

TRANSCRIPT_GATEBURTON_ISH3_SESSION3_1_24082023

00:05

Good afternoon, ladies and gentlemen. It is two o'clock and time for me to resume this hearing.

00:10

I will have to go through the preliminary comments that I normally do this as a new session, or potentially new participants. Therefore, just for the sake of those participants, I will go through what you may already heard this morning or yesterday, but

00:28

that is what it is. So, before we go any further, can I just hear confirm people in the back of the room, you can hear me? Thank you, Mr. Kirk, as the live streaming and recording of this session began. Thank you.

00:43

So I'd like to welcome everybody to this third session of issue specific hearing three on environmental matters in relation to the application by debt burden energy Park limited for an order to grant consent for the good person energy Park project.

00:58

As noted various other openings of these matters. My name is Kenneth stone, and I've been appointed as the examining authority for this application.

01:10

My role is to examine the application and to report to the Secretary of State for energy security and net zero with a recommendation as to whether or not the development consent orders should be made.

01:21

Description of the application is to construct operate, maintain and Decommission grant mounted solar photovoltaic panel arrays on site battery storage and associated infrastructure. associated infrastructure includes but is not limited to access provision and an underground 400 killable. electrical connection of approximately 7.5 kilometers to the kottam National Grid substation.

01:45

Planning Inspectorate case manager for the application is Robert Cook, and he's supported today by Spencer Barrowman. Please don't hesitate to talk to a member of the case team should you need help at today's event or at the back of the room.

02:04

Before I go any further, a few housekeeping matters. Please make sure your mobile phones etc are turned off into silent I'll just make sure mine is.

02:23

Covered location of toilets and fire alarms this morning. I think everybody that is here

02:30

in the room was here this morning. So you're aware of those but we're not expecting a fire alarm, but the exit is out here on the left. Again, today's hearing is being undertaken in a hybrid way meeting some participants are present with us at the hearing venue and some are joining us virtually.

02:49

If you are participating virtually and you wish to speak at any point in the proceedings, please use the raised hand function I'll invite you to speak at the appropriate time. Or alternatively turn your camera or hearing is being both live streamed and recorded and the recording will be available on the good Burton energy Park page of the national infrastructure website shortly after this hearing.

03:12

For the benefit of the recording, please ensure that you speak clearly into a microphone stating your name and who you represent each time that you speak.

03:23

For those people who are observing or participating remotely in order to minimize background noise, can you please make sure that you stay muted unless you're speaking

03:35

linked to the planning Inspectorate privacy notice was provided in the notification for this hearing. And I assume that everybody here today has familiarized themselves with this document, which is established by the personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to the case team. If you've got any issues about this.

03:56

It's very unlikely I will ask you to put any sensitive personal information into the public domain. And I'd encourage you to do not do not do that. However, if you feel that it is necessary to refer to information that you would otherwise wish to be kept private and confidential to be in a written form, which can then be redacted before being published.

04:17

In SVN, I would mention that if you want to tell me something about where you live, because it is relevant to what you have to say, please just give me a general location without mentioning a specific address.

04:37

We've held various

04:40

hearings,

04:41

from the preliminary meeting open floor hearings and issue specific hearings. And we're coming to the conclusion of the various hearings that we've had this week including a compulsory acquisition, hearing, and issue specific hearing on the development consent order and various sessions.

05:00

yesterday and earlier today on specific matters. This is the third session of the third issue specific hearing. And it's geared towards environmental matters. website, there was a, an agenda published on the website on the 15th of August. And that references Evie 00 yet, and the agenda is on the screen at the moment. We're in Session Three. And we'll be dealing with matters to the end of the agenda this afternoon. Terms of substantive matters dealt with the first two issues. So session three, will focus on a series of other environmental topics as detailed in the agenda items. The agenda is for guidance only. And I may add other considerations or issues as we progress.

05:49

I will also potentially take a break in mid afternoon.

05:56

I will conclude this session as soon as all relevant contributions have been made no questions asked and responded to. But it's quite a full agenda on if discussion to can't be concluded, then it might be necessary for me to prioritize matters. And if that's the case, I may defer matters just to written questions. And I'll let people know at that stage, if we've got the end of the day and we haven't got matters, then I'll just deal with it was his written questions.

06:22

Likewise, if you cannot answer the questions being asked or require time to get the information requested, then can you please indicate that you need to respond in writing?

06:34

Again, although it may appear a little repetitive, some parties just so that everybody knows who everybody is. I am going to ask for introductions. So can I start with the applicant, please?

06:47

Yes, thank you, sir. My name is Amy Sterling. I'm a Senior Associate Solicitor at Pinsent Masons. I'm joined to my right by Mr. Gareth Phillips is a partner at Pinsent Masons. And to my left, and Miss Ali leader has a DCU and planning lead at Arup. And at the end of the table, I've got Mr. James Hartley born to as a project development director at or carbon. And so we have seven technical experts

07:12

on standby, depending on the nature of your questions. Would you like me to introduce them or note, I would like them to introduce themselves as well, I think probably best if just when we're at the appropriate point in the agenda, if they need to contribute then just introduce yourself at that time saying who you are currently representing the issue that you're talking about. To say thank you then just to confirm that Mr. Rob sweet, Mr. Edward Robinson and Mr. John Hybels have all dialed in virtually so they are our sir. Okay, keep an eye out for our hands up there as well, but you can direct me towards those people if they're necessary for them to contribute.

07:48

Okay, in that case, can I move to the local authorities? Firstly, West Lindsay.

07:53

Thank you, sir. My name is Samuel Shaikh, I'm of counsel and instruct and act on behalf of West Lindsay District Council. To my immediate left is Mr. Russell Clarkson, who's the development manager. And to my right is Mr. Alex Blake is an associate director Atkins.

08:08

Thank you very much.

08:10

Next to Lincolnshire.

08:13

Good afternoon, sir. I'm Neil McBride, head of planning at Lincolnshire county council. And to my left is Eloise Schreiber, who's applying Officer

08:27

Thank you very much.

08:32

Nothing I'm here

08:35

to insert Steven Steven point pointer to manage your planning policy Nottinghamshire County Council

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Thank you very much.

08:53

Check. Do we have anybody from Bassett law?

08:59

Okay, no thank you.

09:01

That case I move on to

09:04

parish councils. Can you just

09:08

Good afternoon. My name is Carol Gilbert. I'm chairman of stone by stone parish council.

09:20

Thank you very much. Good afternoon. I'm Stephen Spence to have Martin and gate Burton parish council. To my left is my fellow counselor. This is Christine Durning.

09:37

Thank you

09:44

I guess I'm gonna turn to individuals and Representative groups. So 7000 acres.

09:51

Thank you, sir. I'm Liz Gilbert 7000 acres and to my left is Mr. Peter O'Grady. And to my right is Mr. Simon Skelton.

10:00

Thank you

10:08

Thank you very much.

10:12

And do we have anybody else who may wish to speak matters this afternoon?

10:18

Brooke leg acting independently and also with 77,000 a group

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Thank you very much.

10:34

Are there anybody else in the room who may wish to contribute to the discussion this afternoon?

10:40

No, then I shall turn to the virtual room is there anybody in the virtual room who feels they may wish to contribute?

10:49

I have no hands raised. Thank you very much.

11:02

Thank you everybody for participating.

11:05

The purpose of recording again, every time that you speak, make sure you identify who you are and who you represent.

11:14

Anyone watching on live stream, or as a later date has the opportunity to make any comments about matters covered at this hearing. In writing to me by deadline three, which is Friday the first of September.

11:31

Just very briefly go over the purpose of the issue specific hearing.

11:36

nationally significant infrastructure projects are considered through an examination process the process is primarily a written process. And then for information submitted in writing is given similar weight to information provided orally. It is however helpful to provide for matters to be considered orally, when evidence can be tested and considered.

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It's not like a public inquiry.

12:00

Where that was it that is more of an adversarial process with legal representatives and cross examination in the examination is conducted as a more of an inquisitorial process. Whereas the examining inspector will seek to test evidence that has been put before me and give parties reasonable opportunities to put their case to me.

12:26

I Msh three, issue specific hearing three has sought to deal with three broad areas. I've already dealt with two of those. So we're moving on to the final third one, which is in relation to

12:41

other environmental matters. And in that I've identified in the agenda that I wish to cover, some construction issues, some flooding issues, some ecology issues, electromagnetic fields, and noise. I will note that I've got two agenda item 13. So apologies for that. But we'll

13:03

deal with that as we move along.

13:05

The objective of the hearing is to develop my understanding of the issues and consider any further issues arising including any remaining concerns of IPs. It is not at a point where I'm reaching conclusions or findings. It's still an investigative and evidence gathering process.

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So having gone welcomes and introductions and the purpose of the hearing, let's move on with the substance of this morning or this afternoon session

13:42

geared around environmental matters. So let's go to construction issues. Firstly,

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to identify as agenda item 10. If I can pick up the first two bullet points that I've highlighted their

13:57

cumulative cumulative impact progress and coordination between the projects. And what I wanted to understand was whether there was any update or further movement in terms of considering the cumulative impact of the construction traffic from the various end sips that are progressing in the area. And as part of that I want to hear about any developing coordination between the project and how it was anticipated that could be secured in the context of this scheme.

14:36

Good afternoon, Gareth. And it's the applicant. I think it would help sir if I just start with a brief summary and an overview of of the separate schemes and then we'll lead into those direct questions. So very high level summary. Everything I'm about to say has been submitted in writing and in far more detail, but given the concerns that were raised by the local communities at the open floor hearing, I think

15:00

It's worth just addressing and correcting a few few facts. So to start with, there are four projects currently being developed within the vicinity of cotton. This is one of them the gate Burton energy Park. Then there is another called the kottam solar project, and another called the West Burton solar project. And then a fourth project that is called tilde Bridge, which is some way further behind but is currently going through consultation and we expect to see an application submitted later this year.

15:38

Those four projects have essentially do not do not share

15:45

the same interests overall, to do Qasim and West Burton, they are both promoted by island green power. So if one was to look on Companies House at those two SPVs special purpose vehicle, you will

see that there are some shared shareholders between those two so essentially is one company island green power promoting the cotterman West Burton projects will be it through to SPVs. The other two companies, so low carbon who are represented to hear that company has nothing to do with island green power. And the companies behind tilbage are tribers, clean energy, and Canadian solar. And those two companies have nothing to do with low carbon, the applicant here. They are entirely separate businesses with different shareholders, different funding. And all of that can be checked free of charge on Companies House website, there's a search function, you put in the company that you want to see, it comes out, you click on that. And then there are various pages where you can look at who the people are involved shareholders etc. So you can check everything I've just said by looking at that. But that's that's the important point to note that this isn't for projects. Sorry, one project contrived as for they are four separate developments brought forward by different applicants will be apt to share some shareholding. The common denominator against the four applications is Pinsent masons, the law firm that that Amy and I represent here. And the reason we've got involved with all four projects was to bring about some best practice, learn from the offshore wind industry. In the offshore wind industry, there's something called the offshore offshore transmission network review. So this is something piloted by government. And it's relevant in this context, because it was all about trying to encourage offshore wind developers to collaborate, coordinate, although see words and look at how they might share cable corridors and onshore facilities so that the impact on communities is mitigated to a degree. And there is a bit more joined up thinking and how these things come forward. So that's the very latest parts of that review have been concluded. Other parts around the country haven't yet but that's the latest best practice from the offshore wind industry. So what we have facilitated for these projects is to take that best practice and adopt it for the solar projects. So there was some suspicion in the open floor hearing about, you know, some clandestine meetings between developers and collusion, all the rest of it, it's not at all clandestine. It is proper collaboration facilitated by my colleagues. And we'd been open about this right from the start. So the planning Inspectorate officers for all of the schemes have been aware of how we have been collaborating, representatives from the local authorities will be able to confirm this as well, such that they were involved at the time. But essentially, all of the all of those that have interact interfaced with the projects have known that there is this discussion on board. And this discussion is a good thing. The idea behind it is that you don't have four cable corridors, cutting across the river in a different place to get to kottam or West Burton. The idea behind it was the developers get together, they focus their separate resources, separate teams on working together to find solutions that make sense

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that reduce environmental impacts as far as possible.

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And where possible, reduce the land intake required. So rather than going to a number of different landowners and saying we're doing crossings here, here and here, the idea was to consolidate that and ensure that there is a sort of coordinated approach to how this has been done.

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So that then leads on to what happens behind the scenes from these hearings. information that we receive from say local authorities that perhaps in the context of gait Burton, but is relevant to the other projects that information

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get shared with the relevant development teams. And then they can work from the same information in order to get it right. That doesn't mean that we don't come across discrepancies. The different teams sometimes approach things in different ways. And that's quite good, because it shows that it's almost it's a peer review. And then what we do is that we look at those discrepancies to work out. Why have they come about? Is it a question of methodology of assessment? Is it a question of different approach? Was it a different set of baseline data, things like that, to work out where the where the relevance are. And all of this is relevant, because it plays into these two topics, essentially, cumulative impacts, and coordination between the projects, the developers have signed an agreement, which is binding on all four projects, which essentially says that they share information that they'll work together, and that they will try to find solutions that work for the benefit of landowners and in this area, and I believe that has been submitted or a copy has been submitted for this project. If it hasn't, it has Yeah, it has. So it's a matter of public record that that can be seen. So that's a contractual commitment between all of the developers and you'll be able to see what they've committed to that.

21:16

What we're now doing in conjunction with the local authorities is that we're looking at key areas of cumulative impact, such as traffic and transport, that's a key area where there's the potential to have conflict, in terms of lots of lorries approached, you know, from several different schemes coming at once, and the potential for the same routes to be used. So one area, and it's just one example of where we're looking at the moment is traffic and transport and trying to get a coordinated approach through that. In terms of what is the product to achieve the mitigation, it's likely to be green travel management plans, things like that, which are very common in the planning industry. It's also quite common to have those entered into by a number of developers for nothing to do with energy, it could be a house building development in an area and different developers doing it. But there is the potential to coordinate that way. So that there is there is some comfort through the requirements in the DCO, that there will be continued working together. But I would also emphasize at this point that it's actually in the developers interest to do so through the collaboration that we've done. So far, it's already identified costs at this stage in the process. So the cost of all these good people spending their time on the project, that there's been the opportunity to reduce costs there. We've also started identifying the opportunity to reduce costs in terms of construction, procurement, things like that. So this isn't something that should be seen as the developers being forced to do, by law or planning or my law firm is something that it's in their interest to do, and they want to do, because apart from mitigating their project and doing the right thing, that way, they actually have some financial benefits out of it in terms of reducing costs. So that's why they're doing it. And that's the background to the collaboration. That's that's that's been going on. And it continues to go on. There were regular meetings between the development team that you sit around, you see sat around me now and those that are acting for the island, Green Power vehicles, and also the tilde bridge scheme. And there is a sharing of information ongoing all the time. So I thought that would be helpful to just set out a few facts and backgrounds to how the companies are, are working together. And then those either side of me can then go into the detail of some examples of

where we've been looking at that and the updates you've asked for in your specific questions before, before I said anything. So I hope that's helpful. It was helpful. Yes, thank you very much.

23:50

Thanks, sorry, me stealing for the applicant. And looking at specific questions answer was in relation to if there's been any update on the cadence of assessment of construction traffic, or any movement in relation to the outcomes of the assessment and also an update in terms of her the developing coordination and how that might be secured. And the first instance I'll pass to Mr. wildbad, who is the elite and technical director at ICANN.

24:18

William Barrett for the applicants EIA lead on the gate Burton project.

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I'll provide a quick summary of the to answer the question the update on where we are with the cumulative pieces of work, and then I'll hand over to my colleague Chris Carter, on my right, who's going to pick up the question on traffic and transportation.

24:39

And just a couple of references to support what Gareth was saying. So the interrelationships report, Rep. 033. That is the document that contains the cooperation agreement, so that's been published and submitted.

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Within that document, there's a summary in Section Five

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that

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is a summary of the shared mitigation.

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So there you'll find the work that is being undertaken across the different projects in relation to what we can do to manage and mitigate impacts around ecology, water, cultural heritage, traffic and transport, for example. So that's in Section Five. And then there's an update in Section six, six, to answer the question on where we are with cumulative. So there is an impact assessment update.

25:32

So because West Burton have published their environmental statement now, and Cottam have as well, until bridge have published their appear. And the exercise undertaken is, of course, to look at that data now they've finalized their reports and their assessment and their baseline characterization. So there's a process of work that's ongoing at the moment for us to review those published documents. And Section six confirms no changes to the conclusions of the cumulative assessment in the gait Burton,

environmental statement as the first point. And then it goes on to identify these other matters where management and mitigation could be achieved, with the parties working together in the event that the construction durations are overlapping.

26:27

I'll pause there and hand off to Chris on traffic. Thank you.

26:33

Me standing on behalf of the applicant. Just before we get into the specifics of construction traffic, I just wanted to confirm. So we do intend to update the inter relationship report and we'll be updating and Section six, we think is unlikely in the spirit of collaboration because we're looking to agree everything that we put in this document with the other developers that we'll be able to do that for next Friday, just really given us August 3. And you know, for different projects, it takes quite a bit of time. And we will endeavor to submit it as soon as possible thereafter, certainly by deadline for but if we feel it would be beneficial to submit it out of deadline and before deadline for to give people even more time to look at it, then we'll do that.

27:15

Yes, and if you can just sort of put that comment in your in your letter and deadline to use to what your intentions are without. And if you've got any further clarity as to when that might be submitted. If it comes significantly before deadline floor then I can accept that as an additional submission get that published so that it's out there in the public domain.

27:34

Thanks

27:38

sir Chris Carter, I'm a regional director with AECOM acting on behalf of the applicant on behalf with regard to transit traffic and transport.

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So as as people have alluded to the the original environmental statement chapter app 104, which was submitted with the DCO application, assess the cumulative impact of the schemes that were been mentioned based on the information available at a time and it found that there was no significant cumulative effects with respect to traffic and transport, the interrelationships now, Appendix D includes a more up to date analysis based on the latest information available,

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which is the environmental statements for for Cottam and West Burton, and the pier for for to bridge and it also include an assessment of the glenworth oil project as well which for which there was a transport statement for the in the in the public domain.

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Now, areas of importance to consider is that the IE EMA guidance, originally published in 1993, updated very recently in 2023, talks about rules of assessment rule number one

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refers to a 30% threshold in terms of the increase in traffic above a baseline as the threshold for for a minor impact. And then it goes on to refer to an additional consideration for rule number two of 10% for highly sensitive links, the assessment for the environmental statement, and the links that have been considered do not include the high links for high sensitivity in terms of the areas of overlap in the study area. The and the assessment has been undertaken against the 2025 baseline. So what this does is it identifies that the main areas of overlap between the different study areas are the a 1500, the A 156, the A one five, and the a 631. There is a there's a table in Appendix D, which sets out the technical analysis of this, but the percentage cumulative increase. So that's all the schemes that I've mentioned, is 10.5% of an increase on the A one five and on 1500 6.1% on the a 156 9.7% on the 815

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and 13.5% on the on the Asics free one. Now the IMA guidance refers to

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the

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refers to protective changes projected changes in traffic of less percent less than 10%, creating no discernible environmental effect. But the key point here is that each of these impacts on each of these a roads is well below the 30% threshold within the within the IMA guidance. And therefore this supports the conclusion presented in the original environmental statement that there would be no significant cumulative environmental effects in terms of traffic and transport from from all of these schemes.

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Okay, thank you very much. And in terms of

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its

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there's a delivery management system. So if we go into the detail of what you're proposing and delivering, which is proposed in the construction transport management plan,

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I just wanted to understand hide that is going to be coordinated between this and the other Ansip schemes to ensure that access is controlled and managed between the different schemes, either in terms of time, access, location, anything of that nature. So the mechanisms about how you're going to secure that or the other scheme is going to have a similar one, is it going to be a joint document where there's other signatories to it?

31:39

Hi, are you seeking to control your aspect of that?

31:49

William Barrett for the applicant, I'll just say a few words on the management plan and hand over to me Sterling. The first point I would make is that, yes, the framework camp is the primary location for securing the commitment

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or the traffic management plan. The one point I would make is that the commitment is there in the event of the construction durations overlapping.

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In you selling for the African just to expand on that lightly. So if the point being made is the parties have demonstrated their commitment to working together, you know, they've entered into this legally binding contract that we've all now aware of. And however, as Mr. Phillips and earlier they are separate entities and potentially proceeding on separate timescales. And so it wouldn't be appropriate to hold any one of the DCO is to affirm a commitment, for example, to enter into a joint management plan under any circumstances,

33:01

obligations to work together, and there is wording in there about how that to get more personal, for example, joining ctmp, if appropriate to do so. That wording is also subject to review. And I think as part of this update to Section six of the interrelationship report, and ongoing discussions between the parties, it may be that we can refine and tighten that wording, I agree then with the other with the other developers such that they could perhaps make similar commitments as to entering into joint ctmp At that time, but I think it's definitely not our intention so that we would have anything in our DCO or documents that would directly control those other developers that they believe so made that clear in our response to the frustrating, I suppose also, what I want to understand is that if the schemes you've indicated, there's a window of 24, to 36 months where you may operate.

33:57

And if all of these schemes go to the Secretary of State and determined by the Secretary of State, in a reasonably compressed time period, if they all get approval, then they're going to have a roughly similar construction period. So the potential for them to be being constructed whether or not that started, but somewhere in their construction fears, at the same time, is

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do I put it as as high as hydroelectric.

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In that event, what I'm wanting to understand is whether or not there's any mechanism there that requires an assessment or

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enable some degree of control over the movement of construction vehicles on the highway network. Whether or not that's through one party or joint parties, but whether or not they making that you put some overall cap on the level of view

35:00

Echo movement, and then you will indicate that with you.

35:06

And the other parties together, you will not exceed those caps or something of that nature hide that can sort of be constructed into it so that there's

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your worst case scenario that you've got where you understand that and it's not just a free for all where, you know, we'll use our best endeavors and somebody who's well, you know, we've got to get this delivery to there, because that's, that's what our contract says we've got to do. And that just means that there's more vegans moving along the highway. So I just want to understand, Is there potential for a mechanism of that nature to be there? Or is that to something that's not achievable? Me standing on behalf of the applicant,

35:48

there is a potential for a mechanism to secure reasonable endeavors to coordinate and and that is already secured via securing the construction Traffic Management Plan and the commitments made specifically section 7.6 of part one of the ctmp, which specifically refers to the applicant being under a duty to look for opportunities to combine mitigation for example, running shuttle buses, etc. I think the level you're speaking of certain terms of setting a cap and overall traffic movements, I think it's something we would resist is unnecessary.

36:23

William Barrett for the applicant, just on that point on assessment.

36:28

I agree with agree with Amy in terms of the assessment has been undertaken. Because we've received now those environmental statements, and Chris and his team have undertaken the modeling and provided those numbers in his response this afternoon.

36:49

Mr. Carter for the African Can I also just just clarify that that assessment is based on the peak of each one of those construction phases happening at exactly the same time, so it is very much a a robust assessment.

37:14

Standing on behalf of the ACC. And so just to pull all that together and answer I think we've we've carried out

37:21

an environmental assessment based on the worst case parameters of each of this scheme. And the worst case scenario with it, the peak construction periods entirely overlap, even on the extremely precautionary position. The environmental impacts are substantially lower than the relevant thresholds set by you know, the relevant environmental standards as has already been referenced. And that basis would contend there's no reasonable basis for any condition to cap the number of members it's not a likely case scenario to occur.

37:53

The NCC have recommended a method of coordination between projects is a conditional requirement.

38:03

Think there's a question as to whether or not that could be covered by amending the ctmp? Or would a separate requirements be more appropriate, but could NCC comment on how that may be worded or how they would anticipate that coming forward?

38:29

Stephen pointer, Nottinghamshire County Council, I will have to take some

38:36

soundings from my highway colleague on this matter. I'm afraid I don't have that information just to hand.

38:47

But I'll have to take her to seek further advice and put that in a response by the next deadline, sir. Okay. Well, in terms of your response to the assessment, if you could just pick that up and give some indication as to how they anticipate that would be done? What sort of wording that they would anticipate would be there. So that we can have a look at that and see whether or not that's something that is a practical,

39:14

pragmatic, or are indeed workable?

39:18

Certainly, so we'll do

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okay, and

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in terms of the overall impact and effect and if I just sort of go off on a slight tangent and it was totally different matter, but still related to the generality of things is, is there a need for a planning obligation

with the various highway authorities for the restoration of impact on the highways, restoration of roads, bridges, things of that nature? How's that going to be dealt with is up under a

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an

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agreement a planning obligation or is undertaken via some other method.

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Mr. Carson, for the applicant, a road condition survey requirement is included within the framework construction management plan. And its requirement 14 of the DCO. Fat, the relevant Ira authorities will need to approve the detailed cGMP prior to its

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coming into force. But that would then require the restoration back to because you do a survey of the conditions in advance, and then come back and do a survey after the construction has been done. And restoration back to that baseline. Is that what you're telling

40:44

the commitment for the survey and the restoration. And so the before, during and outside before and after survey is included within the ctmp? I have to take it away about the commitment to making the restoration.

40:59

Well, there's little point if you're going to go and survey it know what the issue is, if you're that they're not going to actually do anything about that.

41:07

That's appreciated. So it's the mechanism that I need to wear to refer to and how how that works. Yes, thank you. Sorry, I didn't mean to be flippant, but

41:18

thank you very much. Okay. Just moving off. Before I move off those points, I will go around the room and ask the authorities and particularly the highway authorities whether or not they've got any issues. Obviously I've gotten a couple of bullet points I want to pick up on but just on those points and what they've heard today.

41:38

Now what Brian links to counter counsel, so far surfing from a highway perspective, the Canada Council of Highway Authority has been content with what's been put forward and at this stage, we've got no particular concerns, obviously would welcome the survey

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before and after. And obviously that sort of commitment to

42:02

repair any damage that is then attributable to the development during that construction phase. So we obviously wanted to make sure that was that was captured in a way that would make it enforceable. Thank you. Miss Lindsay, Chevrolet West Lindsey District Council. Yes, thank you sir. Just two points. The first is that West Lindsey obviously very much welcome and updated Impact Assessment cumulative impact report or assessment. We do however reserve our position given that it is going to be based on the updated and recently submitted ES is for cotton, wet Burton. And the updated information in relation to tell bridge so opposition's reserved in some respect on that until we've seen it. The other point, which I think you've picked up on Sarah is we did have a slight concern about the mechanism for securing any joint

42:54

construction traffic management plan or whether it would be dealt with in the the construction environment management plan. And so we well, we welcome the applicants consideration but in due course and review that prospectively.

43:08

Okay, thank you very much.

43:23

Does anybody else have any matters that they would wish to raise? Okay. 7000 acres in certain Barstow.

43:31

Thank you. So it's just a brief pointless go but 7000 acres. The gentleman at the beginning, I think he worked for Pinsent Masons mentioned the how the parties are working together and how they were trying to reduce costs in terms of working together. But for residents. There's no There's only losses, lots of losses, in terms of time in terms of motional stress, health and house prices. So there is a definite divide in that respect. So

44:06

I just thought I'd like to highlight that thank you.

44:10

Like you're really

44:12

cool. What do you want to introduce yourself and then count Gilbert to turn by so I would just like to make a point at the age of 1500 dissects stourton by sit down.

44:27

We have a lot of children who do and elderly who do cross that road

44:33
regularly.

44:35
Could you tell me when the baseline traffic survey was actually carried out? What date please

44:53
if if you saw even this card for the applicant, if you will give me a little bit of time off I'll check within the

45:00
application documents. Okay, thank you.

45:04
Gilbert stone by stone, I only ask because I'm actually the

45:09
local community Speedwatch coordinator. So I do have quite a lot of data from, what hours we travel, what hours we actually do the sessions, and therefore, the amount of traffic that does go through at certain points at certain periods. Okay.

45:33
We'll get some confirmation of you have that for you. I'm sure it's in the documentation that's there. But obviously, there's a lot of documentation. And I appreciate that, I appreciate that you found that burden at times. So if you do need a question answered, then it's not unrealistic to expect the applicant to give you an answer to that.

45:56
We're not called up but once you once you find the answer, then if you just want to draw to my attention, okay, does anybody else have any other matters that they want to raise in those first few points, nothing in the room.

46:09
Nothing, we just had to move on to the next couple of bullet points. So the next bullet point I've got is

46:15
the compound in general access changes. So the applicants in discussions with the various local authorities and local highway authorities have provided an assessment of the access arrangements, that's providing rep two zero 45 access update and cumulative impact assessment

46:35
reviews the access arrangements with the desire to minimize the environmental impacts and reduce vegetation loss, a technical note identifies a number of changes to reduce accesses or to, to the access to reduce those effects. And we talked a little bit about that in the landscape yesterday.

46:57

technical note, does not change what is secured in the scheme, because it's just a technical note saying what's done. But rep two years 20 120 22, which provide amended versions of the framework ctmp.

47:16

Part one, and part two, incorporate the amended access designs. So that's the way that that's transposed into into the scheme. And this is how they'll be secured. That's, that's the way that that's happening is

47:31

given that

47:33

one of the highway authorities comments was that not all of the vegetation removal in the Outland master plan was shown in the vegetation removal plan. And you sought to update that, to try and address that at that point.

47:48

And it's something that we touched upon a little bit yesterday, I just wanted to understand whether the the latest vegetation removal plan

47:58

does incorporate the reduced vegetation removal that comes out of those amended access. Now, I know yesterday, I didn't pick it up, because I knew I was going to come to this. And anyway,

48:13

they was said that well, the removal plan is based on a worst case scenario, that that those access arrangements would reduce that. So therefore the worst case scenario, but surely, if

48:30

you're already aware that you can reduce that, then should the removal plan not discount those areas that it doesn't need to show, although it's a worst case scenario, it doesn't need that as always, because in our cars, you showed alternative designs which can be secured which can reduce less. So should the removal plan not be updated to avoid the removal of those additional areas of hydro.

49:09

An

49:11

ally leader for the applicant? Yes, the vegetation removal plan that was submitted that deadline to already incorporate those changes that were submitted and the technical note. So like the revised street strikes away and access plans, that it does already reflect those changes.

49:29

Right. So if I need to be understood the comment that was made yesterday, because it seemed to me to be suggested that the vegetation removal plan identified a worst case scenario, which was the extent at which they were originally said and that there was an additional benefit by doing redesigning these and reducing that without actually necessarily being taken out. So maybe that was my misunderstanding. I think it was probably that we weren't clear to be honest and

50:00

Okay, we are live this vegetation removal plan incorporates that. So that is only identifying the vegetation that needs to be removed in the context of the amended sightlines that has been agreed with the highway authorities, correct? Yep, good.

50:33

Quite a bit, but this is a bit more of a administrative issue. And

50:42

the note in the update to the application guide.

50:48

So you've submitted a new application guide at the deadline as you do, and that notes that the framework construction temporary management plan, part one and part two, are not being certified documents. Not sure if that's a typing error.

51:08

But they were identified as type as

51:12

certified documents previously, but on the lid shedule.

51:18

You haven't amended them, but you've still you haven't given me a track change version of them, because it's just the the additional

51:27

access designs, they're attached or appended to it. So you're gonna give me a track change version, which is fine, but you split it into two. So it's part one and part two.

51:37

Originally, it was identified as as as a certified document, and we list our location guide, where it says in the column that says, certified document, it says no,

51:51

you start typing error me standing on behalf of the applicant. Yes, sir. That is most definitely a typo. So we will correct that and the next. I assume that therefore it will be listed in certified documents. That's correct, sir. But just worst have gotten the makers away. I had two clarifications. The previous section just in response to Mr. sheiks comment on the cumulative update the contents of assessment for traffic just to confirm that that has been submitted into examination at deadline to and as Appendix D to the interrelationships report, which is represented with three, three. Sorry, that deadly one, which is red 033. In relation to the discussion we were having on surveys and then the construction traffic management plan. Just to confirm because it is a secure document, that commitment to restore is secured. And it is clearly stated at paragraph 7.4 point two of part one of the framework ctmp that the applicant will carry out pre and post construction survey and restore any damage and that document rep two dash zero to zero, I thought it was helpful to clarify that.

52:57

Okay.

53:08

Further point of consistency across documents and the framework Construction Management Plan

53:14

three, nine in relation to Clinton glare, it's the head rules are to be grown to a height of at least three meters in those areas indicated in the outline lamp pay ever because of an inconsistency with the Clinton glare report, the outline lamp has been amended to increase the height to 3.5 meters. So that needs to be addressed in the framework construction management plan as well. So it's just making sure that when I know that that was something that we got

53:48

a document of ended you get another one, but if that has consequences across all the documents, and just can we just make sure that Bucha picked up across them.

53:57

Me selling on behalf of the applicant and yes, I will do a consistency check across our documents. Thank you very much.

54:06

Folks, and in terms of the components in general access arrangements, does anybody have any comments that they wish to?

54:14

No up no comment here. Hands up in the

54:19

virtual room. I've got nothing so I'll move on to the next one. And site access is on the grid connection corridor during operation

54:29

ctmp Paragraph six point 1.2 suggested the grid connection corridor accesses would be retained to facilitate occasional access for maintenance.

54:40

Concerns have been raised with me by the

54:47

NTC Highway Authority that if left at the original size, they could encourage fly tipping and do not need to be retained at those sizes because those sizes are free.

55:00

shutdown purposes for larger vehicles, the access to the site? And if it's only for maintenance periods, then why over a 60 year period? Do they need to be retained at that? Can it not just be reduced to a maintenance size? Access? So that doesn't encourage fly tipping? And then yes, for decommissioning, obviously, they will need to be reinstated at a larger size. But

55:25

that was a in a couple of comments. I didn't see a direct response to that. Maybe I've missed that. But can you just tell me if there is a response where that is? If there isn't, then can you respond to that and

55:42

put some form of wording into the cGMP and basically, requires those accesses to be reduced during the operational fears.

55:54

James Hemingway, principal highways engineer at AECOM, on behalf of the applicant, we have had those discussions with Nottinghamshire County Council, and we agree that during operation, the footprint of those accesses will be reduced. So they suit the continued use by the landowner and for the operation and maintenance purposes for the cable corridor. So yes, they will be reduced in size. And how is that secured? Or is there going to be a set of documents, which gives me those accesses attached to the cGMP that says they will,

56:31

that the access will be amended to this position app after construction is completed in one maintenance? Or would it be once construction is concluded? You'll submit details for the accesses to the to the council.

56:46

I suppose there's a number of ways to skin that cat and I just wanted to understand which one it was yet William Barrett for the applicant. So in the first instance, yeah.

57:00

Edits into the framework c and p and would be included to set out that commitment to review of those operational phase access locations and redesign and adjustments to reflect the future use.

57:14

discussions are ongoing with Nottinghamshire. So in terms of additional drawings, we'd like to take that one away, and have a discussion with the team and Nottinghamshire and come to get vision, whether there's going to be drawings. And yeah, I suppose at the end of the day, it's sort of it's as much a timescale issue, if it can be done within the time of the examination, and you can provide this as the meant and access arrangements that will revert to, then that is one way of doing or alternatively, that theater, we will submit the details and get those approved by the appropriate local authority. I'll just bring in NCCD have any comments around that?

58:01

Steve pointer

58:04

not to ensure no specific comments or no colleagues have had those discussions.

58:11

We will it would be good if we could see those in advance. If they could be concluded in the within the

58:19

framework. Si, se MP. I think that's that's best gives us that assurance.

58:25

Thank you.

58:27

Part of the construction corridor or the cable corridor is also within Lincolnshire. Lincolnshire. Good. Any view on that? I know it's only a small element of it, but there's still access. Is there. Male uprisings can the council know from our highway perspective? We haven't raised an issue. Yeah.

58:51

Okay, all

58:53

right. Thank you very much. Anybody else have any

58:58

issues? Nope. And in terms of the virtual room? No. Okay. No. Okay. So that was all that I had in terms of construction access and construction traffic arrangements. Did anybody else before I move off that have any other issues that they wanted to raise? Yes.

59:21

Yeah, she's Carter having a survey dates are not getting money.

59:27

Apologies, Mr. Carter for the applicant. Just to confirm that the traffic surveys are discussed in Section 4.215 of the transport assessment, which is four

59:40

point 2.15 In the transport assessment, which is a library reference app 166, which states that all of the surveys by one are undertaken between the 22nd and the 28th of March 2022. The one survey that was redone due to a technical issue was on the a one a

1:00:00

156 And that was redone directly afterwards between the 30th of March and the 10th of April, and that same year 2022.

1:00:12

Thank you very much.

1:00:16

Okay, in that case, I'll move off

1:00:19

construction assets and move on to flooding.

1:00:24

I've had a number of responses to this issue along with progress between the applicant and the EAA,

1:00:31

which is due to be provided in the form of a signed statement of common ground shortly. And I think of the time and effort and input that they've done that

1:00:41

I'm reasonably satisfied that I have sufficient information

1:00:45

for the examination to enable me to consider the effect of flooding on a general basis and across the wider area and site. So I'm not too uncomfortable with what I have in front of me, I have some representations, which highlights specific and detailed concerns at particular locations. And I just wanted to draw out a high I'm going to get a response to those matters. One such those IS rep 81. So rep 01. And rep 082. concerns expressed is that although discussions have been ongoing, and that there are a number of potential solutions, there's no certainty as to what mitigation if any, would be put in place. And how can that be secured? So there's a particular report that's provided by one of the

1:01:39

participants, one of the IPS, they've provided flooding report, they've said there's specific concerns here. But there's nothing that actually specifically addresses what sort of mitigation or how that mitigation might then be assessed and identified and secured at a

1:01:59

if consent were to be granted. So I'm just looking to understand if you can advise me how you propose to address areas where specific flood risk threats may arise, what sort of mitigations have been explored and how they're secured?

1:02:20

Me standing on behalf of the applicant and yes, so we've got a flood risk consultant online. Mr. Rob sweet and Mr. Sweets probably the best person to give you a response on the mitigation measures they may be available if they are required.

1:02:41

Afternoon Sir, my name is definitely sweet on behalf of the applicant.

1:02:47

So in terms of the specific location, so a site wide flood risk assessment has been undertaken, as you've alluded to, and the additional technical note focusing on the property and location in question has been prepared. And that demonstrates that the property is at an existing risk of flooding and

1:03:15

the work that we've undertaken. So the outline outline drainage strategy demonstrates that surface water runoff from the proposed development will be managed in accordance with required planning policy. And

1:03:30

under the inclusion for climate change as well. And these are

1:03:36

no significant effects are identified on the property as a result of the proposed development. And sheet 13 out of 15 within the outline drainage strategy, which is an examination libraries, AP 0141, that provides indicative locations for proposed swales within the vicinity of the property. And

1:04:02

I think the other part is, we've we've met with the person concerned in May 2022, to understand their concerns, and the meeting notes were circulated for comment, and they're provided within

1:04:20

the representation 82

1:04:23

And they were taken into consideration in our technical notes of May 2023, which is also in that representation. And the the applicant will continue to discuss this point with with the

1:04:41

Mr. Hare as as the project develops,

1:04:46

and is there a specific mitigation that could be included to reduce that risk, that can be identified or secured or identity highlighted such that would

1:05:00

Given a greater degree of confidence

1:05:06

so in terms of specific mitigation, these would be above and beyond planning requirements. So that I think that's where the concerns are raised. It will be above and beyond the applicants requirements. But there are options available. And that's, that's part of the ongoing discussions with

1:05:31

the

1:05:33

the people in question.

1:05:38

Me standing on behalf of the applicant, if I can just clarify the point that you're seeking to make, sir, is that I think your question is, is mitigation required? And if it is, how is it secured? I think the answer our answer to the first part of that question is that mitigation isn't required as a as a result of the impacts of this scheme.

1:06:09

Okay, thank you

1:06:17

Does anybody else wish to raise any matters on flooding in particular?

1:06:23

Yes.

1:06:26

Stephen Spence, Montego Bay and parish council.

1:06:31

The land that this covers is part of a large drainage system, which

1:06:37

pumps out his lungs into the river trend through a pumping system at Martin. The larger watercourses are maintained by the trend Valley drainage board, each individual enclosure is the responsibility of the land owners. Do the developers have any maintenance schedule in place to keep these watercourses running?

1:07:16

Farmers do it now because you've got to drain the land to grow stuff on it. If you would neglect to do that, that land will start to slip clay land so we'd hold water.

1:07:27

Me standing on behalf of the applicant? Yes, sir. We have various management plans in place that must be in place through the duration of scheme including an airline drainage, including a drainage and surface water and oil drain and strategy. And those must be approved by the local planning authority before the scheme commences.

1:07:47

Yes, I mean, you may wish to sort of include within your submissions a bit of detail around I would have expected it in the land drainage strategy, and that strategy would have to be dealt with but you may well want to give a little bit of commentary around that.

1:08:06

Yes, sir. Noted. Thank you

1:08:15

just briefly, it's not certainly not my area of expertise, but it's something that one of our our members who's

1:08:22

ready for some donations. Thank you very much.

1:08:27

So Roger Jones is one of our colleagues and he's a senior member of the Water Management Society. And

1:08:34

his his question really was about the concentrated effect of water running off the what he calls a drip line at the end of the each each line of solar panels and the concentration effect that that has,

1:08:52

when it effectively runs off onto what is expected to be a compacted area of

1:08:59

land in between the solar arrays which are therefore used for access to the solar arrays.

1:09:07

So effectively the the concern is one of runoff being concentrated

1:09:13

and and effectively creating an erosion through there and also

1:09:20

you end up with a volume of water that is the nature of the land isn't able to absorb it quickly. If it's compacted landed surface water runoff of schemes and zones that land up floods across the land. How's that collected and how is that dispersed and dealt with but clearly you know that bad weather notices I'll park it there

1:09:43

anything on behalf of the applicant yet I'll pass again to Mr. Sweet who will explain the surface water surface water drainage strategy. Yeah, thank you.

1:09:56

Rob sweet for the applicant. So in the

1:10:00

surface water drainage strategy. Paragraph 3.3. Point four provides information. So

1:10:09

basically the where the drip line will be, it is proposed that it will be planted with native species and rich grassland and wildflower mix. And where it drips, you won't actually be driving a vehicle

1:10:25

by that drip line, that'll be away from any access or maintenance tracks.

1:10:33

Going back to the previous point as well, in Appendix C, there's information about adoption and maintenance of the surface water drainage system, so that that answers the previous comment as well.

1:10:59

Thank you very much.

1:11:07

Okay, anybody else in the room have anything on flooding that they would wish to raise? Yes, sir. Could you just identify who you are and what you're interested in? Yep.

1:11:17

Michael Dover.

1:11:20

So do you want to is there a roving microphone?

1:11:25

It's alright, there's a there's a roving microphone somewhere.

1:11:31

I

1:11:33

don't

1:11:36

I live on KEXP alone and my property and the adjoining property and some of the properties further up the road. I'll say what I said, trying to say anything which might identify your property, so I didn't say No, indeed not. I knew that.

1:11:53

Yes, I wanted to go any further than I was printed on KEXP, Elian on

1:12:00

on several other properties along capable and have been subjected to flooding over the last few years.

1:12:05

It is identified as being subjected to high surface water flooding by the Environmental Agency.

1:12:15

It has

1:12:17

the Inner Inner drainage for the upper winter running around it which is looked after by the upper bulletin board but further up, it's it by the farmer where the

1:12:29

first the first solar panel, or the more northern most farm solar panel field will be my fear is with the runoff and the swales. The only place it can be taken too long compacted ground and heavy clay ground ground into the woods from now at times, which has come within four inches of breaching

1:12:53

when heavy rain is on.

1:12:56

It's a long ribbon, it rises in Grantham goes all the way down to Boston.

1:13:01

So it's the only little bit of safety measure, we have to pump out around the properties or reduce the risk of flooding

1:13:10

that we have, if it's taken up by extra water coming from the panel's through swales and into the river that may take away that safety margin. And it's something that's not been tested at the moment. And I don't want to be around if it does reach.

1:13:26

Thank you.

1:13:29

Thank you very much.

1:13:34

Did you want to

1:13:36

sort of, I don't know, nothing expert to respond, or indeed. Thank you, William Barrett for the applicant. They KEXP Elaine and Rob sweet has been to KEXP B. And we are very mindful of the existing flooding that has historically taken place at that location.

1:13:58

So operational fees. One document we haven't talked about is the operational phase management plan. So during operation at the site, and there's a number of commitments that are relevant to this point, the water environment is in Table three, four.

1:14:16

So it's the framework Operational Environmental Management Plan. And there are a series of commitments there in terms of which will be secured in the DCO. And regarding no change to the existing runoff rates at the boundaries of the site. And then there's a number of other areas and that I'll just point to regarding how the management will be taking place during the operational phase to

1:14:43

ensure that that's secured and achieved. So that commitment to no additional runoff is there in the document

1:15:00

Okay, thank you very much.

1:15:14

I've got a very brief point on ecology, and then I'll take a short break that point to in terms of ecology

1:15:25

is each one,

1:15:28

I wanted to get a quick update on this, if I wanted to get a quick update on the position with Natural England and sure that there's no surprises or issues that have arisen. What we're holding up under, we talked a little bit about

1:15:42

losing track of time now, either yesterday or the day before, I think it was yesterday, yesterday morning.

1:15:48

So it's just really in terms of whether or not there's any change in any perspective in relation to ecology that might cause me an issue. And in terms of the position on protected species,

1:16:04

it's a matter on which any advice is critical, I wanted to ensure that they will contend and at the minute, the draft document appears to indicate that that's where they are,

1:16:14

that there's no need for any protected species licensing. And that any that would be required, would be picked up at that point in time, if indeed, there were protected species identified at a later date. And I think that's also what said within your license and agreement position to I just wanted to check that that was still a situation that the reason for not receiving naturally, it wasn't that you were having a discussion about other matters or anything of that nature.

1:16:49

Just a bit of an update.

1:16:54

Good afternoon, sir. Yes, Neal gates, the applicant speaking on behalf of ecology matters. So yes, I can confirm that Natural England have no further comments in terms of biodiversity and protected species licensing.

1:17:21

Okay, excellent. So

1:17:24

I think we'll take a short break there. After that I will move on to electromagnetic fields, dealing with human health and impact on ecology, and then

1:17:38

a short

1:17:40

section on noise. I've just got a couple of points on that as well. So we're making reasonable progress. So if we can take a break, it's no just after quarter past. So if we say we return at 25 to

1:17:56

the hearing is adjourned and we should return at 25 to