>Hearing:</b>	Issue Specific Hearing 1 (ISH1) - Part 1
<b>Date:</b>	22 October 2024

**Please note:** This document is intended to assist Interested Parties.

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

## **My Oaklands\_ISH1\_22 Oct\_PT1**

Created on: 2024-10-22 08:03:12

Project Length: 02:56:35

File Name: Oaklands\_ISH1\_22 Oct\_PT1

File Length: 02:56:35

### FULL TRANSCRIPT (with timecode)

00:00:05:08 - 00:00:23:15

Good morning everybody. Time is 10 a.m.. And this issue specific hearing for Oaklands Farm Solar Park is now open. Thank you all for joining us this morning. This could a member of the case team confirm that I can be heard clearly and that the live streaming and recording have started? Thank you.

00:00:25:03 - 00:00:36:17

My name is Stuart Cowperthwaite, and I've been appointed by the Secretary of State as the examining authority to examine the application by Oakland's Farm Solar Limited for an order granting development consent for this project.

00:00:38:04 - 00:01:04:02

My examination is in accordance with the Planning Act 2008, and I am considering whether the application complies with relevant legislation, policy and guidance powers sought by the applicant. How the proposed development would be controlled. The balance of benefits and this benefits of the proposed development and whether development consents should be granted.

00:01:05:29 - 00:01:20:00

I am now in the process of gathering information to help me to consider these matters. After this examination, I will submit a report with my recommendations to the relevant Secretary of State, who will then decide whether to grant consent.

00:01:22:03 - 00:01:55:18

This examination is an inquisitorial process in which I, as examining authority, take the lead in obtaining evidence that is important and relevant to the Secretary of State's decision. I'm looking for evidence to support my recommendation and the decisions, and I'll start that again. I'm looking for evidence to support my recommendation and the decision, and I am testing the evidence to see how robust it is. My recommendation to the Secretary of State will be based on facts and sound evidence, rather than speculation or opinion.

00:01:58:01 - 00:02:07:19

I'm supported by the planning Inspectorate's case team, who were managed by Noel Markham, who is with us today. And I'm sure many of you have met Noel this morning.

00:02:09:04 - 00:02:36:02

Today's hearing is a hybrid event, meaning that some of you are joining us here in the room in person, and some of you are joining us in Microsoft Teams, and I intend to make sure that you'll be given a fair opportunity to participate, however you have decided to attend today. I'll now deal with a few housekeeping mine. If you haven't already, please could everyone set all devices and phones to silent?

00:02:38:07 - 00:02:44:09

To avoid disrupting the hearing, please keep microphones muted until I invite you to speak. And

00:02:45:26 - 00:03:09:14

for those of you in the room, I understand that no fire alarm test is planned for today. Should an alarm sound, then please leave you using a fire exit exits are on the outside wall of the room. Um, and go to the fire assembly point, which is in between the main entrance to the building. Um, and the adventure goal fits within the car park.

00:03:11:09 - 00:03:22:27

A recording of today's hearing will be made available on the National Infrastructure Planning website as soon as we can. After the hearing is finished. Please contact a member of the case team if you don't know how to find the website.

00:03:25:01 - 00:03:51:24

A link to the planning Inspectorate's Privacy notice was provided in my rule eight letter of the 16th of July, 2024. This sets out how the personal data of our customers is handled in accordance with data protection law, and I assume that everyone has familiarized themselves with it as necessary. Please speak to now if you have any questions about that. Who is the lead speaker for the applicant, please?

00:03:53:08 - 00:04:06:12

So good morning. My name is Patrick Robinson. I'm a solicitor with the law firm Burgess Salmon, representing Beaver today. Um, I'm sure we don't do other introductions. If we could.

00:04:06:18 - 00:04:11:27

Have other people introduce themselves as when they speak. If that's acceptable.

00:04:12:10 - 00:04:23:08

Absolutely certain. What I was going to suggest you. We've got quite a range of people today for different subjects, and we're going to recycle on the literal sense, uh, who's on the front table for each so they can introduce themselves.

00:04:23:10 - 00:04:33:26

Then make sure that we leave time for that change, please. Could, um, just the lead speakers introduce themselves for now. So South Derbyshire District Council, please.

00:04:35:02 - 00:04:49:08

Yes. Good morning, sir Bob Whelan from Planning and Design group acting for South Derbyshire and Derbyshire District Council. Um and similarly sir, will kind of rotate the, uh, the people at the front desk, uh, if that's helpful, sir.

00:04:49:10 - 00:04:52:07

That's perfect. Thank you. And Derbyshire County Council, please.

00:04:52:24 - 00:04:56:21

Morning, sir. I'm Steve Periphery. I'm the strategic planning manager at Derbyshire County Council.

00:04:56:26 - 00:05:08:00

Thank you. I'm not going to invite anybody else to introduce themselves at this stage. And there'll be an opportunity for you to introduce yourself later. If I invite you to speak.

00:05:12:28 - 00:05:14:21

Just bear with me a second. Sorry.

00:05:23:10 - 00:05:37:13

I will follow the agenda that was published on the 15th of October, 2024. And please, could a member of the case team now share a copy of the agenda on the screen? Can.

00:05:45:09 - 00:05:46:16

You just wait for that to come up.

00:05:48:09 - 00:05:49:14

There we go. Thank you.

00:05:52:05 - 00:06:03:19

I'm just about to complete agenda item one. Um. Does anybody in the room have a question about the agenda or the arrangements for this hearing, please?

00:06:05:13 - 00:06:10:00

Anybody on Microsoft Teams have a question about the gender or arrangements for the hearing?

00:06:12:19 - 00:06:31:19

No. Thank you. That concludes agenda item one. Agenda item two. The purpose of the hearing. How it will be conducted. This hearing is being held today and tomorrow. I will adjourn at a convenient point later today, and we will restart at 10 a.m. tomorrow morning.

00:06:33:12 - 00:06:45:12

The purpose of the hearing is to give me an opportunity to examine specific issues relating to the application, and to invite parties to make oral representations about those issues.

00:06:47:05 - 00:07:09:09

Amongst other things, this hearing will address matters related to the Draft Development Consent Order or DCO. As I refer to it, this is the order which the Secretary of State will make if they decide to grant consent for the application. It is a critical document. If consent is given, the DCO will given how the development takes place and will be controlled.

00:07:11:22 - 00:07:26:05

This hearing, as with all other hearings, is being held on or without prejudice basis. So even if your position is that development consent should not be granted, you can make recommendations without conceding your wider position.

00:07:28:02 - 00:07:42:19

My report to the Secretary of State will include my recommended DCO, even if I recommend that consent should be refused. My recommended DCO will assist the Secretary of State should it decide to make the order.

00:07:46:25 - 00:08:00:03

This hearing is subject to my control over its conduct as established by the Planning Act 2008. To be clear, the purpose of the hearing is to assist my examination and it is not to be used as a political platform.

00:08:01:18 - 00:08:04:04

I will let you know when there is an opportunity to speak.

00:08:05:21 - 00:08:22:15

When I invite you to speak. Please ensure that you speak clearly into a microphone so that your submission is recorded. And please state who you are representing each time you speak. And if you're not representing an organisation, please give your name.

00:08:24:24 - 00:08:35:18

Please remember to unmute your microphone when you speak. If you're taking part using Microsoft Teams, please switch on your camera when I invite you to speak. If you're comfortable to do so.

00:08:37:20 - 00:08:42:00

Please switch microphones and cameras off again when I move to the next speaker.

00:08:43:16 - 00:08:51:08

If you are in the room but not at a table with a microphone. And you wish to speak. Then please wait for a roving microphone to be taken to you.

00:08:53:08 - 00:09:06:14

I will, as I consider necessary, ask questions of any speaker, and I will give the applicant an opportunity to respond to all comments, questions and answers to be directed to me, please rather than anybody else.

00:09:08:20 - 00:09:29:13

I may ask for some responses to be provided in writing rather than during the hearing. Please do make a note if I request you to provide a written response, and please provide your written response no later than deadline five, which is on Thursday, the 31st of October 2024.

00:09:31:10 - 00:09:36:18

Please could the applicant provide a summary of all its responses for deadline five.

00:09:38:27 - 00:09:39:16

Thank you.

00:09:41:14 - 00:10:15:25

There have been Being,, um, a small number of late submissions, um, which were made one yesterday and 2 or 3 last week. Um, there hasn't been time to publish those submissions. Um, however, um, at least one of the submissions I intend to share during this hearing. And that's a submission that was made yesterday by Natural England. Um, we are looking to publish those submissions as soon as possible.

00:10:16:15 - 00:10:46:01

Um, it may be possible today is more likely to be possible tomorrow. Um, I don't believe that anyone's disadvantaged by this. Um, you will all have equal opportunities to see those submissions as they are shared today, and there will be opportunities at later deadlines to comment on those submissions should anyone required to do so. But I do think it's worth as particularly referring to the Natural England one because it will be of assistance in making progress today.

00:10:48:21 - 00:11:05:24

It's not ideal, and the reason that we have we had a deadline for was to capture all submissions in time for the hearing. Um, so I'm sure that parties realise that it's created some inconvenience, but I do think it's important to try and progress as best as we can. So thank you for your patience with that.

00:11:07:22 - 00:11:11:14

Does anyone in the room have a question about this? Hearing will be conducted, please?

00:11:13:26 - 00:11:24:03

Patrick Robinson I ask that question about Natural England. You've obviously seen it. I don't think we have. Um, I think it is only relevant for biodiversity onwards.

00:11:24:05 - 00:11:28:27

The Natural England submission, it also refers to agriculture matters.

00:11:28:29 - 00:11:32:20

So we'll so we'll we'll look at it before item four.

00:11:33:04 - 00:11:43:28

We will look at it during item four. Yes. So I'll take it through during item four. Is that is that acceptable to everybody to do that? Yes. Yeah. Thank you.

00:11:48:24 - 00:11:53:09

Any other questions about how the hearing will be conducted please.

00:11:54:28 - 00:11:59:27

Anybody on teams have any questions about how the hearing will be conducted?

00:12:03:14 - 00:12:04:01

Thank you.

00:12:05:27 - 00:12:08:10

That completes agenda item two.

00:12:10:03 - 00:12:29:10

We are now moving into the main body of this hearing. And I will address each item of the agenda in turn. Each each agenda item essentially deals with a different topic. So let's move on to agenda item three um which is drainage and flooding.

00:12:33:17 - 00:12:53:26

So each item under sub item under item three, if you like, is numbered. So I'll refer to the number numbering on the agenda as we work through this. Um, some of these will be very, um, we'll be able to do it very quickly. So we will need to explore in a little bit more depth.

00:12:56:26 - 00:13:32:24

So item eight is whether the Environment Agency is satisfied that the Water Framework Directive assessment now addresses its concerns. Um, the Environment Agency has previously advised that um, it has um received the Applicant revised Water Framework Directive assessment um, and has said that it will turn the topic green, which I take to mean that their content with it, um, on their tracker.

00:13:33:06 - 00:13:47:17

Once the assessment is shown on the Pins website. Um, please, could the Environment Agency confirm that they've seen the assessment on the website? It is as they expected and that they are now content.

00:13:50:00 - 00:14:19:05

Good morning sir. I'm Lewis Pemberton, an environmental planning specialist within the Environment Agency's national infrastructure team, and I lead on the EA's input into this development consent order. Yes. That's correct. We agree with the conclusion of the Water Framework Directive assessment, which is now on the examination library. Uh rep 4-043 and we have no remaining WFD concerns. Thank you.

00:14:22:29 - 00:14:30:21

Do any of the parties have any remaining concerns about the Water Framework Directive assessment, please?

00:14:34:14 - 00:14:38:15

No thank you. That completes item three a.

00:14:40:28 - 00:14:43:26

Item three b um.

00:14:46:23 - 00:15:24:25

And this, um, relates to a matter raised by Diane Abbott, who I believe is not is here today. Hello. Um, so, um, reference was made to the national policy statement in three. Um, and I will quote the relevant paragraph of that, which is 2.10 .88, where Covid time for access is unavoidable. Applicants should demonstrate that no reasonable alternatives exist, and when necessary, it will only be in place temporarily for the construction period.

00:15:26:04 - 00:15:42:13

So I think there are two parts to this question. Um, one, to demonstrate that there are no reasonable alternatives. And two, whether it will only be in place temporarily for the construction period. And could the applicant respond to those matters, please?

00:15:43:27 - 00:15:58:09

So thank you, Patrick Robinson, for um, we're going to answer jointly between Mr. McInnes, uh, from Viva and Mister Mortimer. Um, who's our drainage expert? So I can hand over to them whichever order they think appropriate.

00:15:59:22 - 00:16:38:29

Good morning, Sir Ashley McInnis, on behalf of the applicant, about, um, for a conservative assessment of the proposed development. The applicant has assessed three culvert crossings of the ordinary watercourse being provided for the lifetime of the proposed development, which the applicant has considered to be temporary, given the proposed development itself is temporary, and the culverts and other elements of the proposed development will be removed as part of decommissioning in accordance with the detailed Decommissioning Commissioning Environmental Management Plan to be approved in future by the local planning authority as secured by requirement 22 of the draft DCO.

00:16:40:01 - 00:17:26:18

Maintaining the culverts through the life of the proposed development will minimise the environmental disturbance of installing and removing the culverts at the construction, and then again at the decommissioning phases, and will also provide optionality for heavy goods, vehicles and abnormal load access for all phases of the development, construction, operation and decommissioning. While very unlikely, emergency maintenance may be required during operations which may require special HGV or abnormal load transport, and the applicant considers in such a situation it may be necessary to temporarily reinstate and utilise the construction haul route across Park Farm and Fairfield's farm, rather than utilising the surrounding road network.

00:17:27:06 - 00:17:44:25

Having permanent culverts in place will minimize the potential environmental disturbance of installing and removing the culverts twice. That continues to discuss the design of culverts with the Environment Agency to ensure potential impacts to drainage and water flow are acceptable.

00:17:48:08 - 00:18:09:06

The National Policy Statement is very specific in terms of referring to temporary temporarily during construction. Um, so that's a different use of the term temporary to the development as a whole. So it's very specific to that. Um,

00:18:11:05 - 00:18:40:15

during operation, um, the applicant is uh, indicated previously that there will be minimal activities, um, minimal access, um, to maintain panels, etc., during the operational period. Um. Is it possible to carry out those activities without requiring the use of the culverts, without generating significant other effects?

00:18:42:11 - 00:18:46:09

It would be possible, yes. Applicant can consider those alternatives.

00:18:46:12 - 00:19:14:28

I think if the applicant could consider that, please, because the the NPS is very, um, precise about what is being expected from a policy point of view. Um, the operation period is a lengthy period, um, albeit temporary. It is a lengthy period. Um, so I think, um, some attention should be given to addressing that in quite closely. Um.

00:19:18:04 - 00:19:54:12

I do recognize that during decommissioning the traffic, the need for the culverts would be Greater than during operation because of those activities essentially being similar to construction as the applicant has described. Um, so that would bring a need to reinstate the culverts at that stage. So it would be good for the applicant's consideration just to set out, um, the pros and cons of um, culverts being just remove the operation stage and then reinstated for decommissioning.

00:19:55:09 - 00:20:00:26

So if that could be considered in the round, I think that would be helpful. Yeah. Um.

00:20:03:14 - 00:20:05:06

Any other comments on that matter?

00:20:11:04 - 00:20:30:09

Is there anything additional Mr. Mortimer would want to say at that? At this point, I appreciate you have invited us to to give you the pros and cons and, and I think that effectively is the applicant's position that there are definitely pro and con arguments which to be read alongside the NPS to inform the NPS.

00:20:30:18 - 00:20:52:13

Yeah, I think we need to do the NPS is very specific about its expectations. So I think there needs to be a very, um, well considered, um, look at that. Um, and I would suggest that, you know, it's an exceptional case for it not to be followed. So, so there would need to be a strong argument not to follow it.

00:20:52:15 - 00:20:57:28

I suggest if you're happy then to wait for more detail on that in writing, then we can leave it at that.

00:20:58:00 - 00:21:02:29

I think that's the appropriate way. Yeah. Um, yes. Thank you.

00:21:25:00 - 00:21:29:18

Would Diane Abbott like to comment at all? It's not necessarily okay. Thank you.

00:21:50:12 - 00:22:24:06

That deals with item three B and item three C the flood risk assessment. Um, the Environment Agency has uh, raised concerns and appears to maintain concerns in relation to the flood risk assessment, um, including the sequential test, exception test, climate change allowance and the detailed flood



modelling. Um and um has raised concerns in relation to compliance with the National Policy Statement.

00:22:25:10 - 00:22:34:02

Um. Is the Environment Agency able to give an update on its position, please?

00:22:36:08 - 00:23:06:22

Sir. Lewis Pemberton, environment agency. Um, the applicant sent the EA detailed modelling and an amended Fra on the 11th of September. Uh, this Fra is not has not yet been submitted. Um, and therefore is not on the examination library. We've had several meetings with the applicants and their consultants, uh, and they have committed to address our concerns. And we await an amended Fra in terms of the detailed flood modelling.

00:23:07:20 - 00:23:38:20

Uh, the hydraulic model for the ordinary watercourse and tributary which flows through the development site is considered reasonable. The model is well constructed and uses the latest available LiDAR and channel survey information. Assumptions and limitations are clearly reported and sensitivity testing has been undertaken, which has helped to understand the potential variance in model results. So the modelling which has been undertaken provides a suitable basis for the flood risk assessment.

00:23:39:28 - 00:23:42:00

So in terms of you.

00:23:42:25 - 00:23:44:04

Sorry, carry on, please carry out.

00:23:44:18 - 00:24:06:14

Okay. In terms of the sequential test, uh, compliance with policy regarding the sequential test is not within the remit of the EEA in regard to our relevant representation. We were simply emphasising the need for the applicant to demonstrate that the sequential test has been passed at the local planning authority, and may have comments on the details provided.

00:24:09:05 - 00:24:42:20

With regards to the exception test, um, which these comments might change given what we've just discussed a moment ago. Uh, the proposed development includes three bridge crossings to be built as culverts. It is apparent that these structures are overtopped in the design event. Typically, we would ask that new bridges are raised above the design flood. Uh, in this case, the 1 in 100 year plus 30% climate change scenario. We appreciate there may be technical challenges in doing so.

00:24:43:04 - 00:25:21:24

Uh, given the bank elevations with respect to design water levels. In addition, the applicant's modeling has shown that implementing the three new culvert structures causes increased flood risk off site to up to a depth of approximately 15cm, which is against policy NPS and one. As there must not be an increase in offsite flood risk to pass the exception test. So the applicant will need to look at altering these crossings to reduce the risk and or give more detailed information about where the risk lies and what receptors may be affected.

00:25:22:21 - 00:25:27:26

But however, what we've just discussed a moment ago, our comments on that may be different.

00:25:30:06 - 00:25:37:12

Thank you. Um, did you mention the climate change allowances, please? I may have missed it.

00:25:37:17 - 00:25:49:03

Sorry. Yes. So the correct climate change allowances have been used, which is the highest central allowance for the 2080s epoch. So yeah, we are fine with the climate change allowances.

00:25:53:01 - 00:26:11:18

Thank you. Um, so if I'm reading the Environment Agency correctly, the main concern at the moment is in relation to the sequential test and the potential increase in flood risk elsewhere because of the culvert structures. Is that a fair, very crude summary?

00:26:12:22 - 00:26:32:17

Yeah that's fine. I think the point with the sequential test is just to mention that we, the compliance with our policy, um, is not within the remit of the year. We were just simply stating that, um, the applicant would need to demonstrate that the sequential test has been passed, um, in that would be within the remit of the local planning authority.

00:26:33:15 - 00:26:56:00

Okay. Thank you. Um, I'll invite the applicant to respond shortly, but could I turn to South Derbyshire Police and, um, have you been party to the sharing of information in the same way the Environment Agency has? Um, and what is what is your position on the matters that have just been described, please.

00:27:05:00 - 00:27:14:21

Yeah. Thank you. Sir. Um, I think South Derbyshire haven't seen all of that latest information. And clearly they'd want to have a view of that before commenting any further.

00:27:15:04 - 00:27:16:01

Okay. Thank you.

00:27:22:13 - 00:27:23:18

Sorry. Just bear with me.

00:28:01:13 - 00:28:04:06

Okay. Thank you. Could the applicant comment, please?

00:28:05:02 - 00:28:08:13

So, yes, Patrick Robinson. I think, Mr. Mortimer, if you would be.

00:28:10:14 - 00:28:11:25

Thank you. Good morning sir.

00:28:12:02 - 00:28:14:24

James Mortimer from Aqua Terra Consulting.

00:28:14:26 - 00:28:49:04

Uh, formerly known as Yellow Sub Geo. Um, on behalf of Beaver. Um, we're confident the fra um, meets, uh, the national, uh, policy statement. Um, particularly with the updates that have been made. Um, as the Environment Agency noted, the water courses through the site have been modeled in detail. Uh, and the culverts as they stand, uh, have been inserted and most recently updated to allow the freeboard, uh, to the soffit levels as described.

00:28:49:23 - 00:29:22:09

So all of that will be submitted formally under deadline five. Um, with regards to the sequential test, uh, we have not undertaken a sequential test, uh, for the letter of it, but we have sequentially tested the site. So with with the flood zone being very much limited to the watercourse corridors. Uh, all ground based infrastructure. In fact, the vast majority of the site is in flood zone one, with only a very small area. Also confirmed by the recent modelling clipping into flood zone two.

00:29:22:25 - 00:29:40:23

And where this does occur, uh, it would only be a few array legs that would be affected, and the array themselves would be at least 600mm, if not more, above ground level, with a maximum flood depth of 300mm. So including climate change. Um.

00:29:44:03 - 00:29:53:25

So yeah, subject to further discussions with regards to the track crossings, um, we're confident that the deadline five submission will meet the criteria.

00:29:54:28 - 00:30:09:09

Will the, um that so the Environment Agency will refer to the level of the surfacing over the culverts being raised above the 100. Yeah. Level. Is that being included in the model?

00:30:09:11 - 00:30:22:12

Yes, sir. If if they remain as well. So for deadline five. Yes. The soffit level of the culverts will be 600 mil above the 1% plus climate change flood event as requested. Yes.

00:30:23:26 - 00:30:25:25

Um, I think

00:30:27:13 - 00:31:01:19

you just referred to sequentially tested and differentiated. Differentiated that from sequential test. So I think just to be very clear, um, uh, I will be considering whether the sequential test has been passed or not and taking a very literal view in terms of the way the sequential test is described in the National Police National Policy Statement in the NPF, as well as some useful descriptions there.

00:31:02:03 - 00:31:41:14

So I it's important that the applicant focuses on the specifics of what is set out in the policy, the specific requirements for the exception, exceptional tests, as well as the sequential test. So those are two key aspects. Um, as the Environment Agency set out, there is also a national policy statement requirement not to increase increase flood risk elsewhere. Um, and it would seem that the latest figures that the Environment Agency had seen suggested there would be an increase, I think 0.15m increase elsewhere was quoted.

00:31:42:02 - 00:32:10:15

So that, again, is a very clear, um, policy position, um, that needs to be considered, um, and would create an interesting position if it's not followed. I'll leave it at that. Um, So please do look very carefully at the policy position that needs to be satisfied for the flood risk modelling.

00:32:15:16 - 00:32:19:08

So I'm trying to give a helpful steer to the applicant.

00:32:23:20 - 00:32:25:24

In terms of what I need to consider.

00:32:30:09 - 00:32:30:24

Is that.

00:32:32:29 - 00:32:35:09

Have I been reasonably clear about that?

00:32:35:13 - 00:32:59:23

Patrick Robinson. Yeah. Absolutely clear. So again, it's a question about whether we go further now with Mr. Morton to talk more about that or whether with the information that's just gone in and in effect, that needs to be looked at, discussed with the planning authority as well. And then, yeah, if there is any question, I understand your question very clearly. If you're asking me to depart from the MPs who are going to need to give very, very good reasons.

00:33:00:05 - 00:33:07:16

Yeah. And and I will be looking at the precise wording of the MPs in terms of how firm its requirements are.

00:33:09:01 - 00:33:43:02

Um, so it, it feels to me very unusual to depart from that. There are some circumstances in which it's possible to, but the position really does need to be constructed very carefully indeed if we if we're departing from it. And I think it's not appropriate to continue much further now because I think the council's input is important to this. Um, I think it it feels slightly disappointing, actually, that the council haven't been involved in the discussions in the same way, given given their responsibilities.

00:33:43:28 - 00:34:22:11

Um, and in fact, the lead local food authority's responsibilities as well. So please make sure that the relevant parties are involved, um, because their views will be important to the recommendations. So, um, I would encourage the applicant to widen its discussions from the E to the lead local flood authority to South Derbyshire as well. Um, and given the nature of the issues we're talking about, um, to really try to make as much progress as possible for deadline five, please.

00:34:22:26 - 00:34:34:17

Um, I realize that's only a couple of weeks away, but, um, this does feel like an important issue that's been on the table for quite some time now. Um, without being resolved.

00:34:39:12 - 00:34:45:24

Anything else that anyone would like to say about the flood risk? Please, councillor Wilton, I think.

00:34:46:00 - 00:35:33:06

Thank you, Councillor Wilton. Um, I just wish to bring to the planning inspector's attention to on Thursday. On your site visits, you will pass from Fair Fields farm towards Roston, where the brook is. And we all know from the EA's own data that we had 40% more rainfall than average last year, and that road and Derbyshire County Council have to put out ice signs whenever it rains is under water. So I just wish because the culverts start just below there, I would hope you'd be able to, you know, take on board that that road is already under water and if there's a potential for it to be raised 15cm, that would contribute local knowledge.

00:35:33:08 - 00:35:34:03

Thank you sir.

00:35:34:05 - 00:36:11:27

Thank you very much, Councillor Wilton. Thank you. Anything else on flood risk at the moment? No thank you. All right, let's move on to item three. D um, so this is a matter of raised in previous, um, questions and responses to questions, um, about the potential for obstruction to floodwaters from the

buildup of debris on the legs. Supports, um, Derbyshire County Council, um, in its, um, deadline for submission.

00:36:12:22 - 00:36:43:20

Um, and I will quote said that they would support the inclusion of checks and debris removal in the site maintenance schedules to ensure that blockages, as well as damage to the infrastructure, does not occur, and would support the periodic checking for and removal of debris, but does not consider it proportionate for the site to be checked after every storm. Noting that storm does not currently have a met office definition, does that summarise sufficiently? Derbyshire County Council's position.

00:36:44:08 - 00:36:48:27

Stable free Derbyshire County Council so yes, that's an accurate reflection of the comments we have made on that matter.

00:36:49:06 - 00:37:00:28

Thank you very much. Um, could the applicant comment, please? It seems that there are there's some potentially some straightforward mitigation to add to the management plans.

00:37:01:28 - 00:37:41:29

Yes. Thank you sir. Uh, James Morton, Aqua Terra. Uh, just to confirm that the deadline five um, fra has been updated or will be updated to align with the applicant's, uh, commitments made thus far in both the, uh Construction Environmental Management Plan, which is on the D4 reference D4 slash 6.1, appendix 4.3, uh, section 2.69 and Outline and Operational Environmental Management Plan uh, which is also D4, uh 6.1, appendix 4.4, section six.

00:37:42:01 - 00:37:59:15

So there are already commitments in there for both the construction phase and the operational phase for monitoring by the principal contractor during construction. Um and sets out both maintenance and flood risk or flood response, uh, after flood events.

00:38:01:18 - 00:38:15:01

So do they specifically refer to the potential for blockages due to debris debris removal, both within the outline camp and the outline. OMB.

00:38:17:24 - 00:38:22:26

As far as I'm aware, within the. Yes. Thank you.

00:38:23:12 - 00:38:27:11

Um, yes they do. Okay. So I can check that.

00:38:30:12 - 00:38:34:06

In which case I apologize for not picking that up. Thank you.

00:38:39:28 - 00:38:43:22

Could you quote me the paragraphs again, please, for for each of those.

00:38:43:24 - 00:38:48:07

Uh, in the CMP. Uh, section 2.6.9.

00:38:48:21 - 00:38:49:06

Yeah.

00:38:49:08 - 00:38:53:03

And in the operational management plan, it's within section six.

00:38:56:15 - 00:39:00:29

Thank you. Anything further from Derbyshire County Council on that matter please?

00:39:02:24 - 00:39:05:25

I know, so we're satisfied with the response the applicant's given to that.

00:39:05:27 - 00:39:15:14

Thank you. Thank you. Any other comments on item one? Sorry. Item three D please.

00:39:18:25 - 00:39:19:10

Thank you.

00:39:24:06 - 00:39:55:12

Item three um matters in relation to underground cabling. Damage to land drains will also cover in the agriculture section under item four. So I just want to concentrate on implications for drainage and flooding of this at the moment. Will will separately deal with implications for soil quality in agriculture. Um, there have been some quite lengthy submissions on this.

00:39:55:23 - 00:40:27:23

Um, so I will, um, just try to summarize some of them. Um, and please do let me know if I misquote anybody, but I am trying to be careful. So, um, Derbyshire County Council in South Derbyshire District Council, um, have stated they consider inevitable that land drains would be compromised by piling and underground cables. Um, and suggest that these may alter localised drainage patterns through the interruption of flows during the construction, operation and decommissioning stages.

00:40:29:04 - 00:40:51:10

Um, the applicant has previously responded that, although poorly may disturb or break up land drains, the number of factors is expected to be minimal, and that in the unlikely event that any significant drainage issues emerge during construction activity, it would use measures such as Suds sustainable urban drainage or replacing or repairing land drains to rectify the situation.

00:40:53:18 - 00:41:06:17

The applicant stated it considers that the flood risk of site would not be increased as a result of the proposed development, and gave a detailed reasoning for why it considered that to be the case.

00:41:10:06 - 00:41:13:11

The outline camp um

00:41:15:02 - 00:41:18:18

at paragraph 2.6.9.

00:41:21:09 - 00:41:23:27

States that um,

00:41:25:24 - 00:41:39:22

if there was damage to existing land drains, um, and this creates an unacceptable surface drainage issue, then the mitigation measures would be provided.

00:41:41:29 - 00:41:49:13

So it doesn't give a Blanket undertaking to remedy the damage

00:41:51:09 - 00:42:02:17

it conditions that the remedies will be made if there is an unacceptable drainage issue, although an acceptable drainage issue is not defined.

00:42:05:18 - 00:42:06:21

I will come back to that.

00:42:09:18 - 00:42:12:11

The deadline for the applicant, um

00:42:13:28 - 00:42:15:23

stated that.

00:42:18:03 - 00:42:46:17

Any damage during the construction phase, um, would be, um, remedied, and that there would be unlikely to be any further issues during operation once the development is implemented. So suggesting that damage will be dealt with at the end of construction and therefore there would be no issues during operation. I'm simplifying to some degree here, I realize.

00:42:54:24 - 00:43:13:07

In the outline, um, operational environment management plan, um, there's no reference to impact on the hydrological regime brought about by the introduction of underground cables or damage to existing land drainage. It's silent on those matters.

00:43:15:11 - 00:43:16:21

As far as I can see.

00:43:18:19 - 00:43:23:09

So I've covered a variety of related issues there. Um,

00:43:25:00 - 00:43:31:23

if, um, are there any comments from the councils? Have I misrepresented, are you satisfied? Anything to add to what I've just said?

00:43:34:12 - 00:43:35:17

Thank you sir. Um.

00:43:36:10 - 00:43:39:21

And we're specifically dealing with surface water. Um, yes.

00:43:39:23 - 00:43:42:24

I understand that. And obviously, um, yeah, we'll come on to.

00:43:42:26 - 00:43:43:23

Obviously the agricultural.

00:43:44:04 - 00:43:48:11

Um, implications as well. Um, but I think, um, fundamentally.

00:43:48:13 - 00:43:48:28

Sir.

00:43:49:00 - 00:43:49:20

The council.

00:43:49:22 - 00:43:50:13

Has a concern.

00:43:50:15 - 00:43:59:09

That, um, obviously the drains do play a critical role, um, at present in, in draining that land. Um,

00:44:00:29 - 00:44:06:22

but their location isn't entirely known and can't be known.

00:44:07:14 - 00:44:46:23

Um, they're not mapped, um, where the individual landowners might have some idea of the location of those drains. They may or may not do. Um, but but certainly the council doesn't know exactly where those drains are. Um, and it seems to the council so that there would almost be, uh, it would almost be inevitable that there would be some damage from piling, from cabling, um, to those land drains. And obviously that potentially has, um, Implications for the way that the sort of hydrological management of that land and, um.

00:44:47:11 - 00:44:56:15

It's not clear, sir, how the applicants would know that they've damaged those drains in order to be able to, um, to reinstate them.

00:44:56:17 - 00:44:58:07

Post-construction phase, sir.

00:45:04:18 - 00:45:37:11

Is the council concerned about the potential increase in flood risk because the applicant has, um, in its submissions, described that if the drainage is not functional, then that would tend to slow down the flow of water. Um, which to me brings the suggestion that perhaps flood risks would be reduced even, um, could you, could you just expand on the effects that you're concerned about.

00:45:37:13 - 00:45:37:28

Please.

00:45:38:00 - 00:45:39:01

Yes. Thank you sir.

00:45:39:03 - 00:46:31:26

And, um, and obviously I'm, I'm coming at this slightly from a non-technical perspective because I'm not a hydrological engineer. Um, but obviously, as it stands, the land drains will divert water, um, from some of those fields to, um, existing watercourses and ditches around those fields. And obviously without those drains directing that surface water specifically to, um, particular watercourses or ditches, that water may go elsewhere where um, obviously to lower, um, low parts of the site where there is a propensity for, um, water logging and um, uh, and pooling of water, which I've seen for myself, um, particularly down towards obviously the, um, the, the existing main watercourse.

00:46:32:01 - 00:46:32:18

Yeah. So.

00:46:33:04 - 00:46:35:22



Okay. Thank you. So, um,

00:46:37:20 - 00:47:10:27

so there's uncertainty about where the land drainage may be just because of the nature of them being private land drains, if you like. Um, there's uncertainty about the extent of the damage that there might be. Um, there's uncertainty about how that might impact on the, um, the water environment. Um, and that and that uncertainty actually may lead to current issues being exacerbated, um, for example, current flood issues being exacerbated.

00:47:10:29 - 00:47:12:03

It's an unknown.

00:47:12:19 - 00:47:45:09

Yes. I think that's a fair summary. So and obviously, um, the, the other unknowns being or the other concern being the inevitability of damaging, um, land drains, obviously, where there's extensive piling, um, and equipment going on the site. Um, but also, Um, because of those unknowns. It's not clear how that could be mitigated, because if you don't know what damage you've done, how do you mitigate, um, in order to remedy it.

00:47:45:11 - 00:47:45:26

So, um.

00:47:46:16 - 00:48:02:10

So if we were in streets and it was a public drainage system, we'd have some confidence about the position of the drains, although they may not be absolutely accurately known. Um, we'd be in a position of being able to test that drainage, um,

00:48:04:00 - 00:48:13:10

and when necessary, clean that drainage. We'd be in a much more controlled situation, if you like. So this is slightly different to a street situation, I think.

00:48:14:25 - 00:48:16:00

Yes. That's fair sir.

00:48:16:02 - 00:48:19:21

Yeah. Thank you. Okay. Um.

00:48:21:25 - 00:48:27:21

Could the applicant comment, please? We seem to have quite a number of uncertainties that we're trying to grapple with.

00:48:29:21 - 00:48:33:08

Thank you, Sir James Mortimer. Aqua Terra. Um.

00:48:36:07 - 00:49:09:02

I sort of concur with, um, or my reasoning behind what you were saying earlier. Um, that if if they are damaged and you're quite right, it would be largely unknown. Um, we spend much of our time on drainage, slowing flow to greenfield rates. Um, whereas the land drains, uh, to improve the condition of the soil of the of the field, uh, provide a preferential flow route. Um, they run under gravity, so they follow topography to, as I mentioned, uh, surrounding ditches.

00:49:09:28 - 00:49:27:27

Um, if so, if they are damaged during piling, um, you may find localised soft spots, which the applicant within the camp, um, under section 2.6.9, has committed to investigating if they occur.

00:49:28:26 - 00:49:29:11

Um.

00:49:30:26 - 00:50:10:07

But from a flow point of view, it will act to slow the flow. It will encourage infiltration. The site will be permanently vegetated, so you'll have a filtration and a slowing of the water there. And ultimately the water will continue to follow topography. So it's not all of a sudden going to go a different direction. So we're confident that actually it should be seen as a beneficial factor with a commitment from the applicant to during both the camp and also the, uh, decommissioning plan to put right any, any issues that are seen.

00:50:11:18 - 00:50:43:28

Thank you. I'm I'm very interested in the council's comment about, uh, the potential for the existing land drains to be taking the water to a different location to, um, if the land drains are not in place. So the potential for the existing land drains to be directing water away from areas of flood risk. We don't know this. I'm sure there's some congestion here, but, um, it feels like some something that's entirely possible.

00:50:44:08 - 00:50:47:15

It's within the realms of possibility, I think. Um,

00:50:49:00 - 00:51:08:29

but we don't know. I guess the locations of the land drain. So, so so this is against a background of, um, some quite finely balanced flood modelling, um, that's being carried out. So I think that heightens the interest in this issue. Really. Um.

00:51:11:00 - 00:51:21:18

So if I may please say so. I just need to catch him. I think he can't contain his enthusiasm to just comment on what you're saying there. If it would help now.

00:51:21:20 - 00:51:24:03

Please. Yes. Yeah. Enthusiasm is always welcomed.

00:51:25:06 - 00:51:57:03

Thank you. Sir. Tony Kernan from the Countryside Consultants for the applicant. This topic is sort of merging with with the agriculture topic, I think to an extent. Um, and we do have information about the drainage. It's fairly rudimentary, but I've made investigations and and they've made investigations. So the farmer knows some of the fields in places have old clay pipe drains. So they were done before he purchased in in 1984.

00:51:57:05 - 00:52:28:27

And there are some patches where he's put in plastic pipes, which is what people do now. Um, since 1984. So we have various maps. They're not particularly accurate. And once the drains gone underground, you don't really know, even as the farmer, whether it's working, you can go down the ditch and find the outfalls and see if water is coming out. But you can't you can't look at them because they're buried in there. They're the typically small pipes, probably every 60ft, 20m apart.

00:52:28:29 - 00:53:04:03

So it's only when you start noticing patches that stay wet that farmers think, okay, we need to put a bit more piping in. So I think there is information there. We know that it's generally the lower parts of the

fields, closer to the watercourses, where they're just trying to speed up the gravity that's come through the soil, taking the water down. And so I think I would concur with the fact that if any are damaged, that's likely to decrease the rate it's going into the ditches. I can't see from my plan that there's any, that there's no big channels taking it to other parts of the farm, for example.

00:53:04:05 - 00:53:08:18

It's all going naturally down into those, into those ditch areas.

00:53:08:29 - 00:53:14:12

Okay. I think, I think it would be helpful to share whatever information the applicant has. And it's.

00:53:14:14 - 00:53:16:26

Very big. It's my scribbles on a plan. So.

00:53:16:28 - 00:53:20:03

So is it, um, okay. Yeah.

00:53:20:05 - 00:53:28:29

So but I think I think the keynote can all be wrapped up and needs to be wrapped up in the soil management plan, because

00:53:30:25 - 00:53:59:25

what information, any plans that we can get that show where those systems are will influence, for example, trenching for cables, because you wouldn't then trench a deep cable across the drainage. Or if you had to for technical reasons, you would then reinstate, but you'd know you'd done it. And on the whole, farm field drainage tends to be found when you start digging, but you do know where to look generally in advance.

00:54:00:24 - 00:54:14:29

So the drainage you've suggested you suspect is in the lower parts of the site near the watercourses, I think. So am I, correctly I'm and that that is generally where the new cable roots would be. Is that correct?

00:54:15:15 - 00:54:16:00

Well, I

00:54:17:18 - 00:54:32:15

respect of the internal cables. That isn't yet decided. I think that's the fact, as I'm suggesting, needs to be part of the soil management plan. Right? Because then you obviously got technical aspects about cabling, but you're routing back can be varied.

00:54:33:24 - 00:54:43:15

How do we. It feels to me like something that we need to get to grips with a little bit more now because of the implications for flood risk. Um.

00:54:46:11 - 00:54:51:25

As I see it, sir. Sorry, Tony. And again, as I said, it's not going to change flood risk. Um.

00:54:52:04 - 00:54:55:09

That's what I'm trying to establish. I'm not I'm not yet convinced of that.

00:54:55:24 - 00:55:00:12

Related to soils, which is why it sort of moves into the next topic.

00:55:00:25 - 00:55:08:17

I think that's yet to be demonstrated is my own view. I don't know if the council would disagree with that.

00:55:11:12 - 00:55:13:07

Yes. Thank you sir. Yeah, I.

00:55:13:09 - 00:55:14:23

Think obviously, um,

00:55:16:15 - 00:55:24:07

those doubts remain, um, in terms of that, that those sort of known unknowns, if I can put it that way. Um,

00:55:25:28 - 00:55:58:07

we, we can't really understand at this point in time. So how, um, that land drainage could be restored if we don't know where it is and, and or whether it's been damaged or not. Um, my understanding, though, is that the trenching plans have already been established. So in terms of, um, avoiding where the sort of the sketchily known land length drains might be, um, it might be difficult to know. And of course, you know, I think, um, reference was made to some clay pipes, which obviously been in there some time.

00:55:58:09 - 00:56:24:21

This is obviously a managed environment as as it stands at the moment. Um, and this has the potential to alter the way in which the hydrology is managed within the site. So, um, could almost inevitably lead to some, uh, fairly significant changes in that surface water drainage. And I think it's important that we understand what those might be and their implications for flood risks. Um.

00:56:25:03 - 00:56:27:05

So sorry. Um.

00:56:29:25 - 00:56:33:18

It's not for me to propose solutions, really. But, um,

00:56:35:13 - 00:57:05:03

commonly in this sort of circumstance is whether it's possible to gain a full understanding of how the existing drainage is working and then maintain the function of the existing drainage. Um, or are we looking at a position where we need to see the effects of any damage to drainage and be in a position to remedy that fully as and when those effects happen?

00:57:08:15 - 00:57:26:25

So, yeah, there's kind of a question there, I think. Um, so, so so whether we can we can, we can get to a point where we fully understand the land drainage now, or there has to be a position where there's mitigation ready to be applied quickly and effectively if an issue is seen. Is that.

00:57:29:11 - 00:57:30:16

Yes, that makes sense, Tony.

00:57:30:26 - 00:58:01:19

Because you're looking directly at me, sir. Tony Kernan, on behalf of the applicant. And I think we know where the drains are broadly and whether I can identify more accurate plans and to what extent they're accurate, given that there would have been hand drawn ones anyway. Um, but we know

broadly and I went through field by field and I know I did with the, with the farmer. These are the patches. So I've, I've recorded them so we know where to look.

00:58:01:27 - 00:58:43:02

Um, in terms of the cable routing I was talking about, I was talking about the main cable back, um, to the right terminology, but up to the main Substation. I was talking about the internal routing from messenger, which you can route to go, for example, along the line of trains rather than across them, for example, or change the depth. Once we know the depth and some of the detailed information about, for example, the depth that the pipes are at will need you to go up with the digger probably, and and take it up to identify it and in respect of how best to deal with it.

00:58:43:04 - 00:59:16:25

My view is that that's an aspect that needs to be considered in detail as part of the soil management plan, um, which will be a post consent, um, document. Once we know exactly where the panels are, where we need to put the cable routes, and we can get that information and make sure that that that minimise the impact. And then to answer the other part then if there is a problem. So if we know post-construction that there are patches that have been affected.

00:59:16:29 - 00:59:58:24

Those. Those will become obvious if there are damp areas within sight. Now, on the whole, that may not be a problem because there isn't. It's not like farming. You're trying to get on as close to the middle of March, for example, to get because the rest of the field is ready and you can't get down to this bottom part, so you get it drained so that you speed up when you can get on the most post-construction. In the operational period, there won't be that need. It will be grassland and the cleaning activities all would normally take place when it's dry, but if there are patches like that, those can be rectified in a small scale in the same way as the former could do it.

00:59:58:26 - 01:00:08:05

If there's areas in the field that are clearly sitting wet. I do not think it affects flood risk, but it looks that way, the experts say. I think it's just a soil and land use management.

01:00:08:13 - 01:00:47:16

Yeah. Okay. So reiterate, I'm yet to be convinced it doesn't affect flood risk. So I think we still need to address that matter, please. Um, I did find, just to reiterate, I did find South Davis's comment that the changes to the water flow as a result of the land drains not being used is unknown. And I think it would be. It'd be good to very carefully address that concern. So the potential for the land drains currently to but directing water away from areas of high flood risk, and for that to be changing as the drainage is damaged potentially.

01:00:47:18 - 01:01:08:21

So I think it's important to address that issue. Um, I'm certainly very comfortable with the idea that the full solution is not known at the moment. It's the nature of where we are in the process. But, um, it's important to be convinced that, um, mitigation options exist

01:01:10:13 - 01:01:13:29

to give confidence that flood risk would not be increased.

01:01:15:24 - 01:01:40:09

So it's important to get to that level of confidence and whether that's through making the existing reinstating the existing drainage or through some other means of mitigation later. Um, I'll leave it for the applicant to set out, but, um, does that does that make reasonable sense? Um, to reasonably clear Patrick Robinson for that?

01:01:40:12 - 01:02:01:24

Indeed. I think, um, on a number of headings, whether it is, do you know what's there at the moment? Do you know where the water is likely to go? What would you do if your predictions were wrong? All of those I think we have heard something on today, but I appreciate your asking to be drawn together into a considered response. Yeah, I believe we understand the questions.

01:02:01:26 - 01:02:11:29

Thank you. And it is against the context of a finely balanced flood risk assessment. I think that's why we need to go into this possibly a little bit more detail than would normally be the case. Um.

01:02:14:16 - 01:02:28:13

Yes. I hadn't I hadn't fully appreciated. It's not just the piling and the main cable route, it's the other cables, um, as well, crossing the site and the potential for them to interrupt the drainage. I think that's.

01:02:28:17 - 01:02:38:13

Yeah. Yes, sir. Tony Conlon again. Yes. There. Depending on the depth, for example, most pipes are not quite deep, so it wouldn't be a problem, but that's in the detail. Okay.

01:02:38:17 - 01:02:42:21

Thank you. Councillor Wilton, you were looking to speak earlier I don't know.

01:02:43:02 - 01:02:46:27

Thank you sir. I do believe we'll address this again in the soils element.

01:02:46:29 - 01:02:47:14

We will.

01:02:47:16 - 01:03:19:05

Yeah, yeah, but you're also aware I farm adjacent to this site, have the same soils. I'm lower than this site, and I can assure you it is all drained. I've actually driven on the site and the farm. The farmer and landowner actually isn't a farmer. He owns a large feed mill. Um, I would refer you to look at the Ahdb Field drainage guide, because actually the principle of. And I have them, you can have horseshoe drains, you can have clay pipe drains.

01:03:19:07 - 01:03:51:08

And they were put in in the 1950s predominantly. And the piling will, even if it's not on the drains, has the potential to, you know, to cause damage. And certainly on my fields, uh, I have worked out where many of the drains are because I can tell in drought years. Um, and I also what it's called pull the ditches, dig the ditches, because I want them to flow in. Um, some of them can be a metre deep.

01:03:51:10 - 01:04:29:03

Some of them can be taller than I am. They're 6 or 7ft deep. Um, so it isn't possible to know where they are. I do know that that farm is virtually. I've driven many years ago, but I know that farm very well. So there are long rains all over it. But the big question is how you fix them. Because if you've put panels in, if you've put, um, and I fix them, you know, I've put new drainage in and I've fixed old land drains and it does certainly on my fields it can cause flooding because the sheer amount of water we're getting can be forced upwards, particularly if they're clay.

01:04:29:05 - 01:05:03:19

And if you've got a panel there, the only way to fix these clay drains is to get a digger, dig down, get very muddy, um, and replace the clay. They can be horseshoe ones. They can be two clay pipes together. And it is not as easy as you think, because this is 398 acres, potentially of land drains every

on my farm there quite often 12 or 15, 9 to 12 or 15ft. There are miles of them and it is phenomenal how they actually have originally put them in.

01:05:03:21 - 01:05:21:13

So I just wanted to bring a practical element. It isn't something unless you're going to take all the panels down, get a digger in, dig past all the pipes. You can't fix those land drains. And they put the fences next to the ditches, and they don't clean the ditches out of blackthorn. Those land drains won't run anyway. Thank you.

01:05:21:15 - 01:05:57:11

Sir. Thank you, Councillor Wilton. I can't pretend to have your expertise, but happily, I was raised on a farm with land drainage installed. So, um, a number of years ago. However, um, I think I think that just following from those comments, I think there's obviously a balance to be struck here because if, if, um, very effective new land drainage was put into place, that might exacerbate the flood situation as well. So there is a careful balance to be struck here. I think we've probably explored this sufficiently. Does the Environment Agency, um, South Derbyshire is representing this issue very well.

01:05:57:13 - 01:06:01:02

Does the Environment Agency have anything to add on this specifically, please?

01:06:03:12 - 01:06:10:14

Lewis Pemberton Environment Agency No, nothing to add. Um, in terms of surface water, it would be within the remit of the lead local food authority.

01:06:10:27 - 01:06:12:23

Yeah. Thank you. Um,

01:06:14:21 - 01:06:16:26

South Derbyshire, anything to add at this moment?

01:06:22:29 - 01:06:23:25

Just, um.

01:06:25:21 - 01:07:00:28

Yeah, one small point, really. So just, um, you know, I think we have some sympathy, obviously, for the applicants in terms of not knowing the complete history and location of all these drains. Um, but I think it is something that really does need to be understood as fully as possible at this stage.

Obviously far better to try and understand it now than to do the damage and then have to remedy it. And I think, as Councillor Wilson's very clearly pointed out, you know, it, it's not as easy is just kind of put them back once those panels are installed.

01:07:01:12 - 01:07:04:10

Um, you have a problem in terms of access then, sir.

01:07:04:20 - 01:07:05:10

Thank you.

01:07:10:21 - 01:07:45:04

So I think I think the crux of the matter for me is being convinced that although the precise mitigation may not be sensibly identifiable at this stage, that there are mitigation measures that can be secured, that give confidence that flood risk would not be increased. I think that's at the heart of the matter. So that may involve, um, adding some carefully considered mitigation to the current plans.

01:08:23:14 - 01:08:25:09

All right. Thank you. Um.

01:08:33:25 - 01:08:40:22

There's some helpful contributions there. Thank you. Um. Item three f. Um.

01:08:44:04 - 01:09:08:01

The, um, battery energy storage system. Um, and quite a number of, um, submissions previously about pollution risks associated with emergency response. Um. And, um, the Environment Agency. Um, referring to, um,

01:09:09:22 - 01:09:20:17

again, the topic being turned green on its tracker. Um, once the design drainage strategy, um, had been submitted, um,

01:09:22:11 - 01:09:34:00

and shown on the pins website, and that that strategy was, as the Environment Agency expected, it's similar to the water um framework directive issue that we had earlier. So, um.

01:09:36:09 - 01:09:37:15

Has the

01:09:39:09 - 01:09:46:27

I'm not aware actually, of whether the outline drainage strategies has been submitted has been updated.

01:09:48:13 - 01:09:52:03

Perhaps this is tied in with the overall flood risk assessment Documentation?

01:09:52:18 - 01:09:58:19

Yes. Uh, it's it's within the Fra. Okay. And will be the latest one on deadline five.

01:09:59:00 - 01:10:01:07

Okay. So that will be submitted. Deadline five.

01:10:04:01 - 01:10:04:24

Thank you.

01:10:06:19 - 01:10:12:24

Any points that the council would like to make on this, I think. Sorry. Please. No.

01:10:12:26 - 01:10:13:14

Nothing, sir.

01:10:13:16 - 01:10:14:04

Thank you.

01:10:31:23 - 01:10:49:21

Item G, um, Derbyshire County councillor. Deadline for um said that they would welcome consultation by the applicant with Derbyshire Fire and Rescue Service regarding site safety and particularly firefighting response at the battery storage. Um.



01:10:52:21 - 01:10:54:17

What's the applicant's response to that, please?

01:10:56:09 - 01:10:57:00

Good morning, sir.

01:10:57:03 - 01:10:57:28

David Harvey.

01:10:58:00 - 01:11:00:03

Day planning, speaking for the applicant.

01:11:00:05 - 01:11:00:20

On this.

01:11:00:22 - 01:11:32:13

And so what I'll do is just signpost you to some places within the application that should provide you and the county council with comfort in that respect. So the application was accompanied by an outline battery safety management plan, which is at uh 093, which confirms that section 3.1, that document that Derbyshire Fire and Rescue had provided advice during the preparation of that document, specifically regarding access requirements for emergency vehicles and the means of extinguishing battery fires.

01:11:33:10 - 01:12:14:16

That document also confirms that the same section 3.1, that the full battery Safety Management plan would continue to be developed in cooperation with Derbyshire Fire and Rescue Post and consent. The decision, and particularly as part of that process, Derbyshire Fire and Rescue will confirm that the various specific objectives of section 3.1 have been achieved, or to identify any necessary amendments to that, so I can confirm that Derbyshire Fire and Rescue were notified of the submission of the application and we then contacted them directly, initially envisaging a statement of common ground with them.

01:12:15:02 - 01:13:03:06

Uh, they then during those initial discussions, provided us with the National Fire Chiefs Council grid scale battery energy storage system planning guidance, as well as their own standard letter to applicants on best facilities, and then to confirm the outline battery Safety management plan has references throughout to that National Fire Chiefs guidance. So that's encapsulated within that document. And this is then all captured in requirement 12 of the draft DCO which provides the wrapper for factory safety management to be produced, and that makes provision that requirement for the council to co-ordinate to consult Derbyshire Fire and Rescue if there are any changes substantially from the outlined battery safety management plan.

01:13:03:22 - 01:13:17:14

And to conclude, sir, the Fire Officer at Derbyshire Fire and Rescue did not see the need for a statement of common ground based on what was set out in the Outline Battery Safety Management plan and the references to their the guidance that they provided within that committee.

01:13:17:23 - 01:13:19:06

Thank you. Um.

01:13:25:17 - 01:13:52:27

I'm wondering whether it might be helpful for them to submit. You have a short letter setting out their position if possible, and lead to create more work for people. But I think that might be a helpful thing

to because the fire risk, um, and the emergency response has been raised a number of times, and I think their contribution would be welcomed if the applicant was able to secure that for us.

01:13:53:06 - 01:13:57:28

Yes, sir. We can ask them to formalise their discussions with us. Yeah. Letter to.

01:13:58:00 - 01:14:01:08

You. That would be very helpful. Thank you. Does Darvish have anything to add.

01:14:01:10 - 01:14:05:13

Please stay properly Derbyshire County Council. So no I think we're grateful.

01:14:05:15 - 01:14:14:19

For the applicant to have addressed that quite comprehensively through their discussions with the Derbyshire Fire and Rescue Services. So yes, satisfied with where this issues have been dealt with. Thank you.

01:14:14:24 - 01:14:15:23

Thank you very much.

01:14:40:23 - 01:14:53:00

That includes concludes Includes items three G and three H. Are there any other drainage and flooding matters that any parties would like to raise? Anybody in the room, please?

01:14:59:09 - 01:15:18:22

Hello, I'm Donna, but I'm a local neighbor. Um, we've talked extensively about the land, um, and the piling risks. Um, what about the risk of flooding from, um, the extensive tracks across the site and the lower implementation of those tracks? [REDACTED] It frequently floods on. I anticipate that's going to get worse.

01:15:23:13 - 01:15:28:28

Could the applicant respond to that, please? The risk of flooding from the access tracks.

01:15:30:11 - 01:15:55:12

Thank you sir. I, James Mortimer, Aqua Terra. Um, the drainage strategy covers internal tracks. They themselves will be of a granular nature, so inherently permeable. Um, but alongside them, uh, there will also be a gravel filled infiltration trench to deal with heavy events, should there be any runoff which will then naturally slowly infiltrate to the ground.

01:15:57:15 - 01:16:01:28

And so the infiltration trenches would be both sides of the tracks, would they?

01:16:02:00 - 01:16:06:26

The track will be graded to fall. So whichever way they are graded.

01:16:07:15 - 01:16:10:17

The downstream side, as it were, of those okay.

01:16:12:05 - 01:16:14:01

And interrupted. No. Okay.

01:16:14:03 - 01:16:19:04

Well, I guess that will not resolve the flooding that we couldn't currently have. Then

01:16:20:27 - 01:16:25:18

if you drive around the site today, you'll find that's flooding on the roads, aren't there. And yeah, yeah.

01:16:25:20 - 01:16:50:25

I drove I drove around on Sunday actually. There's quite a bit of rain on Sunday morning I think, so it's quite a good time to have a look around. Um, I went along the roads that we've talked about as well then. Um, obviously see the level of surface water changes at different times, but it did give a feel for things, which was helpful. Okay. Thank you. Any other matters on drainage and flooding before we move on?

01:16:52:24 - 01:16:57:18

Anybody on Microsoft Teams with any issues on drainage and flooding?

01:17:00:25 - 01:17:09:08

No thank you. Right. Um, let's move on to, um, item four. Um.

01:17:16:11 - 01:17:16:27

Okay.

01:17:24:09 - 01:17:28:25

I'm proposing to take a break for lunch after item four. Um.

01:17:31:19 - 01:17:37:02

So, uh, agriculture, soils and decommissioning.

01:17:42:23 - 01:18:13:04

Um, it's at this point that, um, I will refer to the submission just made by Natural England yesterday that hasn't yet been published. Um, so, um, we'll bring that up on the screen as and when we come to it. Um, so we have a colleague behind the scenes who's juggling these things. So thank you to, uh, to Ryan for doing that. Um, let's go to item three A. So, um, sorry.

01:18:13:06 - 01:18:30:10

Item four A so agricultural land classification. Um, so, um, previously, Natural England had raised a series of concerns about the agricultural land classification. Um.

01:18:34:25 - 01:19:01:13

The applicant, um undertook said that it was undertaking further survey work to confirm the agricultural land classification on the cable route. Um, and had at one point said it would provide an update on those results at deadline for um. I don't recall having seen an update of those results will come back to that. Um.

01:19:09:14 - 01:19:31:27

And there's a there's there was some interesting precedent on the interest in on the recent Cottam solar project, um, decision, um, that I will come back to as well. So let's start, if we can, with the, the classification. Could we get, um, the submission from Natural England on the screen, please?

01:19:35:22 - 01:19:49:01

So the question here will be whether Natural England and South Derbyshire District Council are content with the applicant's um surveys of um agricultural land classification.

01:19:52:01 - 01:19:54:02

So, um, so, Patrick.

01:19:54:22 - 01:20:01:02

Um, just check as we do whether Mr. Kernan can read it from that distance. I don't which is singling out, but if he.

01:20:01:04 - 01:20:04:11

Okay, can we zoom in as much as possible, please, to the text?

01:20:04:13 - 01:20:06:07

Just get it to a point. Mr. Koenig can read it.

01:20:06:09 - 01:20:37:10

Yeah. Absolutely, sir. That's right. Oh, I bet you can't read that, though. That's better or worse. So. Yeah. Great. A little bit more, please, if possible. Fantastic. Is that legible? Yes, sir. Thank you. Thank you. This is far from ideal, I recognise that. So if any party feels uncomfortable with the sharing at any point, please do so. but I think it's helpful if we can. And as I said, we'll get this published as soon as possible.

01:20:37:26 - 01:20:56:04

So it may helpfully, um, although this was a very late submission and is yet to be published. They have used the same, uh, referencing as in the agenda. So, um, Natural England have said they have no further concerns regarding the survey methodology. Um,

01:20:57:21 - 01:21:41:02

that's a helpful statement in one sense. However, it would be very helpful for Natural England to set out its reasoning as to why the specific issues it's raised before, um, it's, it's satisfied that those concerns have been met. So, um, um, perhaps Natural England can pick that up from this hearing, or perhaps the applicant could highlight that to them if there's an opportunity to. But there were quite a number of concerns that, um, Natural England set out previously, which are referred to um, for example, in my second set of questions, question 6.1 I summarize some of Natural England's concerns.

01:21:41:04 - 01:21:53:14

So, um, I can raise this at the third set of questions if necessary, but it would be jolly helpful to try and get some more detail from Natural England earlier than that, if possible.

01:21:54:00 - 01:22:06:04

Sir Patrick Robinson I think Mr. Kiernan could give you some indicators now because obviously I think as a result of communications you've been having with them, would that help now appreciate you do need. Yeah.

01:22:06:06 - 01:22:20:21

I'd like to hear it from Natural England. Thank you. Um, so, um, I have confidence that they're they're satisfied, but I'd like to just see the detail of that so that I, too, can be satisfied. Um.

01:22:20:25 - 01:22:52:23

Yes, sir. So, Tony Colon for the applicant, without expanding on that too much. Just what the way it went is that Natural England had a number of a lot of them were technical questions which we addressed, including names of surveyors, etc.. Yeah. And they also asked about the cable route, which we had. Yes, in part estimated. Yes. And they talked about the Park farm area because the the land classification that we'd referred to was part of a bigger survey, which was now outside of the site.

01:22:52:28 - 01:23:35:04

So we have come we have um, soil Environment Services. Who did the land classification of the Oaklands farm, addressed all of those comments and provided the names. And that went to Natural England for review. Um, in respect of the land classification that we dealt with for the cable route, we did some additional survey, and that's all at one per hectare of the bits that were estimated. And the results are the southern part was three B, the northern part is three A, and we thought the best way was to send the entire report to Natural England as well, for them to look at.

01:23:35:06 - 01:23:46:17

So that's what they've had. Um, so obviously Natural England need to explain what they've got, but they've got the land classification of the entire site plus some extra land.

01:23:46:19 - 01:24:05:08

Okay. So, so, um, that's helpful. Thank you. And I was aware of those issues. Those have been mentioned in previous submissions, but that a lot of the detail has not been shared with the examination in terms of those latest surveys as, as far as I'm aware. Is that correct?

01:24:06:05 - 01:24:33:24

This is Tony Kernan. I think that's right. I think what we thought were the best thing to do was make sure that Natural England had got everything. We had a teams meeting with them probably three weeks ago, I should think when they they said they would write and confirm all of that. Um, obviously we'd missed the deadline date those documents. I think the hope was that we'd get their comments or if anything else needed addressing. It could be addressed and submitted at the next stage. Yeah.

01:24:33:26 - 01:25:05:13

So if I could just make a general comment. So it is, it is very helpful for matters to be progressed with parties that have raised concerns, um, through other meetings. So that is helpful. But um, it should also be borne in mind that there are other parties who have an interest in the matters that are being progressed. It should be borne in mind that, um, that I may have additional questions that I would wish to raise. So even if under the parties may have concerns to raise.

01:25:05:15 - 01:25:48:24

So I think it's there's a very important balance between doing things privately and doing things publicly. And I think with the agricultural land classification, it would be helpful to share more of that information very soon. Um, I'm sure that, um, South Derbyshire District Council would like to review that information as well as myself. Um, because it is filling some important gaps in the assessment. So, um, encourage you to do that. Going back to the point about having the detail on Natural England's position and addressing their previous concerns, if that was all included in the statement of common ground, that would be fine.

01:25:49:25 - 01:26:26:08

Um, perfectly content with that. I understand the applicant is progressing that document with them. Again, we haven't had sight of that into the examination. So I really would encourage you to share that at deadline five, even if it's in draft and sign form, we're getting towards the end of the examination. It feels like there's a few weeks left, but the time will go very, very quickly. Um, and there's very little time for more rounds of questions and responses to deal with outstanding matters. So I would encourage the applicant to surface and share that information, even if in draft form.

01:26:27:15 - 01:26:28:00

Um.

01:26:35:21 - 01:26:46:15

Okay. Anything that South Derbyshire would like to raise on that. I'm assuming that South Derbyshire hasn't seen again some of the information that's been shared with Natural England so far.

01:26:50:13 - 01:26:50:28

Please.

01:26:51:02 - 01:26:55:00

You're looking at me. I'm probably the wrong person. I'm having been dealing with that element.

01:26:55:04 - 01:26:58:28

Yes. Yeah. Could the applicant answer that question? Whoever.

01:27:00:00 - 01:27:13:24

David Harvey. Date? No, sir. I think as Mr. Kane explained, we've been trying to resolve those issues with Natural England in the first instance. But note your points that you've just made about introducing those matters as soon as possible. Yeah. Deadline five next week.

01:27:13:28 - 01:27:15:21

Okay. Thank you.

01:27:19:27 - 01:27:26:29

Do the councils have any comments on the agricultural land classification, please?

01:27:31:13 - 01:27:40:09

Certainly, sir. I think it would obviously be helpful for us to see that additional information, um, for review, um,

01:27:41:27 - 01:27:51:22

before obviously commenting further. Um, but um, other than the sort of questions that you've raised, uh, nothing at this point.

01:27:52:21 - 01:27:53:10

Thank you.

01:28:06:13 - 01:28:36:12

South Derbyshire had previously mentioned, um, concerns about the survey of the supervision of the surveys. Um, and my reading of that. Please correct me if I'm wrong, has been satisfied that there were people on site with the necessary skills and experience to properly guide that survey work on site. Is that is that a correct interpretation?

01:28:39:05 - 01:28:39:20

Yes.

01:28:39:22 - 01:28:45:00

Um, Sam Franklin for the council. Um, initially we didn't have the additional.

01:28:45:02 - 01:28:45:23

Information.

01:28:45:25 - 01:28:46:19

That's now been.

01:28:46:21 - 01:28:47:18  
Provided.

01:28:48:08 - 01:28:50:06  
Um, concerning.

01:28:50:08 - 01:28:59:01  
Who who did the work and how it was supervised. I think the fact that Natural England now have clarified some of their.

01:28:59:03 - 01:28:59:24  
Concerns is.

01:28:59:26 - 01:29:01:23  
Reassuring. But as.

01:29:01:25 - 01:29:02:10  
You've.

01:29:02:12 - 01:29:03:04  
Mentioned, we haven't.

01:29:03:06 - 01:29:04:26  
Seen the additional.

01:29:04:28 - 01:29:08:02  
Information yet. And I think we reserve judgement until we've.

01:29:08:04 - 01:29:08:22  
We've read that.

01:29:08:24 - 01:29:13:26  
But at this stage, we're satisfied that the work's been done by properly qualified people.

01:29:14:19 - 01:29:21:09  
And the point about the expertise being on site during the survey. Is that an important consideration given?

01:29:21:20 - 01:29:26:19  
I think it is. If, if, if we're to, um, take heed of the guidance.

01:29:26:21 - 01:29:27:15  
In the.

01:29:27:17 - 01:29:29:00  
Written ministerial statement of.

01:29:29:02 - 01:29:30:08  
15th of May.

01:29:30:10 - 01:29:31:04  
Where.

01:29:31:10 - 01:29:36:01

Um, concerns have been expressed. Not about this site, I might add, but just.

01:29:36:03 - 01:29:37:19

Generally about.

01:29:37:26 - 01:29:38:27

The, uh.

01:29:38:29 - 01:29:40:05

Variability of.

01:29:40:07 - 01:29:41:07

ALC work.

01:29:42:17 - 01:30:07:28

Okay. So I, I don't recall having clarity. So supervision. So supervision was described and the credentials of the professional people involved was provided. It didn't seem clear to me whether those people were present on site at the time of the surveys. So I think if that could be clarified in writing, please.

01:30:09:20 - 01:30:14:04

Yes, sir. Tony Coonan and they those are the people who did the surveys. So it's that.

01:30:14:06 - 01:30:15:01

So they were present.

01:30:15:03 - 01:30:27:15

On qualified soil to those who who did the digging and the ordering and yeah, that's a yes. But that that's the authorship. And who did the surveys is now clearly stated in each of the ALC. Yeah.

01:30:27:17 - 01:30:43:14

Sorry, I'm being very pedantic here in terms of being clear that the supervision could mean from a distance, doing the surveys could be an involvement from a distance. So it's it's just labouring the point. Sorry that the experts were on site at the time.

01:30:44:10 - 01:31:20:27

Yes, sir. Tony Kernan, um, the agricultural land classification involves a spade and a soil auger. So you have to auger that down and pull it up in plugs. And if you can, you get down to 1.2m. So those individuals who did that auger in pulled the soil out, describe the soil, are the ones who have authored the reports are they have done, the survey said you can't you can't do that from a distance. I mean, you are standing okay at that point when you do it. It's a quite a labor intensive and physical activity, and you need to be skilled to know that the soil that you're holding is of whatever texture.

01:31:20:29 - 01:31:21:14

Yes.

01:31:21:16 - 01:31:31:01

So I think if that could just be clarified unambiguously that the people with the professional qualifications were on site at the time to do that work.



01:31:44:14 - 01:31:58:01

This has just been pointed out to me that that we did at deadline for clarify that in our responses. But I think that the, um, the names are now added on to the land classification reports as well. Yeah, I.

01:31:58:03 - 01:32:11:15

Didn't I didn't pick up that. There was a clear description of those people being on site at the time. Okay, I didn't pick that up and I may have missed it, I guess. Apologies, but.

01:32:11:17 - 01:32:41:24

I think so. Because Mr. Franklin and I have met a few solar inquiries recently, I think that he and I have got a slightly different understanding of what the written ministerial statement was talking about in terms of, um, assessing surveys. Um, I've understood it to mean that, as has happened here, somebody like Natural England will review those surveys, but not that anybody else would come out a third party on site and actually follow the augur ring.

01:32:41:26 - 01:32:57:28

So in this case, it's skilled people who've done the auger ring. And then they have made the analysis and the classification. Yeah, but there hasn't been a third party walking around with them to check that they are actually doing the digging. Yeah.

01:32:58:00 - 01:33:18:19

So I mean, if there's a difference between the councils between the applicant and the councils, it would be, um, you know, important to discuss that further between you. Um, I think my my own. Apart from that, my own focus is being very clear that the necessary expertise was on site at the time of the surveys.

01:33:19:12 - 01:33:29:18

Yes, sir. Tony Kernan and I think I hopefully that's clear in the reports now, but we will make it absolutely clear to, you know, who was on site on what days and what they think the qualifications are. Thank you.

01:33:37:11 - 01:33:39:13

So bear with me. Um, a few moments.

01:34:35:00 - 01:34:36:19

Okay. Um.

01:34:39:24 - 01:34:50:25

Anything else on agricultural land classification? Item A at the moment. No. Thank you. Let's move on to item. Sorry. Bear with me one moment.

01:34:59:07 - 01:35:30:00

Okay. Moving on to item B. Um, whether agricultural land within the odd limit limits should be restored to the same grade following the same ALC. Agricultural land classification. Classification grade. Following decommissioning, where the soil health should be monitored for the lifetime of the proposed development. To inform remediation. The wider understanding of impacts on soil health, and I've given references in the questions to applicant's previous responses and the Cottam Solar Project decision letter.

01:35:30:27 - 01:35:31:12

Um.

01:35:33:29 - 01:35:51:14

The applicant hasn't committed, um, as far as I'm aware, to restore land to a minimum of the current ALC grade. Um, I'm not aware of a firm commitment being made to do that. Um,

01:35:53:12 - 01:36:23:18

however, I am aware that some of the recent solar projects have made such a commitment. And actually, on a number of those, I am aware that there is rather more best, most versatile agricultural land than we have on this project. Um, and the Cottam um, recent Cottam solar project. Um, decision um, does refer to that. So um,

01:36:25:17 - 01:37:05:23

within the the decision letter is linked from the agenda. Um, and if I just read out part of the decision letter. So this is paragraph 4.59 of the Cottam Solar Project decision letter. Um, so this is the secretary of State. Comments. Um, at the time of the decision on that project. The applicant updated the outline soil management plan to account for National Natural England's comments, including commitments to restore the agricultural land within the order limits to the same agricultural land classification grade following decommissioning.

01:37:06:26 - 01:37:10:07

Similarly for cable trenches following construction.

01:37:12:08 - 01:37:45:27

This also included a commitment to monitor soil health for the lifetime of the proposed development, to inform remediation and the wider understanding of the impact of solar projects on soil health. So, um. And I don't think Cottam is unique in this. Um, there is a firm commitment there to restore to the same grade. There is a commitment to, um, have an ongoing monitoring of soil health during the lifetime of the, um, proposed development.

01:37:46:07 - 01:37:59:15

So please hold all of that in mind. Um, if we could then refer to the Natural England letter. Um, so, um.

01:38:05:09 - 01:38:41:27

Towards the end, if we could just scroll down a little bit more, please, on the letter there. Thank you. So, um, the bottom two paragraphs, and I'm not proposing there's some detail within the submission in terms of what should be in the final soil management plan. I'm not proposing to go through that at the moment. I think there's I think there are some important matters there to consider which seem very sensible. But I'm not going to go through that detail at the moment. Um, but Natural England are recommending that the outline soil management plan is updated, um, to address some very specific points.

01:38:41:29 - 01:39:12:12

So let's leave that to one side. But if the applicant could just, um, go through those as and when this is published, that would be helpful. Um, the final paragraph of item B there. So just above the C so natural England's position appears to be that although it would welcome a commitment to monitor wider soil health for the lifetime of the development, um, it considers this to be a preferable rather than essential.

01:39:13:05 - 01:39:44:27

So, so Natural England is not insisting on ongoing monitoring of soil health. Um, I haven't seen within this Natural England's position in terms of restoring to the current agricultural land classification grade as a minimum. They have not submitted on this issue. And were they here, I'd be very happy to question them, but they're not. Um, so that will be a question that I will raise. But I do refer to the recent precedent.

01:39:45:20 - 01:40:07:03

Um, so two issues. Let's take the two issues one at a time. So, um, one issue is, um, whether there should be commitment to Reinstate to the current agricultural land classification as a minimum. Um and reflecting on cotton whether that should both be done after construction.

01:40:09:16 - 01:40:10:15

And then

01:40:12:03 - 01:40:13:09

at decommissioning.

01:40:15:02 - 01:40:27:09

So that's question number one. Let's take that first please. So would the council like to comment on this please. The restoration to current ALC grade as a mineral.

01:40:32:22 - 01:40:33:19

So I think.

01:40:34:01 - 01:40:53:29

Sorry Sam Franklin again for the council. I think this this is absolutely crucial in terms of the agricultural land quality and both local plan guidance and NPF in terms of maintaining and protecting best and most versatile.

01:40:54:01 - 01:40:54:16

Land.

01:40:54:20 - 01:41:11:19

But not just best and most versatile agricultural land in general. Um, so we would expect that all of the land would be returned to the same grade, both during the life of the project and at the end of the project, following decommissioning.

01:41:14:01 - 01:41:17:13

And following construction. So, um.

01:41:19:19 - 01:41:35:13

And I'm aware of the comments made on the other, the Cottam solar project, in terms of disturbance from trenching and other construction activities, should there be a restoration to that degree to ALC grade following construction as well?

01:41:35:29 - 01:41:44:24

Well, it seems reasonable, sir. I think that there may be a temporary period as the, uh, the soil settles following, uh, trenching activities.

01:41:44:26 - 01:41:46:15

And I'm sure Mr. Kernan will.

01:41:47:00 - 01:42:21:29

Um, because I know he's made reference to it in some of his documents, but, um, yes, it should be that during the life of the project. So following construction, the land should be maintained in its current where as the applicants state where the land use is temporary rather than, um, where soil is being, uh, stripped away for some of the permanent structures during the life of the project. We can talk about returning those at the end of the project following decommissioning, sir, if that's helpful.

01:42:22:05 - 01:42:23:06  
Perhaps in a minute.

01:42:23:24 - 01:42:24:22  
Okay. Thank you.

01:42:26:10 - 01:42:27:24  
The applicant responded. Please.

01:42:28:26 - 01:43:00:10  
It's gonna be go. And yes, sir, Tony Kernan for the applicant. Um, in terms of the commitment to, um, restore it back to the same agricultural land quality, and that was something that Natural England had raised, and that's in the revised, um, soil management plan, which I now realize you don't have, but obviously Natural England do. So there is a there is a comment in there was a paragraph in there that is the objective of the soil management plan. Um, in respect.

01:43:00:12 - 01:43:08:18  
Sorry, could I just cut across you there? That's the objective of it. Is there a firm commitment to restore to the current grade or better?

01:43:09:06 - 01:43:26:28  
The wording in the draft I got here says the target is to ensure that land quality is not adversely affected and where moved and restored soils are brought back to the pre-existing land quality recorded in the ALC reports. Okay, that that needs to be firmed up. The intention is that it goes back. Exactly.

01:43:27:04 - 01:43:32:16  
Thank you. So target doesn't feel to me a firm commitment. Um.

01:43:35:10 - 01:43:36:03  
I'm.

01:43:36:05 - 01:44:07:05  
I'm more than happy with that, sir, that even when we did the environmental assessment, the area that we didn't commit to. So the area that we took a worst case, um, decision on in terms of environmental assessment was the substation area because it and the substation in the best because there's quite a lot of soil and because there are flood issues, etc.. And at that stage there was insufficient knowledge about where the soil could be stored.

01:44:07:07 - 01:44:42:09  
When you're thinking about drainage and landscape and everything else. So the environmental assessment was based on um, non commitment over that. I think it's a hectare and a half of three a in that sort of three and a half hectare small field in the middle of the farm, which is a three, A3B field. Um, where we are at the moment is I think very recently the Environment Agency are happy with proposals for locations for soil storage. So I think we are now in a position that we confirm that up and commit to be able to restore that area as well.

01:44:42:15 - 01:44:59:22  
But obviously we couldn't do that until you know, where the soil is going to be kept, because you got to know that the soil is the same soil, and that it's been stored for the duration in a manner that it doesn't get anaerobic and doesn't deteriorate. Okay. I think that information is now there, but that's very recent.

01:45:00:04 - 01:45:27:01

Okay. Thank you. And I appreciate these things. There's sometimes an iterative process to these things I appreciate that. So just to summarize um phone stand correctly, the applicant is going to include a firm undertaking to return all land to the current agricultural land classification grade or better. Is that correct?

01:45:28:18 - 01:45:35:17

Yep. So look forward to seeing that being clarified. Hopefully the deadline five.

01:45:37:17 - 01:45:38:13

Yeah. Thank you.

01:45:43:28 - 01:45:46:22

And the finer point of um.

01:45:48:11 - 01:45:56:04

So that's a decommissioning. I think it would be helpful to just explore that point around

01:45:57:22 - 01:46:26:19

post construction during operation. Um, and there might be some finessing there. So could could the applicant develop its thoughts around restoration to those grades before. So at the end of construction feels like an obvious point. Um, if those thoughts could be developed, that would be helpful.

01:46:27:28 - 01:46:46:03

Yeah. So Tony Kernan, we will I think there's there's two stages of the construction compounds and the initial trenching. And those need to be restored back straight away as soon as you finish. Not left. And then there are the areas where there are tracks and bases, etc., where the restoration is a long way in the future.

01:46:46:05 - 01:46:46:20

Yeah.

01:46:46:22 - 01:47:05:21

So there's two stages of anything that's that's a temporary construction work needs to go back to the same quality. And, and it's really the trenches. And any construction compounds are the two principal areas where there's soil disturbance. So they need to be properly managed and put back at that time.

01:47:05:23 - 01:47:40:11

Thank you. So so if um, so it's very clear, uh, what would happen at the decommissioning stage. Um, but the applicant result would also set out in a little bit more detail and within the soil management plan, within the whether it's the construction environmental management plan or the operational environmental management plan, if there if there are activities happening there. So it's post-construction. So if those measures could be clearly set out in those plans please.

01:47:40:28 - 01:48:02:17

That would be helpful. And I think if the decommissioning you know, we do have an outlined decommissioning environmental management plan if that could. You know, this is such a key issue as the council has set out, if those commitments for the decommissioning stage could be very clearly set out in the outline decommissioning environmental management plan as well. Please. South Derbyshire please.

01:48:02:24 - 01:48:25:13

You know Sam Franklin again, sir. Just to clarify, because I'm not clear the access track into the site that sort of through Park Farm. Am I to understand that that will be decommissioned at the beginning of or following construction, or will that be maintained for the life of the project? Because that's quite a large area that we haven't really explored.

01:48:26:27 - 01:48:28:21

The applicant can respond to that, please.

01:48:29:12 - 01:48:51:11

Uh, Ashley Mckinnis, um, on behalf of the applicant. Yeah. The construction track north of the site at Rosenstein Road, Park farm. Good. Fairfield farm, that will be removed once construction is complete and reinstated, and then for decommissioning that will be reinstated and reinstated once the decommissioning is complete as well.

01:48:52:25 - 01:48:58:15

It could. Could the applicant check that is clearly set out please. In the management plans? Yeah.

01:49:02:21 - 01:49:04:03

Okay. Just bear with me, please.

01:50:47:27 - 01:50:57:28

Thank you. Are there any other comments about restoration to agricultural land classification grade? At this point, sir.

01:50:58:05 - 01:51:02:03

So yes. Yes. So just just could I clarify through you.

01:51:02:05 - 01:51:23:07

So, um, because I think that was mentioned during discussion on drainage about whole roads and culverts being retained through the life of the development and, um, essentially used for maintenance access. So, um, it was just through use as some clarity on is that different to the access track then?

01:51:23:14 - 01:51:37:13

So I think during the discussion on drainage, um, uh, because of the duration of the operational phase, um, Those culverts would.

01:51:40:21 - 01:51:57:09

The applicant undertook to look at the pros and cons of removing the culverts during the operational phase. That's what we discussed earlier. So does that. So it's yet to be determined whether the culverts will stay during operation or not.

01:51:57:15 - 01:51:58:09

Yeah. Thank you.

01:51:58:11 - 01:52:15:26

So it was I think that was mentioned of a whole road as well. Things in terms of maintenance. I just wanted to be clear on, um, that that main access track is that being uh, removed and restored post-construction or retained through the life of the development. That was my.

01:52:16:06 - 01:52:18:00

Thank you to the applicant to respond to that.

01:52:19:17 - 01:53:05:16

Um, Ashley Mckinnis for the applicant. Um, yeah. So the idea was the culverts would remain as a more sort of robust feature of that access through the operation of the life, uh, the project, but the track would be removed and reinstated to the agricultural land before, so it was just a bit. Our approach was to maintain the culverts so that at the end, when you did come back and reinstall the track for decommissioning, those culverts were in place, but the track itself would have been removed for the operational phase, and it was mostly as a flexibility measure to, you know, maintain that access that could be reinstated in the operational phase if needed.

01:53:05:18 - 01:53:10:19

But the track, the whole road is referred to, it would not remain throughout the operation.

01:53:12:04 - 01:53:23:01

But you are going to look at the pros and cons of the culverts, um, during the operational phase where they should be maintained in position or not. Yes. Yeah. Thank you

01:53:24:20 - 01:53:25:05

sir.

01:53:25:23 - 01:53:27:06

Yes, much obliged sir. Thank you.

01:53:27:08 - 01:53:29:14

Thank you, councillor Wilton please.

01:53:29:20 - 01:53:44:27

Thank you Mr.. Mr. Woolard asked exactly the same question. Okay. The applicants did make it clear that they wanted to keep the culverts in place for emergency access and for large vehicles to the site. So I just thought there was a contradiction. Thank you sir.

01:53:45:08 - 01:53:51:04

Okay. Thank you. I'm sure that will all come in. The considerations that are being given to the pros and cons.

01:53:52:22 - 01:53:58:08

Um. Thank you. So that's, uh, to be item two. Sorry. Yes, sorry.

01:53:58:18 - 01:54:19:15

Thank you again. Quick question. Um, I'm not quite sure. In Natural England's last comment there, they talk about, um, preferred but not essential about, um, monitoring. So I'm not quite sure what surveys they have in mind. I mean, are you happy if I go back and say what? What were you thinking about?

01:54:19:17 - 01:54:59:04

I think I think that thank you for raising that. Um, that was the second issue under this point. So I hadn't, um, fully worked through that. So on the, um, the Cottam decision, the Cottam solar project decision, um, there was a and you know, the circumstances vary from project to project, obviously. Um, but on that project it was felt important to monitor soil quality, um, for the lifetime of the proposed development that was felt to be important on that project.

01:54:59:27 - 01:55:33:02

Um, I think obviously, as I'm reporting, I need to pay heed to precedent and to be able to argue why this project might be different. Um, so I think it would be helpful. Natural England have said they don't believe so. I think Natural England are responding to that point. Um, the president I think

Natural England are responding to their it's you know, they may have different issues, I don't know, but it certainly came up in the context of the Cottam solar project.

01:55:33:21 - 01:55:46:25

Um, they have said that that monitoring would be preferred, but not essential. Um, I think I do need to report on that issue. Um,

01:55:48:17 - 01:56:22:17

I can certainly see benefits of monitoring soil health in terms of giving confidence of restoration to the grade in due course and, um, potentially identifying that there is a degradation that's occurring during the operational phase that could be dealt with during operation rather than at decommissioning. So I'm just speaking very general sentences here. Um, I think it would be very helpful to get the applicant's view on that.

01:56:22:23 - 01:56:35:06

And um, whether indeed we are in a different position to the cotton solar project. So just just to help, um, me to address that issue.

01:56:35:20 - 01:56:43:13

As I said, Tony Cotton. So if I look in that in the cotton decision, I might find a bit more detail about what they were actually proposing.

01:56:43:17 - 01:56:54:05

There were quite lengthy discussions about these matters on that, which is all set out within the, um, recommendation report that's available. Degradation report. The recommendation report.

01:56:54:09 - 01:57:14:00

Oh, sorry. Yeah. So I don't think in principle. So there's any problem with it. Um, I know having been with soil surveyors back into operating solar farms, there's all sorts of health and safety issues with just going in with a soil auger. And when you. So I just want to be clear what it is that's being asked. And then and we can build it in.

01:57:14:02 - 01:57:29:05

Yeah. I mean that needs you know as with any mitigation it needs to be proportionate. We need to show that it's necessary. So it's not doing something for the sake of doing it. It's doing something because there's good reason to do it. So it's exploring those aspects completely.

01:57:29:12 - 01:57:36:03

But as I'm sitting here, I'm not sure what it is. Yes, that's what it is. So we can see what we're being asked to do.

01:57:36:05 - 01:57:38:03

Thank you, thank you. Yeah. Thank you.

01:57:39:01 - 01:57:39:27

So I wonder if I.

01:57:39:29 - 01:57:40:21

Might call these.

01:57:40:29 - 01:57:41:14

Yes.



01:57:41:16 - 01:58:24:21

Sam Franklin again. Um, I think the applicant makes it clear that they anticipate that the project will improve soil health as a consequence of being wrested from active agriculture. And this the scheme that they're proposing. I was always taught that you you can't manage something if you don't measure it. So I think what we need is, is a, um, some kind of soil health chart which tells us what the state of the soil is at present, what elements that they expect to improve during the life of the project, and then how they propose to measure those during the life of the project.

01:58:24:23 - 01:58:48:15

And ultimately at the end, I think it comes back in, in part to some of the concerns that certainly I've raised through the council in terms of the impact on drainage and soil structure. Um, I know that we're going to come on to drainage in a minute. And so I don't want to jump the gun on our discussions. And I'm aware we've already raised it quite a lot already this morning.

01:58:50:17 - 01:59:23:17

Okay. That's that's that that is helpful. Um. Thank you. Um, you know, certainly I concur. And that's my reading that there have been a number of statements made in terms of improvements to soil health and, um, grading. And I think I need to be very clear in terms of what I put into the planning balance, um, in this respect, and you're obviously agricultural land, soil quality is going to feature quite prominently in the planning balance.

01:59:24:16 - 01:59:57:24

Um, you know, it has been a very active area in the examination. So I think, um, the suggestion of if that is being offered to the planning balance, that it is verified, um, that there are um, surveys undertaken at whatever interval, appropriate interval it might be to demonstrate that. So that is that is an additional factor. Thank you to the Council for bringing that up. So if, if that could be considered as well that aspect.

01:59:57:26 - 01:59:58:12

Thank you.

02:00:31:03 - 02:00:39:13

Okay. Item C, um, if we could scroll down Natural England's letter again, please.

02:00:42:23 - 02:00:50:19

I'm very impressed that colleagues are paying such close attention. It's, um. Okay.

02:00:57:17 - 02:00:58:27

Okay. Let me. Um.

02:01:01:03 - 02:01:12:20

Natural England, um, had made some detailed observations about the outline soil management plan. Um.

02:01:19:25 - 02:01:21:23

And again it would be.

02:01:24:13 - 02:01:56:15

In the same way as we discussed previously about the agricultural land classification, it would be very helpful to see the specifics of how their previous concerns have been addressed. This letter does not currently do that, as far as I can see. So they previously said this goes. I summarized some of their concerns in the second question to question 6.2. Um, so there were concerns about complying with the

Defra Construction Code of Practice, um, and following the Institute of Quarrying Good Practice guide.

02:01:57:06 - 02:02:05:02

So, um, I think it would be helpful to see how those specific concerns have been addressed. Um.

02:02:08:28 - 02:02:20:01

So if that could be, again, something that is considered through the statement of common ground or any other submission from Natural England. If the applicant was able to help facilitate that, that would be helpful.

02:02:21:18 - 02:02:51:04

Yes, yes. And try Tony Kernan in a similar manner. I think we work through all of their comments, some of which were just written. I take you a lot of flak for the outline soil management plan. It wasn't my document, sir, but it did cross reference the old MAFF notes, which are now confusingly wrapped up in the Institute of Quarrying guidance for handling minerals. But but all those references have been updated and that document has gone to Natural England.

02:02:51:06 - 02:03:03:10

So it's all of that. Thank you. So it's specifically having confidence in Natural England now. Happy um with those conclusions. That's what I'm thinking.

02:03:03:12 - 02:03:38:14

And I think the only one that um, we discussed and one of the reasons we wanted to see what they thought on the draft was they'd been very specific about the start and stop date really in terms of months, which we did discuss because over the last sort of 5 or 6 autumns and springs, they haven't really complied with those dates in terms of the weather. So we were setting out a slightly more flexible structure that required qualified people to be there to check and make sure that the sorts were suitable, but there might therefore be some flexibility.

02:03:38:16 - 02:03:45:05

So they were very amenable to that in terms of approach, because it just makes sense given how the weather's gone.

02:03:45:12 - 02:03:47:12

Okay. Thank you. Um.

02:03:51:28 - 02:04:00:29

Any comments from the councils about the outline soil management plan at this stage, please?

02:04:03:04 - 02:04:19:05

Well, I concur with a lot of the comments that Natural England have made. Um, and it will be interesting to see, um, how those issues are addressed. I think if they're addressed in detail, that will go some way to meet some of our concerns at least.

02:05:02:15 - 02:05:45:25

Okay. Thank you. That's item four. Excuse me for C now 4D. So we're back to damage to land drains and by piling and cabling. Um, and related to this, the appropriateness of sustainable drainage systems, which I'll refer to as Suds being used. Um, so just to highlight some of the previous points made on this before I could, we put sorry, could we put the agenda back on the screen, please? Um, so it's item for D in particular.

02:05:45:27 - 02:05:51:17

Thank you. Yeah, just down a little bit. There we go. Thank you very much. Um.

02:05:54:02 - 02:06:24:16

So there's an overlap to some degree with the discussions about land drainage and flood risk. So the likelihood of damage to drains by piling, cabling, the unknown nature of, um, the drains. Um, and what the effects of damage might be. Um, Councillor Wilton had made a comment about, um, manure not being added back to the soil to increase the organic matter content.

02:06:24:26 - 02:06:28:13

Uh, during operation, I believe. Um.

02:06:31:03 - 02:07:05:24

In the outline. Kemp at 2.65. Um, and as, as described earlier, um, suds was being considered as potential mitigation if there were drainage issues. Um, but then South Derbyshire District Council raised concerns that the creation of Suds may remove best, most versatile ground due to excavation. Um and the council questioned whether studs features were appropriate.

02:07:06:21 - 02:07:18:29

um as mitigation for drainage. Derbyshire had made similar comments about the use of suds removing land from agricultural use. Um.

02:07:22:00 - 02:07:44:03

So if we could concentrate on that point first, actually, as to whether Suds is appropriate mitigation for damage to land drainage from an agricultural land and soil quality perspective, please. Have I correctly interpreted the the Council's want to add anything to what I've just said?

02:07:46:20 - 02:07:54:01

Actually, I was about to. And then I think I'll let the applicant speak and comment on their view, if I may. Okay.

02:07:55:16 - 02:07:56:22

Over to the applicant, please.

02:08:03:05 - 02:08:06:01

Yeah. Thank you sir. Uh, James Mortimer for the applicant.

02:08:09:08 - 02:08:44:05

In terms of suds, whilst we have, um, measures in place for the batteries area, the substation in terms of land drains. Uh, it will really come down to a matter of investigation. Um, from a from a cabling point of view, the mitigation will likely be to identify because you can see them any damage. Um, and then a commitment to, to repair in terms of, um, damage by piling because they are driven into the ground.

02:08:44:15 - 02:09:17:21

It it will be a process of investigation and assessment if adverse effects are seen or, you know, pooling at the surface or damp boggy patches. I wouldn't say we jump straight to just installing Said. Yeah, it genuinely would be a stepwise approach to why has this happened? Investigate it. And then hence, I think our commitment will be a range of potential mitigation measures depending on on what is found.

02:09:19:20 - 02:09:36:19

Okay, so so obviously the the impact on drainage, flooding, the mitigations for that, we need to consider related impacts on agricultural land and soil quality, soil health. So, um,

02:09:38:10 - 02:10:09:08

what I had picked up. So going back to the earlier discussion, um, I tried to set out the need to be satisfied that, um, flood risk was not being exacerbated by damage to land drains. So we talked about that earlier, getting clarification that There was available mitigation to avoid flood risk being worsened by damage to land drains. Yeah. So

02:10:10:29 - 02:10:48:13

I need to be satisfied that the mitigation measures that are being considered, do they have potential implications for agricultural land? And if SIDs is not appropriate. So if we could come back to the question, it should an appropriate mitigation in terms of agricultural land. So if we can answer that question, if it isn't then that does that need to be removed from the set of options when we're looking at flood risk? So the first question is, is that an appropriate mitigation in terms of agricultural land?

02:10:55:05 - 02:11:21:01

In terms of a localised damage to a land drain by a pile, for example, I would say no. It would be an investigation and mitigation, and it may come back to an earlier point. And Tony can, uh, come in on this. Uh, talk more to the, um, health of the soil during operation and if.

02:11:23:12 - 02:11:53:11

So, yeah, I would say no, sir. This would be more of a if there was a perceived overland flow problem. It may be a strip drain or filter drain put in for the field. Um, but no, I would say suds in their purest form would not be suitable for a localized piece of damage. It would be investigation into soil health, into why it's happened and a and a specific mitigation option.

02:11:54:01 - 02:11:59:29

So it wouldn't be appropriate for a local Issue. When might it be appropriate?

02:12:03:03 - 02:12:04:01

In the context.

02:12:04:03 - 02:12:16:18

Is it so? Sorry. Sorry to cut across to you, but let me reframe the question. So would there be benefit from a drainage and flooding perspective to have Suds as one of the mitigation options?

02:12:19:00 - 02:12:28:21

So from a fluid and drainage perspective, the applicant would be content for Suds to be removed from the list of options.

02:12:33:23 - 02:12:40:00

I'm thinking if we're at that point, then we've dealt with any concerns about Suds in terms of agricultural land.

02:12:40:08 - 02:13:17:07

It might seem paragraph you were referencing, sir, because there's obviously there's that they as I read that part of it, it was covering, for example, edge of any tracks, for example, which might have a different drainage, um, alleviation issue to. Across the middle of a field where you've broken field drains, which I think is a very different arrangement. I had assumed that the range of measures were in there because it gave you flexibility, but I don't I can't see what they have a better understanding of studies than what I said, but I can't see putting that in a field.

02:13:17:09 - 02:13:25:04

I mean, that's a that's Mr. Mortimer's just said that's a very different arrangement, which was the paragraph in the the camp.

02:13:32:06 - 02:13:33:12

Just bear with me a moment.

02:13:39:06 - 02:13:47:08

So in the camp at 2.65, there's reference to SIDs being potentially used to deal with.

02:13:49:24 - 02:13:51:14

Damage to land drains.

02:13:53:27 - 02:13:55:21

2.6.5.

02:13:59:09 - 02:14:12:16

And I'm trying to reconcile that with concerns that the council has raised about has been inappropriate from an agricultural land perspective. That's what I'm trying to reconcile.

02:14:19:16 - 02:14:29:27

I think so you've asked us to to look at drainage. I think we need to cover that because, yes, we're we're both sitting here saying, that doesn't sound quite right. Okay. The statement is there. So yes, we we need to clarify on that.

02:14:30:03 - 02:14:43:02

Okay. Would you could could the council respond. But also perhaps if you're able to just set out a little bit more information about the nature of a concerns about the use of search for agricultural land.

02:14:44:27 - 02:15:24:00

Yes. So Sam Franklin again, I, I think personally I don't think suds would would be very effective in dealing with a problem with an agricultural drain. It might deal with any, um, limited surface water runoff as a consequence of a localized disturbance. But what we were concerned about with it is with the number of land drains across the site, agricultural land drains at depth and at different depths and in different locations, that any number of them could be damaged during the construction phase, and this could lead to a general rising of the water table.

02:15:24:02 - 02:15:56:02

Because of so many of the drains being damaged, it may not actually lead to, uh, ponding on the surface, but just leading to a rising of the groundwater. And this is going to affect land quality because drainage is one of the key determinants. Um, so from a from a surface water, sorry, from a sad point of view, it's probably very limited in its in its effect. What I think we're concerned about is the possible actual multiple damage to land drains.

02:15:56:21 - 02:16:09:15

Um, I know there's been in a commitment to a survey at the beginning, in earlier discussions, and I think it's certainly something that's got to be addressed in, in the soil management plan. Okay. Um, and the detail.

02:16:10:15 - 02:16:21:26

Jim, what are the implications for the water table changes, the water table moving up. What are the implications of that for soil quality? Is that known?

02:16:22:17 - 02:16:54:04

Well they would be negative. So land grade would be affected or potentially affected if it changed the drainage status. Um, what it what it might do. And this is where suds might be helpful, is that if the water table rose particularly during the winter, then there might be more surface runoff when soils were saturated. Um, I'll be honest with you, sir. Suds is not my area of expertise, and so I'd be reluctant to challenge the applicant on their their subs proposals.

02:16:54:06 - 02:16:59:13

But obviously with a rising water table it's going to affect soil wetness generally. Yeah.

02:16:59:15 - 02:17:00:11

Yeah. Okay.

02:17:02:11 - 02:17:55:26

So please. Yes. Just on that point, in terms of land classification, sir, and the agricultural land classification methodology does clearly say at the on page eight near the start that um, where limitations can be reduced or removed by normal management operations or improvements, for example cultivations or the installation of an appropriate under drainage system, the land is graded according to the severity of the remaining limitations. So I think that where there are, um, localised issues that have where drains have been affected and that's affecting water table, the land classification system should take that into account and assume that that can be, um, Rectified, obviously not easily when panels are there, but can be rectified at the end once the panels aren't there, and you can then install the drainage system and bring it back.

02:17:55:28 - 02:18:01:27

So it should not should not result in any adverse impact on land classification grade.

02:18:02:00 - 02:18:10:04

Okay. I think it'd be helpful to you if that could be clarified in writing. That would be that would be helpful. Um, so just bear with me. Sorry. Um.

02:18:21:05 - 02:18:30:18

As the mitigation measures are developed and firmly secured for drainage and flooding. Um, so.

02:18:32:20 - 02:18:42:07

The point I made earlier, really, I'm going to restate that it's been satisfied that mitigation, that drainage and flooding.

02:18:44:04 - 02:18:51:13

Sorry. Going back. Um. Damage to drainage can be mitigated

02:18:53:02 - 02:19:15:00

such that flood risk would not be increased. So it's been satisfied that measures exist without being specific about exactly which measure. On top of that, it's then being satisfied that agricultural land quality issues have been or would be addressed when the mitigation is chosen.

02:19:16:17 - 02:19:35:20

So I think there need to be some carefully secured mitigation measures that deal with not worsening flood risk and not worsening agricultural land classification, and being satisfied that for me and the Secretary of State to be satisfied that

02:19:37:12 - 02:19:43:20

measures do exist, that will get us to that point. Does that does that sound reasonable? Yeah.

02:19:45:25 - 02:19:48:02

Anything from the council at the moment? Additionally.

02:19:48:22 - 02:19:52:15

I think we'll probably wait to see what's producer. Thank you.

02:19:53:00 - 02:19:54:27

All right. Bear with me. Sorry.

02:19:57:08 - 02:19:59:10

Councillor Wilson, I'll come back to you in a moment. Sorry.

02:20:55:01 - 02:20:56:06

Councillor Wilton, please.

02:20:56:27 - 02:21:37:04

Thank you sir. Without wishing to point out the obvious, suds are sustainable urban drainage designs. Um, so I would, you know, point out and I would also again refer you to the which I can send to you the a HDB field drainage design, uh, guide, which, you know, is the Bible in farming. And absolutely clearly when you have broken land drains of which there are potentially 472 acres worth here. Um, it leads to compaction because of the pooling and also potentially nutrients from the soil and soil health degrading, which has been alluded to and dispersing.

02:21:37:06 - 02:21:49:27

But we also have the triple sec. River me's close by. So I just I know what we're doing with everything in sections, but there is, you know, a crossover. Sure. Thank you sir.

02:21:50:08 - 02:21:58:26

The the the guidance you mentioned. Is that something that councils are familiar with? It is. Is the applicant familiar with.

02:22:02:14 - 02:22:12:16

That. Okay. Thank you. It would be helpful to have that submitted if possible. Yes, please. Yeah. Thank you.

02:22:36:17 - 02:22:41:28

All right. Thank you. So let's move on to item four E.

02:22:44:02 - 02:22:53:07

Oh, sorry. If I could just go back to the Natural England submission. Sorry. On four d if there's anything further there that we need to consider.

02:22:56:15 - 02:23:26:17

So I'll read this out. Um, Natural England's as yet unpublished submission. It would be expected that a specialist land drainage consultant would be engaged to undertake the preparation of preliminary pre and post construction agricultural land drainage plans that will be agreed with the landowners. We note the applicant's commitment to appoint a specialist agricultural and drainage consultant as part of the agricultural drainage design works. Um, yes. I don't I don't think we need to go through that further. Thank you.

02:23:27:03 - 02:23:29:20

Right. If we go back to the agenda, please.

02:23:36:21 - 02:23:39:05

Thank you. Um.

02:23:41:15 - 02:23:43:06

So item E.

02:23:47:17 - 02:24:14:04

So this is about whether the cables should be left in place or removed after decommissioning. Um, there has been, uh, quite a lot of exchange on this during the examination already. Um, and I'm just going to pick out 1 or 2 comments for the purposes of today. So, um.

02:24:17:02 - 02:24:49:00

Derbyshire County Council, um, had raised concerns about cables being left in place. Um, in terms of them being the cables preventing suitable reinstatement of land drains and in terms of, um, the land being returned to BMV. Best. Most versatile condition. Um, concerns about the potential decommissioning of cable materials, leaching contaminants into the soil.

02:24:49:28 - 02:25:30:04

Um, and a suggestion from Derbyshire County Council that um, it should be required that the cables and ducting are removed. Um councillor Wilton Um stated that leaving the cables in place would make the landing capable of return to agricultural use, due to implications for drainage. Um, the applicant um, a deadline for said that um upon decommission, leaving cables in situ at greater depths would not prevent drainage measures such as land drains or mole ploughing from being utilised beyond decommissioning.

02:25:30:26 - 02:25:55:06

Um and that leaving cables in situ would not adversely impact the ability of the land to return to agricultural use. Um, we've already discussed that the application is willing to give a firm commitment to return the land to, um, current agricultural land classification, or better. We've already covered that matter. Um.

02:26:00:01 - 02:26:00:20

Okay.

02:26:08:06 - 02:26:11:00

If we look at, um, so that

02:26:12:29 - 02:26:26:12

there is a balance here between leaving the cables in place, um, which would reduce the disturbance to land from the end of commissioning onwards.

02:26:28:07 - 02:26:28:22

Um,

02:26:30:12 - 02:26:34:00

This is the potential for.

02:26:36:09 - 02:26:47:29

Impacting on agricultural land after decommissioning. Ah ah. So it's, it's, there's, there's an inherent conflict potentially or two different things to be considered.

02:26:49:22 - 02:26:56:12



If we look at the Natural England submission I think that's probably helpful. Please.

02:26:58:14 - 02:26:59:21

Go back to the. Yeah.

02:27:02:11 - 02:27:07:18

So if we go um, so trying to juggle a couple of different things here.

02:27:18:01 - 02:27:55:24

So Natural England say in the unpublished submission different soil associations exhibit different depths of natural soil profile. However, with the exception of peats, the maximum possible depth of a sole profile is generally considered to be 1.2m. Therefore, the cables may be laid partially within the depth of the natural soil profile, but will be well below the topsoil layer, and the minimum depth of cover over the cables is not considered to compromise the ability of the overlying agricultural crops to produce a function and effective root system.

02:27:56:00 - 02:28:29:14

This depth is expected to be consistent with the industry standard of 0.9m depth. So my reading of that is Natural England are content that there wouldn't be adverse impacts, significant adverse impacts on agriculture post decommissioning of the cables being left in place on the basis that they are buried by the industry standard of 8.9m depth as a minimum.

02:28:30:24 - 02:28:31:09

Um,

02:28:33:03 - 02:28:39:26

so leaving the potential contamination issue to one side. Just looking at the effects on agriculture. Um,

02:28:41:16 - 02:29:05:27

do what is the council's position? So if I could focus on South Derbyshire, please. I appreciate you haven't had an opportunity to read Natural England submission, and you may want to go away and reflect on that further. And that would be perfectly acceptable. Um, but does that submission change your view? What is your current view

02:29:07:25 - 02:29:12:03

on the impacts on agriculture of the cables being left in position?

02:29:14:25 - 02:29:57:27

And obviously, as you say, sir, we hadn't seen the Natural England, um comments and it does have some impact, but um, I'm Reluctant to challenge Natural England on their assessment of things like soil depth, but agricultural land drains are generally laid at depths deeper than 0.9m. And so there is, um, a conflict between where you might need to lay new agricultural drains in the future as part of a repair or maintenance programme, and where there was a buried cable at at the 0.9m industry standard.

02:29:59:12 - 02:30:20:00

The way that agricultural land drains are, um, inserted in the ground is that that they themselves are buried at a certain depth, but then there is a pouring of gravel onto the top of them. And so you have great opportunity for disturbance, I think, is how I describe it, sir.

02:30:22:27 - 02:30:38:00

Okay. So your concerns are specifically about reinstating land drainage after decommissioning? Yes. With the cable still being in place and the the implications of that for agricultural uses.

02:30:39:03 - 02:30:57:28

Yes. I mean, I tend to agree that measures for what we call mole plowing and subsoil would be adequate with the depth of 0.9m, all other things considered. But it is the, um, land drains that are particularly of concern. Okay.

02:31:06:19 - 02:31:13:07

So there would need to be satisfaction that land drainage could be installed.

02:31:17:04 - 02:31:23:18

In such a way as to enable agricultural uses after decommissioning.

02:31:24:10 - 02:31:29:06

Yes, sir. That, that's that's, I think, where I'm coming from. Okay.

02:31:29:16 - 02:31:33:03

Thank you. Could the applicant respond, please?

02:31:36:08 - 02:32:10:19

Yes, sir. Tony. Tony. Kernan. Well, I think in terms of the principles, we agree, um, and that's part of the soil management plan. And I think we're going to bring that all that detail forward rather earlier. Um, the tables, for example, um, generally will go around the outside of where the panels are and when those cabling works are going in that if there are any, ah, crossing drains, then those drains can be made good depending on whether the drains are above or below.

02:32:10:21 - 02:32:45:04

But assuming the cables gone below the drains, then you could make those good at the time. Um, in a situation like that, it seems that if the cable is below field drains, then there is no harm in leaving that there. If you've got field drains which are six seven feet deep and your cable's going in at a higher level, but you know there is field drainage under there, then that's a situation then when the cable should come out, because otherwise it's going to be running across wherever you might want to put.

02:32:45:18 - 02:33:15:24

Um, repair or redo drainage in the future. If you've got a cable that's buried in a line, if you save, all your field drains are running that way, and you have a cable that's running up between them and it's known, then that may be a situation where it wouldn't impact on drainage because it's not going to ever go across it. So I think it's okay that the intention is that there is no inhibition on current, um, agricultural land quality and on any future use of the land.

02:33:15:26 - 02:33:21:17

And similarly, that would include any restoring or extension of field drainage.

02:33:21:23 - 02:33:24:14

Okay. Thank you. So it seems that, um,

02:33:26:03 - 02:33:45:07

there is a need to include some carefully worded mitigation in the outline damp and or the outline soil management plan that deals with the issue of reinstatement of land drainage as a consideration when looking at the removal of cables.

02:33:46:25 - 02:34:16:01

Is that. Yes, sir. Yes. And I think that just to reemphasize the point, I think any land drainage that you have impacted by the cables at construction phase, you would be remedying there and then. Yeah.

Um, so yes, that would then apply at decommissioning. You make sure that similarly it's remedied if you're affected or if it's buried below, there's not really a problem, but you'd do less damage to leave it to leave it buried if it's below the drainage level.

02:34:16:15 - 02:34:46:28

Okay. I appreciate the applicant bringing forward some of the some more detail into the outline plans. That is appreciated. Um, I think it's it's reflective of some genuine and well considered concerns that we've been through at some length this morning. Um, and obviously, you know, they are things brought to my attention and they are things we need to report on carefully. So, um, as much detail as can be added.

02:34:47:00 - 02:34:52:02

And I would urge you to make commitments from, um,

02:34:54:00 - 02:34:59:14

you know, so that they are secured firmly. Um, that that's important to me. Thank you.

02:35:02:24 - 02:35:05:03

Um. Thank you sir. Again.

02:35:06:24 - 02:35:08:24

Action on drain depth. I've actually

02:35:10:21 - 02:35:12:18

been digging in the last

02:35:14:11 - 02:35:28:09

Face to face. I went in at about 1.2m F and in depth on duty between 1.25m. And if you need to use, don't use there.

02:35:31:03 - 02:35:31:23

Is

02:35:33:12 - 02:35:41:04

on the farm that is at six meters and then shake rate. Very rarely.

02:35:43:15 - 02:35:44:06

But we do.

02:35:47:06 - 02:35:50:10

Have occasion there at about naught.

02:35:51:25 - 02:35:59:24

I just wish to refer to the damage when it was first updated. Said. They say that has now been.

02:36:03:19 - 02:36:05:05

Um, they've now changed that

02:36:06:29 - 02:36:13:14

deadline to. If the cables are removed by pulling the out of the Dutchman's.

02:36:15:28 - 02:36:18:07

Valves? Um, obviously.

02:36:19:00 - 02:36:26:05

Then in their deadline for questions. Um, 5.2. They actually refer

02:36:27:21 - 02:36:29:09

and and admit that.

02:36:32:04 - 02:36:32:19

Yeah.

02:36:33:25 - 02:36:40:11

Yeah. And my concern is and we keep isolating in construction.

02:36:40:24 - 02:36:41:17

Tables, in book

02:36:43:08 - 02:36:45:24

pile driving. Damaged and drained.

02:36:46:08 - 02:36:50:24

Can't repair the land. Drain that underneath cables. Yeah.

02:36:51:25 - 02:37:05:22

Yeah. It's there's some difficult things to balance here. Um, and it's, you know, I'm very keen to try and find the best possible route, the most effective mitigation that we can across all the different areas that we're talking.

02:37:07:09 - 02:37:25:02

Um, I am mindful that of the critical national priority for this project as well, within the considerations that mitigation must be well considered and well, notwithstanding that critical national priority, we do have to deal with mitigation measures.

02:37:26:21 - 02:37:29:19

Um, I think that, um,

02:37:31:16 - 02:37:36:09

will be very interesting to see the applicant's questions on, I think.

02:37:41:16 - 02:37:59:18

Designing buried cables in such a way that minimizes the likelihood of being removed. Feels like that would bring benefits in terms of agricultural soil quality, because you're not disturbing the soil in the future.

02:38:02:00 - 02:38:16:01

That you have that is submitted a depth of nine or so. Um, be very interesting to understand whether that there's any merit in reviewing that debt.

02:38:18:15 - 02:38:22:22

To increase the likelihood of the cables being left in place in the future.

02:38:24:16 - 02:38:25:05

That makes sense.

02:38:28:04 - 02:38:30:05

But having the cables at greater depth

02:38:31:22 - 02:38:38:23

potentially make it more likely for the left in place. Was easier to deal with the land draining.

02:38:42:09 - 02:38:46:20

I'm just I'm just floating the thoughts that are going through my mind at the moment. Um.

02:38:48:27 - 02:38:52:18

The disturbance to remove the cables, the implications of that for land.

02:38:54:10 - 02:38:59:06

So there's there's a balance of many competing things require, you know, merit.

02:39:01:21 - 02:39:06:11

Thank you. Sir. I can't see that we deal with it in situ, but I.

02:39:09:29 - 02:39:12:15

If they are left in the ground, which is proposed

02:39:14:14 - 02:39:21:12

on the ground going potentially, and pollution, particularly to the sea, but all.

02:39:24:02 - 02:39:34:14

Yeah. It's um that has been mentioned. Well, there are two issues. There's the termination pollution aspect and then there's the waste aspect being raised previously. Um.

02:39:38:15 - 02:39:41:12

The applicant has stated that there

02:39:43:06 - 02:40:09:12

will I will ask the applicant to make its own statement on that in terms of potential contamination and potential waste issues. Um, which is the applicant's position on though the Environment Agency had previously raised the potential of there being a waste issue with cables and ducting being left in place.

02:40:11:00 - 02:40:16:05

And concerns have been raised about potential contamination tables and topspin.

02:40:18:04 - 02:40:22:28

I don't I'm happy for these to be taken in writing, actually. If you'd like to give an initial response.

02:40:25:28 - 02:40:31:01

To some applicant based on my technical bid.

02:40:46:16 - 02:40:55:13

Thank you. And if you could also place the waste issue. Um, the Environment Agency previously mentioned I can give you.

02:40:58:10 - 02:41:05:13

I'm sorry to interrupt, sir. The, um, sound has, um. We've lost sound. Um, for a few moments. Could you please reset the microphone?

02:41:07:03 - 02:41:36:21

Right. I'd forgotten that you were on teams. Um, sorry. So the Environment Agency had previously raised, um, the matter of, um, if cables and duct work are left in place after decommissioning, that there may be waste implications of that. Now, obviously, that's proposed at some time in the future, but is that something that you can amplify on a little bit now for us?

02:41:37:26 - 02:41:46:03

Uh, Lewis Pemberton, Environment Agency Unfortunately not. We don't have our waste specialists on the call today. Can I get back to you at deadline five on that matter, please?

02:41:46:18 - 02:41:48:26

Yeah. Thank you. That would be helpful. Thank you. Thank you.

02:41:50:11 - 02:41:56:19

So, yes. So separate issues, contamination risk and any waste implications. Take that in writing.

02:42:35:24 - 02:42:38:09

Let's move on to item four F.

02:42:40:13 - 02:42:40:28

Um.

02:42:43:02 - 02:42:43:27

Thank you.

02:42:46:01 - 02:42:47:28

That agenda is now back on the screen.

02:43:01:23 - 02:43:06:00

So this is to do with the end state after decommissioning. Um.

02:43:08:05 - 02:43:12:28

Let me see if I can. I just want to quickly review some of the previous submissions.

02:43:17:29 - 02:43:18:26

So.

02:43:19:05 - 02:43:32:26

Um, a deadline for the applicant. Uh, this response to question 5.1. Um, the applicant noted that the end state after decommissioning is defined within the outline, uh, decommissioning environmental management plan.

02:43:39:10 - 02:44:01:16

Um, South Derbyshire District Council responding to the same question. The deadline for um said that consideration of the end state and decommissioning all stages is appropriate in relation to the effective and efficient management mitigation of long term adverse effects. Um.

02:44:05:03 - 02:44:07:10

Derbyshire County Council made a similar.

02:44:09:19 - 02:44:10:08  
Position.

02:44:17:11 - 02:44:20:04  
So the first question is um

02:44:21:29 - 02:44:43:22  
outlined in section 3.1 of the Outline Decommissioning Environmental Management Plan does describe um the end state. It's not it's not termed in terms of end date that that phrase is not used. But there is a description of um, uh, what decommission should achieve. Um,

02:44:45:19 - 02:45:16:09  
it would be helpful. I think we'll take this in writing if, uh, if we may, if South Derbyshire District Council could, um, set up in Derbyshire, actually, whether it has any concerns about the sufficiency of the description and the outline dump. So that's section 3.1. So does that sufficiently describe what, uh, the end state should be. Um.

02:45:23:15 - 02:45:24:05  
Well.

02:45:24:18 - 02:45:56:29  
Um, so from my own experience of decommissioning, um, and highly regulated industries, um, and this is, this is at a level of contamination and difficulty that's rather different to what we have here, but it can be beneficial to have a description of the end state that is consistently updated, um, at various intervals throughout the process. And I'm thinking we have a period of 40 years or so here.

02:45:57:27 - 02:46:35:15  
Um, and we've talked about the potential for monitoring soil health and, and things such as that during that period. Um, and that is one of the reasons that's done in other industries is that, um, it brings to mind the need to, um, mitigate decommissioning impacts, not just at the time of decommissioning, but recognizes that there are things that can be done during construction and during operation which will assist the decommissioning process.

02:46:36:06 - 02:47:01:24  
So there are things that can be done earlier rather than that just at the time of decommissioning. So looking at actively reviewing the end state, having that process as management measures are enacted during the preceding stages. Um helps to make decommissioning more effective. Um.

02:47:04:16 - 02:47:14:29  
So those are thoughts from other industries. Um, I think I'm just going to ask the applicant just to reflect on that, whether there's merit in

02:47:16:15 - 02:47:33:03  
maintaining and updating the description of end state and whether there's merit in explicitly requiring the end state to be considered as earlier management measures are put in place.

02:47:34:21 - 02:47:37:24  
If we could leave that as a written exercise, please.

02:47:38:14 - 02:47:39:24  
Yes, sir. Thank you.

02:47:43:01 - 02:47:46:19

Did the councils want to add anything to the general comments?

02:48:08:06 - 02:48:13:02

And comments can be provided in writing as well, obviously. Yeah.

02:48:15:04 - 02:48:16:12

Being said, I mean.

02:48:16:14 - 02:48:47:07

We will provide writing, but there may be a period of time after the commissioning has apparently happened, but then problems in the data. So there might be a an unspecified time period that in which any problems might emerge that could then be dealt with. I was thinking of where trees are planted for other developments, and the five year clause, which says that, um, any failures need to be replanted.

02:48:47:19 - 02:48:51:15

I'm not suggesting tree planting here, but just using that as an example.

02:48:53:09 - 02:48:54:01

Thank you.

02:48:55:25 - 02:49:01:12

Tony Kernan I noticed Natural England suggested a five year aftercare and that response at the moment.

02:49:01:16 - 02:49:05:24

Yeah. If we go back to the Natural England letter, please, just under this point.

02:49:15:26 - 02:49:34:07

So natural. England's unpublished comments are the soil management plan should include an aftercare program for all lands to be restored, including the restoration criteria specification for the resource. I'll leave you to read it, if I may. Um, so we'll have this published as soon as we can.

02:49:37:02 - 02:49:51:17

But yes. So if it's important to make sure that, um, attention is paid to these comments for the soil management plan and also potentially the decommissioning environmental management plan, please.

02:49:52:05 - 02:49:59:26

Yes. I think where soils have been disturbed, five years is the norm. It just takes time to to settle and get back to your original profile.

02:50:00:03 - 02:50:01:13

Thank you. That's helpful.

02:50:01:27 - 02:50:03:07

Uh, sir Patrick Robinson.

02:50:03:21 - 02:50:05:15

If I could just clarify.

02:50:05:17 - 02:50:12:21



I mean, when we were looking at these questions, I think from the legal side had been looking at the wording of requirement 22 and.

02:50:13:03 - 02:50:13:21

How does it fit.

02:50:13:23 - 02:50:16:10

With with other precedents. But I think the way you're putting.

02:50:16:12 - 02:50:17:06

The question.

02:50:17:14 - 02:50:26:06

Now is very specifically about just don't leave it right till the end. Is there more that can be achieved? Almost. I want to create a.

02:50:26:08 - 02:50:26:29

Phrase out of nowhere.

02:50:27:01 - 02:50:28:21

With it being a living document.

02:50:28:27 - 02:50:29:12

During the.

02:50:29:14 - 02:50:47:29

Life of the program, which to me doesn't now go to the wording of requirement 22 because it's it's simply the standard that you're working to. And how do you find that standard. Mhm. Um, so unless there's anything more from our side about that I think we understand the quest to take that issue away and look at it.

02:50:48:01 - 02:50:50:03

Thank you. Yeah. Thank you.

02:50:52:29 - 02:50:54:26

Okay. Just bear with me a moment, please.

02:52:13:13 - 02:52:15:12

Sorry. Just bear with me. There's, um.

02:52:18:08 - 02:52:22:04

An issue that I just want to make sure we're addressing at the appropriate time.

02:53:35:07 - 02:53:39:09

Could we go back to the agenda, please? Now we're at the agenda.

02:53:41:12 - 02:54:02:29

Item g that okay so other agricultural soils and decommissioning matters. So we are covering decommissioning here. Um and as part of that um, I do want to consider the funding for decommissioning and the timescales for completion of decommissioning.

02:54:05:24 - 02:54:12:14

Um, so if we look at the funding for decommissioning, um.

02:54:15:25 - 02:54:29:10

A deadline for the applicant stated that it considers that the proposed securing of decommissioning funds within the DCO is highly unusual and has no precedent. And.

02:54:31:24 - 02:55:03:10

Actually, I think I think we have a couple of topics here that will merit a little bit of time. I'm looking at the time it's 1254, so rather than try to address these now, I'm proposing to address these after lunch. So um, I'm going to be straight after lunch. I'm going to be raising the issue of the necessity of securing funding for decommissioning. Ah ah. And how that might be done.

02:55:05:07 - 02:55:13:21

And I'm also going to explore the issue of timescales for the completion of decommissioning.

02:55:17:28 - 02:55:37:26

I will refer parties to the second set of questions. So funding for decommissioning question 5.3 and the responses to that and then the funding for decommissioning question 5.4 and the responses to that. So, um.

02:55:41:24 - 02:56:00:25

Let's let's take those after lunch. I think given time, we all deserve a break for lunch. Um, so it's, um, 1256 now. Um, if we could please reconvene at 2:00. Um, is that satisfactory for everybody? So, um,

02:56:02:13 - 02:56:04:18

just bear with me a second.

02:56:15:04 - 02:56:22:15

So. Yes. So we'll take a break for lunch. Um, we'll reconvene at 2 p.m.. Thank you very much.