

## **Mallard Pass\_ISH1\_11 July\_PT4**

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FULL TRANSCRIPT (with timecode)

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Okay. The clock on the wall is now showing being 3:45. So we will recommence. If everybody's ready, please.

00:00:19:28 - 00:00:53:08

Okay. Continuing the discussion around benefits and particularly moving on to think about carbon, which has been raised at various points already this afternoon. Um, Chapter 13 of the environmental statements identifies moderate benefit in terms of the carbon savings over the lifetime of the scheme. Um, and the position is from the applicant believe that carbon emissions will be displaced within ten and a half years.

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And reference is made to the IPCC estimates from 2014. That suggests the estimated lifecycle emission of around 48kg over 20 to 5 year period um, which think applies the medium range from the IPCC reports. Um, there have been concerns that have been raised as to whether or not that sufficient, whether it's adequately addresses the transportation and manufacturing of the panels which may be imported from, from China.

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Um, note the applicant's deadline three response, which suggests that that medium figure is in fact conservative. And they've also provided some comparable figures from the long field scheme and scheme in Chile as well. Um, to start off with the applicant, please just kind of set out their position and summarise how relevant and applicable the, the long field assumptions and the scheme in Chile is. Please.

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And Mr. Foxman, half of the applicant. So think that.

00:02:07:18 - 00:02:46:27

Have to first say that we don't have our climate change expert here with us today because we hadn't anticipated that would be on on the agenda on this. So I can only I can only give a high level response to that. And that can only really echo what we said in our responses both to your question on this and in response to the detailed queries from interested parties, the deadline deadline to which we think this is an appropriate figure, both reference to to the project you mentioned, but also looking at other projects such as Sonica, that we think it is a precautionary approach.

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And don't think that. And as you rightly said, we submitted an appendix at that 93, kind of actually going more into the details of how that's been applied and what it means for our numbers. But it is a precautionary approach. And think what we've said in writing stands.

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Thank you, Climate change experts.

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When will they be available?

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And we will ask the question to see if they are available tomorrow.

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But we had at the moment, we hadn't planned for that because we had not anticipated we anticipated that this item was going to be around benefits that things like the council have been asking for, not on GHG. But we will see if they are available.

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Point taken. Yeah, Yeah. It's really just to discuss the benefit in terms of carbon savings of the development. Appreciate That's not specified precisely on the agenda, so I appreciate that point. I'd like to give Mr. Roberts an opportunity to do whilst we're here, just to to address that. If he's if he's ready. Thank you Tony.

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Pass Math Path Action Group. Um.

00:04:09:07 - 00:04:42:05

I. When we are looking at that particular calculation referred to by the applicant, um, it is quite difficult because as I said this morning, the applicant, the main driver of one of the main drivers in that is the plant load factor you use in the calculation. And the applicant has over time use the variety of plant load factors. Um, it went from 11.4 think to 11. It's certainly been ten which is referred to by.

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In in the documentation and think it's back up to 11.4. So mean. The only thing that I'm saying is that it can't be all of those. It has to be one of those. Now, the other point that I would like to make is if you look at Duke's, which is the government plant load factor measuring data, in 2021, it was 10% for solar and it's never been higher.

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You know, all the time it's been measured, which was from 2000, the year 2000. It's never been higher than at 11.4. So, you know, think all the indications on the facts are that it's much closer to the 10%. It is the 11.4.

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Thank you, Mr. Orvis. Mr. Halliday, did you have a point about Ian Halliday, Past Action Group? Hopefully you can hear me this time. Thank you.

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Um, with respect with reference to the data points that are provided in the response by the applicant, it refers to Long Field as a comparator and uses that to make a statement that they believe their figures to be conservative. I do not believe that to be the case as an engineering scientist. Um, and certainly when you look at a single data point in this instance, um, it happens to be that the GHG figures, the lifecycle carbon figures for long field are those presented by the long field applicant, not figures that are established in science or necessarily by independently verified.

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So, so I'm not sure that they're a particularly strong comparator in particular because they also don't fit with many of the papers that I've personally read, which would indicate that 70% of the manufacture

of the lifecycle carbon is in the manufacture at least 70%. And that's borne up in the in the argument put forward by the applicant. If you actually look at the figures for long field, it's only just over 50%. So I think those should have been questioned at the time and would certainly want independent verification that that's a suitable thing to compare if you're going to make a statement like we are being conservative.

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So thank you, sir.

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Thank you. Um, we'd like to commit to response climate change expert here, but any points you can address now will be helpful. Thanks.

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Um, Mr. Fox. So the first point is just to confirm that the figure is definitely 11.4% in our deadline three climate change table at 327. Um, we explain that to explain where there has been tough evidence before. And then in appendix G, um, to those responses, we had a detailed table for our calculations on a year by year basis. So I would encourage the parties to review that. And if they have questions on that, that is the that is the most up to date and accurate starting point for all of our submissions moving forward on that percentage would note, and we've said this in our response to um, relevant reps as well as well as our 93 submission that yes, it is 11.4%, but that is still better achieving the most other energy production, um, alternatives.

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Um, in response to that point about other academic papers, then we would welcome them being submitted so that we can review them accordingly. Um, I think it's worth noting that obviously our figure derives from consideration of what the IPCC did, which of course you can get much higher in terms of an organisation coming up with a figure. Also, we applied our value over a 40 year period rather than 25 year period assumed in the IPCC reports. So it is even more precautionary in that approach.

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Um, I think, um, I think there is a danger of getting into a bit of report to tennis. Um, some of this has, you know, I feel like both sides of this discussion could submit various reports. Um, I think we've set out clearly why we think our approach is appropriate and that it takes account of, um, the construction and maintenance emissions and would, would also argue that this isn't not our primary submission, but would argue that even if our, um, construction, um, even if the payback was think someone suggested earlier it might be 12 years rather than 10.5, even if that was the case, which we don't say it is, but even if it was, I think the applicant would still argue that the benefits are still huge and outweigh those costs, um, given the expected lifetime of the project.

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And should also say, sir, if just I'm conscious that our expert may not be available tomorrow, but we could possibly talk to him this evening. If you did want to say what your questions were going to be, we could perhaps see if we can come back with an answer tomorrow, even if he isn't available.

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Um, it may be something to pick up in second written questions, so it's probably best left till the point of time. Think.

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Okay.

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Any further questions or points to raise on this point before we move on.

00:10:29:19 - 00:11:14:12

No. Okay. So moving on to community benefits than um and a notes from Rutland County Council's local impact report that they think a community benefits package to support the local community would be appropriate. Um, also note Mr. Fox's point earlier that such a package could not be for the weight in the in the planning balance. Um, but it would be interesting to hear at this point in time whether there's been any conversations or discussions around that as a as a point of interest and whether or not those discussions have extended to the other local authorities within the or the limits of the applicant and perhaps give a brief update on that.

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That'd be helpful. Thank you.

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Yes. Sorry. Just will bring in Mr. Bell momentarily who we have to provide an update on on on those discussions and think it's just important to set my comment earlier in context, which is point about community benefits as they're only able to be taken into account if they relate directly to the the impacts of the of the scheme. And that was the clear kind of guidance from the law on that from the onshore wind and case. So but with that in mind, I would say explain the give an update, but that really needs to be seen in the context in that context.

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And so.

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Sorry. Gareth Phillips For the applicant. I think what we need to be clear about here is that. If a community benefit is offered as a mitigation, then it's something that can be had regard to in the planning regime. If it is simply a community benefit, as in a gift to the community, then it's not something we should be discussing in this forum because it's not something the examining authority can have regard to. Nor is it something that the Secretary of State can have regard to. So just issuing that warning before we go down this path in that what I believe my colleague would be talking about is discussions between the parties over community benefits rather than.

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Mitigation benefits. So enhancement mitigation and enhancement we can talk about in this environment, community benefits, we're not permitted to.

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Absolutely. It was just a point raised in your deadline three response. So it was just to receive an update on that point, taking on the extent to which it is relevance to the decision making process.

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Thank you, sir. David Bell for the applicant. Um, Section 3.5 of the planning Statement 203 sets out the primary benefits of the scheme and these would be benefits that we would consider would be able to be brought in to the decision making process. I will come on to discussions with the local authority regarding community benefits package as a separate piece, but in in high level summary, in addition to the considerable level of low cost, low carbon energy generated by the development, and notwithstanding that, we're going to be providing clarifications on the exact level of that additional benefits which derive from the design approach from the scheme, relate to have a habitat creation within the order limits.

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And this is calculated to be quite considerable biodiversity net gain in the order of 72% when measured against the biodiversity metric.

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The other benefit that we identify at a high level is three new permissive paths which deliver approximately 8.1km of length of new permitted path, connecting to the existing public rights of way, network and economic benefits generated during principally during the construction phase of the development. And this is described in chapter 14 of the

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app 044. And then in addition to that, to ensure that there's maximum benefits generated locally, there is a submitted for the application, there is an outline skills and supply chain plan, which the purpose of which is to try and derive maximum local benefits from that construction phase period.

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Those are the principally the benefits that would be derived from the sort of approach to the scheme. And we can consider in the in the planning balance in this forum, we have had discussions with the local authorities with regard to

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a community benefits package and we note Rutland County Council's

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local impact report representation at paragraph 166, which states that they consider that it would be appropriate to provide a community benefits package. I would just outline in general terms the applicants are keen to deliver community benefits packages for development for communities that host their developments. And we have had a meeting with Rutland County Council to discuss this in an outline.

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In addition to that, the applicant considers that to ensure those that kind of community benefit is experienced locally, there is a preference to look at specific projects in the local area that could potentially be. Delivered by the applicants to to ensure that the benefits are derived locally. And both are stage one and stage two consultations included questions in that regard as to what form types of project might be appropriate in the in the local area that may be delivered by the by the applicant as as a community benefits package.

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So these conversations were fairly recent. We can provide an update as an item in the statement of Common Ground. We have initially spoken with Rutland County Council.

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That is my understanding that they have also had all the plan is to have conversations between the local authorities and we would. The applicant is happy to continue those conversations with the local authorities.

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Thank you for that update. Would any local authorities like to comment on this particular point?

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Thank you. Yes. Apologies. Please go ahead.

00:17:09:05 - 00:17:43:24

Hello. So Ingrid Hooley heading up economy and planning at Rutland County Council. I'm here today representing our chief executive who wanted to be here himself, Mark Andrews. But he's in meetings with government ministers this afternoon, so couldn't be here. And in turn, we're also representing the chief executives of South Kesteven and Lancashire County Council, where we have had discussions. Um, so we would acknowledge the comments that have been made earlier about community benefits not being material to the planning application.

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But nevertheless we, we also acknowledge what the applicant has been saying here today, that this scheme is not like previous schemes. This is a solar farm application of enormous size, um, against a county council of very tiny size. So the impact of this scheme on Rutland itself is absolutely huge. It is a 2% land take of our geographic coverage and we would argue that the benefits are national in the main and not local.

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Um, so the impact of this, this scheme really to Rutland itself is actually one of harm rather than one of benefits. Um, it's in particular harming to our landscape. It is changing the nature, the look and the feel of our landscape. Um, our visitor economy is our second highest generator of income for our county. Um, and this, this will have a direct negative impact on that, on the economy, the landscape, and then the residents themselves who actually live in the area for, um, the actual nature, the green fields, um, the, the green space that's around them.

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Um. So so we would welcome a as the applicant has just said, we do welcome the developer to come to the table with us and talk to our South Kesteven and Lancashire County Council about working in partnership on a package, um, to, to mitigate and to respond really to that impact on our area and the in the villages in that space. However, we would expect that package of benefits to reflect the scale and the and the size of this.

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So we're not looking for something small. We're looking for something. We're looking for a whole package of measures that fairly and reasonably is related to the scale. Um, and in kind to the, the type of development here, we're looking for something we're conscious that that applications of this size and scale have not, um, really come. Or would before. And so we're looking here to work with the developers to establish good practice and to put benchmarks forward for the lifetime of schemes such as this conscious that more schemes of this type are required, um, across the country.

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And so we would ask in summary really that the inspectors, should you look to support this application that you do ask that. Well, we would ask that consent, if given is subject to a suitable community benefit package that comes forward, um, towards this.

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Thank you. Noted. Um, in terms of the extent to which that benefits package can be considered, I think has been has been addressed. And so I think we take that on board and yes. Thank you for your submissions. Um, do we have any further comments on community benefits and setting aside the community benefits package if possible, please. Before we move on to the next item on the agenda.

00:21:08:05 - 00:21:42:13

Yes, sorry. Mr. Johnson. Phil Jordan, on behalf of South District Council, I don't know if this is the relevant time to make these points. I would agree with the benefits that have been set out in terms of the generation of clean energy, biodiversity, net gain, permissive paths and some short term economic

benefits. I think we have what we've heard a lot today about, you know, exactly what that quantum of clean energy is.

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And I won't repeat those points, but think there were similar arguments raised in our local impact report around biodiversity net gain and quite a figure of 71% isn't reflected in the draft. I think there's a 10% target figure in there and likewise questions around the permissive paths.

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Mechanisms for securing those in the long term, but also how much of a benefit is that in the context of, um, you know, connectivity across the Highland landscape? Um.

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So yeah, it was just really to make those points around, you know, accepting the what the benefits are. But I think there's a bit more debate to be had around the extent to which those benefits are considered.

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Thank you. Just to confirm, those matters will be discussed tomorrow. Apologies if the agenda isn't entirely clear in setting us out, but we will revisit those issues tomorrow. Um, Mrs. Holloway.

00:23:00:19 - 00:23:42:09

This is Holloway on behalf of Haas Action Group. I just wanted to review the points that the applicant raised about material planning benefits, talked about habitat creation. It's important to differentiate between habitat creation by virtue of mitigation or enhancement. Which was it? You can't double count both mitigation and enhancement. And my belief is that the habitat creation has predominantly been done to satisfy screening requirements, which when the when then when we as a community look at the impact of that screening, has a massive negative impact and harm on the landscape.

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Uh, mentions for permissive paths. Well, in conversations over the months, we have fed back that it's all very well adding permissive paths, but when they're surrounded either side by solar panels, fenced in by solar panels, it's adding no value to members of the community and they feel quite strongly about that. There's been no, um, there's no opportunity sought to put paths away from the solar panels. So that's not a benefit. The skills plan.

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I'd be very interested if this development goes ahead to see how many people locally are employed. If you look at the demographic of the rural villages surrounding the proposed development, it does not comprise the kind of people that are likely to be manufacturing and constructing solar panels. Um, I dispute the point on price. I think for a long time we're still going to be governed in the UK and globally by wholesale gas prices and don't think that the local community will see the benefit of lower tariffs for many, many years, or until the UK government finds a way of entangling themselves, disentangling themselves from the global pricing system.

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Um.

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And think there's been missed opportunities to actually talk to the community. We wouldn't be perhaps all sitting here today in some respects if there hadn't been 1200 people that made written representations way into the the whole process. You know, this is their third, third submission, having

been through two consultations and 95% of the community that made those written representations were opposed to this. So they are obviously not seeing the benefits

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of the solar farm in totality, the net benefits. Thank you.

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Thank you, Mr. Solloway. Any further comments, Mr. Hughes?

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John Hughes. An interested party. Just to back up. What, Sue? The same mean with regards to the benefits. I think it's written within the documentation.

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After the actual construction of the project, it will create 4.5 jobs and actually give back to the economy £153,000 a year economically. To where? Using the reference for the construction phase that is temporary. So the benefit there is marginal because it's only a temporary construction of two years. Those jobs are not permanent, unlike the project itself. Going back to the situation with regards to the footpaths.

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Yes, they're proposing to put in the footpaths, but actually if you were to walk them, you wouldn't want to walk them. One of them, you would actually be walking straight towards the proposed substation. You're in the countryside. Do you want to be walking towards an industrial building?

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That's all. Thank you.

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Thank you, Mr. Yates. Again, there will be further opportunity to discuss some of those issues tomorrow. Okay. With the applicant, Let's come back on any of those points.

00:27:01:21 - 00:27:03:07

Yes, please. Mr. Fox

00:27:04:29 - 00:27:48:08

won't dwell on the point about Ms. passing the long term and the length of the commitment. We can deal with that tomorrow. On the agenda items. Um, I just did want to raise a couple of points, which was firstly, um. We haven't counted mitigation enhancement. We've submitted the metric. And it's quite clear from that that a large part of the comes from the conversion of arable to the grassland in and around the solar panels rather than hedging. Um, the point about the, the parts, I would just say this class is a benefit because it is something new and we will have different opinions on whether those parts will be attractive to people or won't be attractive to people.

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We will say that they still can be. Others will say that they can't be. But the point is that it's still something new that doesn't currently exist. And to be able to put in parts in completely different places, not where the scheme is, would require extension to the order limits land powers, which I don't think would be justified simply for a footpath. Um, just want to make two other points. One is, first of all that the point about benefits being national, not local, is that local authorities do get to keep the business rates from certain farms.

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And we've calculated that being somewhere between 1 million and 1.4 million annually going to the local authorities. Um, and would just make finally, just a general point we've had at the open floor hearing and from the council just now and then this kind of suggestion that the scheme is ruining a countryside community resource and that will have, you know, serious economic consequences. Um, and in deadline three, you would have seen that we submitted some plans to show our impact in the context of the kind of moveable network in the vicinity in terms of the pro network and roads that people are able to walk and cycle on.

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And you can see there, but it's a small proportion of that total network. And so that's kind of quantitatively and qualitatively think. These are statements that are being made, but there is no evidence or justification to back them up. And it's a feeling that people have and can understand why they have it. But there's been no evidence to say that putting certifier near to small parts of our praise and we have set backs and we have mitigation means that suddenly there's a large economic impact in the surrounding area.

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Um, so just want to make that point because it's been said a lot of times, but there's at the moment there's no evidence to it.

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Thank you. It's an issue we will explore again tomorrow. Note the additional plans as well, which are useful. Thank you. We'll discuss those as well.

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Okay. Um, in terms of those attending virtually, we have some hands up as well. And Mr. Willis And did you wish to comment on this point, please?

00:30:11:27 - 00:30:42:04

Yeah. Thank you, sir. Mark Wallace, Lancaster County Counsel. Again, not to really dwell too much on the points. Think it's really relevant for tomorrow's conversation, but just to say, yeah, welcome the opportunity to talk about a wider benefit package in terms of benefits embedded within the scheme, we've made representation in the local impact report, in particular around the permissive path route and we recognise that as a potential benefit. But it's more about the mechanism by which we secure that, which as I say, think it's probably more of a topic for tomorrow.

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Sir. Thank you, Mr. Willis. And we have Ingrid Hooley as well. Please, Would you like to raise your point? Thank you.

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Thank you, sir. I would like to say on the permissive paths, of course, they are permissive so they can be taken away again at any time. Even if they were things of grace and beauty. On the economic benefits during construction period. Of course, that by no means outweighs the the dis benefits and the harm that will be done during that period to the communities. The impact on the roads, the roads which go past the front of primary schools. Um, you know, you, you can't say that those two things match.

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And on the business rates issue, of course, business rates of business rates, they, you know, at the moment that might be the income to local authorities. But we know at what point, again, central government policy might change. And if we were looking at commercial growth in that area across that scale of of land, that size of development, the business rate income from that commercial

development in that area would massively outstrip that kind of income generated. So we would discount all of those mentioned benefits there.

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No, sir. Thank you.

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Okay, Mr. Purcell, we'll look to wrap up this item a bit quick.

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I'd take great exception to what you say about no evidence that it's going to actually affect our lifestyle in terms of where we live. I live in the village. I see every weekend cyclists going up and down the country roads. I see walkers going up and down the roads, horse riders as well. You actually need to come and actually be in the vicinity to see what's happening.

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And you're not expect where you live, you won't be faced with a solar farm. We will. It will affect our amenity. And I take great exception to what you were saying in terms of there's no evidence. Come and see it. Come and spend a weekend in the village and see what's happening around it. Then you might have another view of what's going on.

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Thank you, Mr.. I think we'll. We'll move on to item generation number six. Site selection and Alternatives.

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Six Looking at such selection and the extent of the broad limits and. The applicant submitted a early red flag environmental assessment of sites that was completed back in June 2021 that looks at the what was expected the limits back at that point in time and provide a an assessment of the environmental constraints within individual fields across what was expected, what was expected to be the yield limits.

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At that point in time. There is a variation in what we now have before us today, and it's noted that information that was assessed at the time predated the most up to date agricultural land Classification survey data, which I think came in the November of that year. And the question for the applicant in terms of how substantive information such as the Agricultural Land Classification Survey data has been assessed on a on a field by field basis to provide a deeper understanding about the relative constraints across the land limits.

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And I'll let Miss Price come in. But just as a starting point, I'll just make the point that obviously it's an iterative process. So that document that you've just referred to, an early stage of development and then carried on and the results of our work implements the site design process.

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Thank you. Sarah Price, on behalf of the applicant. There's a plan up on the screen, which I'm probably going to refer to later, but I think it's it's helpful. It's a plan that the applicant submitted in response to the first written questions, which just sets out how other environmental constraints around the application site boundary were considered. So that's just to explain what you can see up on the screen and I'll, I'll come to it later.

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Um, so in response to your question, particularly about agricultural land, and the same applies to other environmental considerations, as we learn more about the site and surveys that were being carried out was, as Mr. Fox has referred to, the scheme developed in an iterative way as a result of that environmental information, but also as a result of the feedback from consultation. So the consultation report, sorry, don't have the um the reference to hand, but, but sets out again some of the changes that were made excuse me, in relation to agricultural land.

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The, the detailed survey was carried out on the site boundary, which is an approach that that's traditionally taken to carry out detailed agricultural land. Surveys across a wider search area would be firstly impractical, impracticable, but also really quite difficult because you'd need landowner access. And so it's quite normal for for when you're undertaking the early site selection stages to take into account information in the public domain.

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And sorry, so I'm sure you know that, but think it's helpful to to to say that and and particularly in regard to agricultural land. The applicant did have regard to information published by DEFRA on predictive values and the site fell within an area where there was a lower probability of the land being best and most versatile. So that was a starting point. Um, together with published data and then when surveys were carried out, the applicant reduced the level of of fields in which solar and infrastructure was proposed from those fields that had best and most versatile land.

00:37:17:24 - 00:37:49:16

And so, for instance, took out fields that were completely in grade two. The reason that small pockets of grade two are still in is that was often where there was a or it was where there was a wider field with a variable agricultural land quality. I'm not an agricultural land expert. We'll come to that. But and so there are still pockets of grade two, but whole fields have been removed as a result of that scheme development process, just generally on site selection.

00:37:49:27 - 00:38:03:02

So thought it might be helpful to just set out for the benefit of interested parties as well. How approach would that be helpful if I did so just very briefly. Or being conscious of time. Would you prefer me not to?

00:38:06:25 - 00:38:12:03

Don't use macarons. Very briefly. Think given the time. Yes. Thank you.

00:38:12:11 - 00:38:45:03

Thank you, sir. And I'm the reason I raised that. Sorry, Sara Price for the applicant. The reason I raised that in particular is because there's been quite a few discussions today about the royal substation, and that is a starting point. And it's completely correct that that that is an appropriate starting point. The schemes need to be connected to the grid and as my colleague Mr. Gillet was saying, those connections are very rare. And we know that national grids from Mr.

00:38:45:06 - 00:39:27:16

Gilbert's information that he gave today are struggling to deliver the connections required to enable the government targets to be met. So it is absolutely essential, in my view, that those available connections are utilised so that that was the starting point of the applicant. However, the applicant then engaged a consultant team who carried out a review of the land, which is the environmental review that the applicant has submitted to the examination and also carried out a wider review of the area as to whether this was an appropriate site for solar.

00:39:27:18 - 00:40:01:00

And the applicant and its consultants team were absolutely of the view that in planning environmental terms, this is a good site for solar. It's as well as being close to the grid connection, which is definitely a benefit in terms of length of cable corridor which can come to and you can see from the plan that's up on the screen there that there are other environmental constraints in this area, including conservation areas, triple size.

00:40:01:12 - 00:40:33:20

And further over to the west, Rutland Water, which is a European protected site, and also urban conurbations, which mean that it is difficult to find areas, large areas of land close to the grid connection which can deliver the level of ground mounted solar that the applicant was looking to deliver and also with with willing landowners.

00:40:33:26 - 00:40:47:08

So again, on looking at the grid connection and having the offer from National Grid, the next stage is then finding landowners that want to put forward their land and.

00:40:48:28 - 00:41:28:05

Also having large areas of land with relatively limited landowners is better generally in terms of the timely delivery of the scheme and from a negotiation perspective than having lots of landowners, which is a similar principle that's been applied to the. Looking at a site, for instance, further away with a longer cable connection. So, so whilst grid connection was the starting point and as of course essential, it wasn't the only consideration and environmental and planning considerations were very much at the front of the applicant's mind as well.

00:41:28:13 - 00:41:32:22

So I'll stop there being mindful of time, but I'm very happy to answer any questions around that.

00:41:35:22 - 00:41:55:06

Thank you, sir. The early red flag assessment was was a baseline starting point, effectively. And that informed your, as you said, your iterations of the design, the layouts, etcetera, from that point on. But there was never a revisit of that field by field analysis to set out the updated position of those various constraints.

00:41:56:15 - 00:42:29:23

Surprise for the applicant. And so that is correct in that the environmental review wasn't redone, but the design iteration, as set out in the design and access statement was undertaken on a design sort of area specific basis. So what the applicant was then focusing on was impact on individual homes, visual impact in particular, and for instance, moving further away to reduce that visual impact, which again I'm sure we'll come to in other sessions.

00:42:32:04 - 00:43:09:06

Thank you. Do you have any points to raise in relation to that particular question? It appears not. So I'll move on. And without wishing to get too involved in the detail if possible, given that we are going to be discussing water tomorrow and appreciate, we may not have all relevant experts here, but just in terms of the site selection process and the applicant, please just set out how the the sequential test in relation to site selection has been has been taken forward.

00:43:09:08 - 00:43:30:05

And notice the Environment Agency virtually can't be here in their relevant representation, acknowledged that they were comfortable with the approach within the sites in terms of how that's been applied and just interested to hear how the site selection approach with the sequential test has been applied. Please, if you could just summarize the position on that.

00:43:34:13 - 00:43:48:16

Sorry, Sarah Price for the applicant. So. So when you talk about the sequential test, I'm assuming you mean from the agricultural land perspective and a preference? No. Oh, you mean from the flood risk? Apologies.

00:43:48:18 - 00:43:56:11

I'm referring to the one requirement 579 in relation to flood risk. On sequential approach. Yeah. Yeah.

00:43:56:19 - 00:43:57:05

Thank you.

00:43:59:05 - 00:44:33:26

So I think the point is that the majority of the order limits are in flood zone one with areas closer to the West Glen River in flood zones two and three. And the bits, the parts of the scheme that are in flood zones two and three have then been designed accordingly in terms of what areas of infrastructure are allowed where. And we have right to hand. But for example, the data stations are not able to be located within flood zone one.

00:44:35:04 - 00:44:46:27

So think that the the maths and the design guidance and the works plans are all have all been developed with the consent of the flood zone mapping.

00:44:51:08 - 00:44:55:04

Thank you. Miss Holloway, did you response or.

00:44:55:06 - 00:45:26:22

Query Mrs. Holloway for Malabar Action Group? I'm sure we'll cover this in more detail tomorrow on flooding that in respect of site selection. We just like to raise the point that we don't feel that full consideration was taken for the flood risk off site to flood risk zone three, which is great food. There are also issues in which which flood, and it feels that really they've not been taken fully into account in the original site selection.

00:45:26:24 - 00:46:01:19

I think it's it's almost inevitable to a certain extent when you've got a river running through the middle of the site. But perhaps at some point in time there are going to be risks. If you look at the nature of the construction of 530,000 solar panels, which I'm sure we can get into more detail tomorrow, there are increased risks and think also in support of that. The Alpha for Rutland saw something earlier. Haven't got the reference but can find it also expressed that concerns both on site and off site.

00:46:02:11 - 00:46:02:27

Thank you.

00:46:05:01 - 00:46:10:26

Thank you. Noted. And yes, we will be discussing water related issues tomorrow. Thank you. Um.

00:46:12:20 - 00:46:16:01

Without much comment before we move on.

00:46:19:04 - 00:46:54:15

Yes. Mr.. I would just note that the, um, the environmental review that we submitted and diagrams reference and knowledge, the, the issues around hydrology and the further modeling was going to be needed to consider how the detailed design of the scheme went into account for possible surface water

flows. Um, I think that, um, you know, the starting point for a, um, the site selection process is to consider the flood zones, which we did by, um, locating it.

00:46:54:28 - 00:47:16:28

Um, most of the outside it so outside of flood zone one. Um, you then through the detailed design process, ensure through the flood risk assessment that you want to take, um, that you're not causing increased flood risk elsewhere. Um, and that's what this estimate shows. That's when the Environment Agency agrees with and through the, the surface water management strategy. Um, that we've done.

00:47:20:12 - 00:47:25:11

Thank you. If there's no further points, we will move on to the next

00:47:26:28 - 00:47:32:25

item which relates to the consideration of agricultural land.

00:47:35:25 - 00:47:53:23

Just to clarify again, there will be a further session on this in more detail. So we'll talk about that relates to the extent of the load limits and site selection and. Given that the definition of best and most versatile agricultural land includes Grade three, a

00:47:55:09 - 00:48:12:15

true consideration also be given to the removal of sites that are entirely grade three or a combination of grade two and three, and can point to any instances where there are fields that perhaps do consist entirely of grade three A. And to land.

00:48:19:01 - 00:48:25:21

You might need to come back to you tomorrow on that, because my initial reaction was to say I didn't think we had any, but I will confirm the claims.

00:48:26:18 - 00:48:34:24

Thank you. Yes. Think it'd be helpful if we came back to that tomorrow. So I'll note that to revisit. Thank you. Um.

00:48:39:23 - 00:49:02:19

In that context. I think that probably. Brings us on to item C then in terms of alternative technologies. And again, I think we've already picked up on the implications of the size will C decision, which has been addressed in terms of whether or not other forms of renewables should be considered. So I'll move on from that point

00:49:04:11 - 00:49:36:18

on a more. Detailed design level aspect though, and note that the House or the was given some early consideration of East-West orientation of panels which would be more tightly spaced. Um, and essentially that could lead to less land being necessary to accommodate the development. Um, with the applicant lights are just to explain their position on how that was considered.

00:49:36:20 - 00:49:40:22

Think it was ruled out fairly early stage. Is that right?

00:49:42:11 - 00:49:44:27

Yes. My brother Rob. Mr. Powell.

00:49:50:18 - 00:49:54:28

Sorry, can you just repeat the question? Because I was in the process of coming up to the table.

00:49:55:11 - 00:50:28:20

Apologies. Yes. So in terms of the consideration of the East West panel orientation, which I believe could be more densely spaced and potentially therefore lead to a smaller total to coordinate development, it's just to confirm your position in terms of how that was considered. I believe it was rolled out fairly early stage as being not particularly attractive option, but there could be implications for the land that's necessary if there is a possibility of those being more densely accommodated within the sites.

00:50:28:22 - 00:50:32:06

We should explore that in a bit more detail if that's possible. Please.

00:50:34:00 - 00:51:09:15

Well, Paul, on behalf of the applicant. One of the early considerations of the east west configuration was the impact on the land underneath the East West arrangement, which is a lot more densely situated, as you've highlighted, and the effect that would have on establishing grass underneath the panels which delivers biodiversity and the potential impact that would have on biodiversity net gain and the possibility of continued continued agricultural use for grazing.

00:51:15:15 - 00:51:16:03

Thank you.

00:51:17:18 - 00:51:21:15

Would anyone like to respond to that? Mrs. Holloway?

00:51:23:00 - 00:52:00:14

Mrs. Holloway, on behalf of my action group, think I appreciate the pros and cons of all the solar panels, but not forgetting that it would provide better balancing for the grid because the delivery of the energy would be so flat. But it would be a lot better for the grid, so there'd be less grid balancing to do, which is heavy in carbon cost. Um, as you say, it would take less space, which could be a vital part of keeping the scheme tighter, less grass management because it wouldn't grow so rapidly and also believe that the panels aren't as high at the moment.

00:52:00:16 - 00:52:15:01

We're under the standing that the panels could be up to 3.2m high for the other configurations that we're talking about. But the trackers tend to be a lot lower. So there are you know, there are pros and cons should just be weighed up. Thank you.

00:52:17:19 - 00:52:23:01

Thank you. Noted. Are there any. Yes, Mr. Foster, your hand up.

00:52:23:03 - 00:52:56:22

I think today we've heard once or twice in terms of there could be agriculture that is actually practiced underneath these panels. Could we just have some clarification as to whether that's going to happen? Is the grazing going to happen or what? And who would be responsible for doing it? Because I think we're being hooked winged into thinking that we're going to see these lovely panels and we're going to see sheep under them and everything else. But I know the farmers in the local area are arable farmers. They're certainly not livestock farmers, and I don't think we'll see that at all.

00:52:56:24 - 00:52:59:18

So I think it's just a complete whitewash.

00:53:01:23 - 00:53:18:04

Thank you, Mr. Sal. If we can hold that thought for the time being, please, we will revisit that issue on the agenda tomorrow. In terms of the opportunities for a culture on the site if the development is in operation. Any further points in this item before we move on at all?

00:53:20:16 - 00:53:21:10

Yes.

00:53:21:27 - 00:53:22:23

Apologies. Come with a.

00:53:25:23 - 00:53:27:09

If you could introduce yourself, please.

00:53:27:11 - 00:53:27:26

Yes.

00:53:27:28 - 00:53:31:22

Mrs. Helen Woolley. Affected person. Can I just.

00:53:31:24 - 00:54:09:28

Raise the point? Really? Going back to point B in this section around making the case for the site and the agricultural quality, what hasn't been referenced at all in any of the submissions so far? And anything that I've seen that Mallard Pass have written is any reference to DEFRA food security strategy, which actually makes them quite alarming claims. And there is a research project which was included in the written representations that were submitted by Mallard Pass and that was giving some really dire warnings on the lost potential loss of land.

00:54:10:00 - 00:54:51:11

And we're now faced with a scheme and we've identified today's a number of questions over the suitability of the site as a whole. I don't think that as yet we have properly addressed the question of using a site which is all grade two, grade three and grade three B land that is not lesser quality land. And there's increasing evidence that shows that some of that three B land might be more resilient in some of the climate experiences that we have had in recent years that makes that land more resilient in really hot conditions compared to what you might expect if you just look purely at their calculation or

00:54:52:28 - 00:55:07:03

analysis. So I would ask that you don't dismiss the concern or the reason for having that on the agenda. This is not lesser quality land as evidence to show that it's been well farmed and is able to produce high quality and high yields. Thank you.

00:55:08:26 - 00:55:20:00

Thank you, Mrs. Wooley. Noted. And again, we'll revisit the discussion around agricultural lands tomorrow. Just like to give the applicant the final opportunity to comment.

00:55:20:20 - 00:55:42:04

It was just going to Mr. Fox mouth. I'm just going to respond on that point we did in chapter 12 of the which deals with land use, considers that issue and our responses to relevant reps. Um, you know, answer these points on food security. Um, obviously we are very much in the food security strategy. Um, I would just say this. The government

00:55:43:20 - 00:56:03:08

could, if it wanted to say that food security is an issue, needs to be accounted for in planning decisions and has consistently not done that. Um, so I think that's the clear position. There's no policy



requirements on food security and recent decisions show it's not an issue. And. Yeah, I'll leave it there.

00:56:06:17 - 00:56:17:19

Thank you, Mr. Fox. I think then that brings us on to agenda item seven, which is action points arising. And I'll hand back to Mr. Cliff.

00:56:20:07 - 00:56:21:05

Thank you, Mr. James.

00:56:21:21 - 00:56:22:20

Just quickly recap.

00:56:22:22 - 00:56:23:12

The action points.

00:56:23:14 - 00:56:24:05

That have been raised.

00:56:24:07 - 00:56:51:03

In this morning and this afternoon's session, and we'll post these on the Planning Inspectorate website as well. Let me just go through these one by one from this morning session. Um, and all these first ones are for the applicant and. Information on the best and most versatile land at long field. In the case of that decision in comparison with the proposed development two.

00:56:55:09 - 00:56:59:02

Indicative layout stroke cross-sections of the proposed.

00:57:02:03 - 00:57:07:00

Substation. We've got an indicative layout, doesn't it? A cross section of the proposed substation.

00:57:08:15 - 00:57:33:24

Bearing in mind the ground level issue and think we also discussed the requested indicative layout for the primary construction compound. Um, so that's two. That's two items. The next one actually is for Balanced Price Action Group, and that's the details of the solar farm where security fencing was.

00:57:36:09 - 00:58:05:13

That altered and reasons why it was altered or the reasons why the security fence was put in, which you referred to earlier on this morning. And. The next one for the applicant. Details of this is the access routes point in relation to M3, paragraph 3.10 .24 and the applicant was going to explore, if you like, the policy interpretation of that in relation to the access routes. Okay. Is that by all means intervening? Yes. No, that's.

00:58:05:15 - 00:58:08:12

Wrong. Yes, that's right. Okay.

00:58:09:07 - 00:58:16:00

The next one also for the applicant to consider further the wording of requirement rephrasing.

00:58:20:18 - 00:58:26:28

So sad. Just mean. Think we can say that we agree that the action actually that we will update that requirement. Yeah.

00:58:27:27 - 00:58:30:07

Okay. And.

00:58:32:17 - 00:58:42:18

Updates we discussed to the outline construction Environmental Management plan. And still can't read this worthy. This morning, Apologies.

00:58:50:02 - 00:58:59:20

Oh, yeah. I've got the word I've got. And yeah. And similarly, the requirement regarding decommissioning following the discussion this morning.

00:59:02:19 - 00:59:04:09

Okay. And they see.

00:59:04:11 - 00:59:12:27

Sorry. So just on, on that. So the the. To the phasing requirement. Think. Think that we said that.

00:59:16:01 - 00:59:45:21

What we would have to produce when we produce a facing pan, we'd have to show that it's not leading to effects environmentally worse than what we've, uh, what we've assessed. Um, that's quite different from a dent requirement is just a, um, requirement to submit a dump. Um, so think, think what we're asking for there is that the when we submit the damp, we have to submit a statement that to show that it's essentially not environmentally worse than think that's what. Is that what you're asking for?

00:59:46:18 - 00:59:50:15

Okay. You're talking about the decommissioning management plan there, are you?

00:59:51:14 - 00:59:58:02

Yes. So just trying to get clarity in what you're looking for and that that last action you mentioned in terms of the decommissioning requirements.

01:00:01:28 - 01:00:11:29

Yes. Think it is related to that? You're right. Yes. Okay. That's for decommissioning. And the update to the outline, Kemp was particularly in relation to community liaison on.

01:00:12:01 - 01:00:12:26

Phasing phasing.

01:00:12:28 - 01:00:36:16

Approval following the discussion we had on on that. Okay. Is that is that clearer now in terms of those those are the ones for this morning and then this afternoon, first one for Rutland County Council to confirm if the emerging policy on this is on the potential suitable sites relates to just applications under the town and country planning regime

01:00:38:18 - 01:00:54:29

and then one for the councils to follow up in our written question, think it was 1.3.9 and think this is for Rutland County Council and for Lincolnshire County Council two. This is the the question we wrote we asked in writing about the policy.

01:00:56:22 - 01:01:13:16

Or which policies are important and relevant for the site selection process. So really referring to question 1.3.9, where we weren't able to provide an answer to that deadline, to provide it for deadline for I think that's primarily for Rutland County Council.

01:01:15:11 - 01:01:26:29

Okay. And then the next one for the applicant. This is to provide a copy of the I think it was called the Progress Report. But this is the Future Energy Scenarios report that was published yesterday.

01:01:29:17 - 01:01:30:02

And.

01:01:31:19 - 01:01:47:09

Okay. And then the next one is. Clarification on output calculations in terms of the number of homes that could be supplied.

01:01:48:00 - 01:01:59:01

Point sorry. So just on that last section about the feds report, you might be coming on to it, but there was also the request to submit the report. Yes. Okay. Yeah, we could do both. Yeah.

01:01:59:08 - 01:02:05:10

When it was mentioned of the progress report. Yes. What was that? That's the report. Okay. Yeah.

01:02:05:17 - 01:02:08:27

Because would say that this report is quite long. Full of lots of numbers.

01:02:08:29 - 01:02:31:14

So I think when you do provide it, if you can signpost the particularly relevant parts, I think like any any document of sizable document that anybody submits, if you could signpost us to the relevant paragraphs, uh, in some cases you don't need to provide the whole document, you can just provide the relevant bits as long as the context is understood. So yes, signposting for those things is really important and.

01:02:33:14 - 01:02:56:06

Okay. So, yes, we've got the the output calculations in relation to the number of homes that could be supplied by the project point. And then finally, um. This was the point about the calculation or the details to quantify the land that would be required for over planting at that point, Yes.

01:02:56:08 - 01:02:57:05

It was discussed.

01:02:57:07 - 01:03:03:18

That. And just to confirm on that, that will likely be numbers in terms of numbers and panels in the amount of land. Yeah.

01:03:03:20 - 01:03:08:23

Yeah that's think that's what the expectation the what the expected expectation was.

01:03:09:08 - 01:03:24:27

Just if we finish I have just talked to myself as we were talking about the most environmentally worst point felt like this must already be dealt with in the and it is so just to think about overnight is schedule 16 under paragraph

01:03:26:27 - 01:03:57:02

two sorry paragraph two three of schedule 16 so that when we are making a. Any essentially submitting a requirement for discharge. We have to include a statement to confirm that the subject matter of the application will not give rise to any materially new, materially different effects than those in the. Yes. Does that apply to every requirement and specifically? So that includes requirement three. Right? Understand. And then so I don't think that means we actually need to amend those requirements because it's already covered off by schedule 16.

01:03:58:24 - 01:04:01:25

And because that was the discussion we had.

01:04:01:27 - 01:04:24:18

Okay. Well, let's park that point then until Thursday. I think that's going to be one of the matters on the agenda. That's that's what I'm thinking just for now. Okay. Let's park those ones then until the discussion on the on Thursday. That's my list of points. Anybody else have missed any points? This is for the it's just for the action points arising.

01:04:24:29 - 01:04:47:03

In the past. Action Group Home. Question On the last point regarding planting the clarification request from the applicant, if you wanted them in numbers as the numbers of panels, which we already know, it's 1.3, 1.5, I believe. Mr. James, your question that you asked at the time was to do with the area

01:04:48:23 - 01:04:51:04

required for the planting. Thank you.

01:04:52:00 - 01:04:56:25

Yes. Think we included area area in that point. Yeah. Yeah. But thank you for that clarification.

01:05:00:02 - 01:05:00:18

Okay.

01:05:02:10 - 01:05:33:09

Right. Those are the action points. And we'll put a list of the the running Stratford's website as well. And those are all think I'm right in saying for deadline for which is the 25th of July and at deadline for as well it would assist us to if you could please provide a written response of your oral submissions today or at least a summary of those by also by deadline for on the 25th of July.

01:05:36:05 - 01:06:18:16

Okay. A recording of this hearing will be published on our website as soon as practicable after the hearing, and a reminder that we have further hearings this week. We have issue specific hearing two on environmental matters, which will be tomorrow and also all day tomorrow, starting at 10:00 and Thursday morning from 10:00 till 1:00 on the afternoon of Thursday, we have issue specific three on the draft development consent order and then on Friday, commencing at 10:00 and finishing no later than 330, we have the first compulsory acquisition hearing and agendas for all those hearings are available on the relevant web page.

01:06:24:12 - 01:06:38:12

Okay. Thank you for all your submissions today. They've all been very helpful to us. Thank you for everyone's participation at this specific hearing. One is now closed. Thank you.