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FULL TRANSCRIPT (with timecode)

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You think?

00:00:10:07 - 00:00:16:03

But probably. Good afternoon everybody. Welcome back.

00:00:18:10 - 00:00:50:26

Good afternoon. Welcome back to issue specific hearing three. Um, the afternoon session just to confirm that everything is okay in the background, the recording and streaming have started and that I can be heard. We are going to progress on now to item five. Landscape and visual. As discussed, the exile has taken the decision to put the landscape and visual component of this hearing to a later date, and will be making the necessary arrangements for that as soon as possible.

00:00:51:25 - 00:01:25:19

We have also decided that would be beneficial to hear a brief update specifically from the applicant and LCC, Lincolnshire County Council on Progress to date, any areas of agreement or principle areas of disagreement at this time, with the intention that comments and questions will be minimal, just maybe for points of clarity, um, and the opportunity will be afforded for looking further into this topic and a topic or two under isfor at a later date, depending on how the Za decides to take that forward.

00:01:26:06 - 00:01:48:17

So for the purposes of this agenda today, the sub points A to D will not be followed. But I will start by asking the applicant to give. An update. Um, general update really on landscape and visual matters, which then I will also seek from Lincolnshire County Council. Thank you.

00:01:49:20 - 00:01:56:15

A cloud project for the applicant. I will hand over to Mr. Jackson to introduce himself and then provide the update. Thank you.

00:01:59:03 - 00:02:38:12

Christopher Jackson on behalf of the applicant. Um, referred to as Mr. Jackson, sir. Um, obviously, in light of this morning's sort of change to the process, it's going to be quite a short summary. Um, setting out the process to date, um, and various bits and pieces that happened since we last sat. Um, so I've obviously sort of stepping away from the original agenda. So it's a bit more direct, if you don't mind. Um, there's been ongoing discussions between both ourselves, um, and, uh, h Lincolnshire County Council's representation, representatives on landscape and visual matters.

00:02:39:08 - 00:03:09:12

Um, which has been aimed at progressing the statement of common ground, as well as discussing any other matters that are sort of ongoing between both sides. Um. That's been progressed. We have provided some supplementary summary tables that were included at deadline one, which was both on landscape and visual. So landscape was 1058 and visuals 1059.

00:03:09:26 - 00:03:26:13

There are supplementary effects tables. It's just the representation of the findings from the Elvia rather than any new assessment. It's just to aid, um, HHS in sort of working their way through the, um, the Elvia, um,

00:03:28:00 - 00:04:10:21

again with the with the intention of helping drive forward the statement of common ground and understanding between us and, um, Lincolnshire, the the differences in technical opinions. Um, also following on there was the we provided clarity on hedgerows and tree loss. Uh, hedgerow loss plans have been provided and uh, appended to the Olympe um as well as the summary tables on the um landscape visual effects a in combination summary effects table has been provided to RH that was requested on the 1st of January, and was provided to Miss Oliver Brown on the 2nd of February.

00:04:11:03 - 00:04:49:06

Um, it's our intention that that will then be submitted, uh, at the next deadline. So it's a formal document within the process. Um, the. Uh, just to make, um, you aware. So obviously the we've got a similar, um, consultant team both with us and with Lincolnshire that's addressing the Cottam solar projects. So there's been continuing dialogue with ourselves and in regards to the Cottam scheme. Um, so there's, there's a, a relationship there between us and RH, um, regarding similar matters that have been brought up on the customer scheme.

00:04:49:08 - 00:05:34:09

So whilst that's been progressed, there are side by side conversations happening in regards to West Burton as well. Um, with regards to progressing the statement of common ground. Um, one of the sort of points that we're we're wishing to progress sort of as soon as possible really is understanding from from Lincolnshire and RH just where the points of disagreement are within the the LVA findings. Um, in regards to Cottam, um, these the summary tables provided, the information effects were provided and I think we are currently working through having those provided back from H on Cottam outlining where the differences of opinion, uh lie and we're expecting to undertake the same process with RH in regards to the West Burton scheme.

00:05:34:23 - 00:06:07:27

Um, so that should help drive the common ground forward and progress the the process between us and Lincolnshire. Um, similarly for the Cottam application, a virtual flyover has been provided and recently uploaded to the the portal, I believe, um, which is a, uh, sort of a computer model flyover that sets out the, uh, the landscape and the the Cottam scheme, including the, um, the three, uh, cumulative schemes.

00:06:07:29 - 00:06:29:13

So we've got the, uh, the gate Burton scheme, the Tilbrook scheme in the West Burton scheme. Again, obviously this is this is focused on on Cottam, but is our intention to produce a similar flyover for the

West Burton scheme so that we've got one that focuses on customer and one obviously that's relevant to, uh, the application in front of us. Um, that, again, is to be intended to be submitted for the next, um, West Burton deadline.

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And other than those sort of points of clarity and progressive in the statement of common ground, I think that gives a succinct summary of where we're at at the moment.

00:06:45:08 - 00:06:58:17

So thank you. Okay. Um, I will now invite, uh, Lincolnshire County Council or representatives to comment on that and provide an update from their point of view.

00:07:00:00 - 00:07:03:29

It's Stephanie Holt, Lancashire County Council. So I'm going to ask Mr.. Mr. Brown to to take this one up.

00:07:07:01 - 00:07:50:17

Thank you. Oliver Brown, Lincolnshire County Council. Um, I've not got a lot to add to that. Um, obviously a really useful, uh, summary of, of of the progress that we're out there. Obviously you want to stay away from any of the agenda items. I just want to confirm, you know, we've had, um, a very good dialogue with the applicant throughout the pre-op process and that's continued in the examination stage. Um, we are working with them in regards to gleaning out some of the key issues, um, so that we can, um, work together to, to, to produce a statement of common ground, essentially just to really highlight those key issues of agreement and obviously with, with, with this agreement as well.

00:07:50:19 - 00:08:04:28

Uh, and the, um, the submissions, uh, listed, we've received, those who are in the process of reviewing some of those as well. Uh, and I think, yeah, the next stages is, is essentially just having this continued dialogue to, to drill, drill down to those issues.

00:08:06:07 - 00:08:35:11

Thank you. Okay. So. In terms of the recently provided summary tables, which have only recently 2nd of February been passed over that. The response to those tables will go back to the applicant in due course. Will they will will it be going back with sufficient time for them to then progress something in a statement by the next deadline.

00:08:36:19 - 00:09:00:27

At Oliver Brown, Lancashire County Council? Yes. So will we will provide comment on those tables. Essentially. It's um, they're a useful document that summarizes within, you know, a couple of pages in terms of what those in combination effects, which is what we've been really sort of interested in. Uh, obviously there's the cumulative effects as well. Uh, but yeah, we're providing comment with that. But that will also help us feed into the statement of common ground also.

00:09:06:15 - 00:09:17:10

Okay. So yeah, in terms of timescales, I've not set a timescale in terms of responding to those as yet, but um, we're trying to turn things around as fast as possible. Being very conscious of looming deadlines.

00:09:17:27 - 00:09:55:16

Thank you. Okay. So if that work stream could obviously continue. I think I've made an action point that there will be submissions at deadline for including hopefully the the landscape flyover similar to that which was prepared for cotton. Okay. Is there anything else the applicant would like to add at this time? Again, noting the unforeseen circumstances that mean that this detailed, uh, part of the hearings will be moved to a later date, and we will obviously undertake to let you know as soon as we can.

00:09:55:18 - 00:09:57:10

Is there anything else you'd like to add today?

00:10:02:12 - 00:10:35:14

And clever applicant. No, that's just our summary. I think it's just to say that obviously. Hopefully, if we can, um. Put in for deadline for and work with Lancashire County Council to put in a more informative statement of common ground in relation to LVR matters at deadline. For then, that will hopefully inform or provide sufficient information for you as to what kind of further additional questions you may wish to ask, either in writing the second question stage or rule 17, or in fact, what you might wish to cover orally in in a hearing.

00:10:35:16 - 00:10:48:18

So I think our view is very much that that we will definitely try to progress that document as much as we can, because I think that will hopefully shape what kind of further queries you may wish to make on landscape points. Thank you.

00:10:49:10 - 00:10:56:12

Thank you. Yes. And hence the reason really for the this update under this curtailed item.

00:10:58:07 - 00:11:16:01

Did Lincolnshire County Council want to say anything further? It appears not. Okay. Um, Mr. Bourne, I can see that you have a hand up. This item is not actually being taken right now. We're hearing an update, but if your comment or question relates to landscape and visual.

00:11:17:17 - 00:11:18:11

I'll allow it.

00:11:24:03 - 00:11:52:06

Christine Warren underneath the cooling towers at West Point and Power Station. It's not cabling going in at West Burton. And is not Nottingham County Council involved. Or is um, the landscaping primarily been, um, sorted out by Lincoln because West Burton and the cabling is in Nottinghamshire? I'm confused as to who's supposed to be doing the visual side or as Lincoln sat in Nottingham. I don't know.

00:11:53:20 - 00:12:27:05

Understood, um, so that the the impact is being assessed and colleagues from other counties will be involved in that. I'm just going to invite Nottinghamshire County Council to speak. Mr. Poynter. So the question is around the impact of the visual impact and Nottinghamshire County Council's role in that. I have, uh, brought in Lincolnshire County Council and we've heard from links, uh consultants and the.

00:12:27:10 - 00:12:28:26

Is there anything you'd like to add to that?

00:12:29:27 - 00:13:10:21

Uh, no thank you sir. Uh, we have had, uh, previous involvement, um, jointly with Lincolnshire in terms of it landscape. Um, principally the issue, uh, in Nottinghamshire is the underground, uh, cable corridor, which obviously during um, construction will have impacts. But but by and large after uh laying is unlikely to have a landscape significant landscape impact. But we will um, we will continue to review um, any, any, uh, amendments to the, uh, DCO in relation to Nottinghamshire in respect of landscape also.

00:13:10:24 - 00:13:20:04

So I just want to assure, um, uh, speaker that we will be, uh, we, we will be monitoring this. Thank you sir.

00:13:22:03 - 00:13:32:11

Okay. So, Mrs. Warren, the response is yes, Nottinghamshire County Council is involved in the same way that Lincolnshire County Council is.

00:13:33:29 - 00:13:47:22

I'm going to move us on as this was a brief update session, and that takes us into, um, back into the main agenda really to item six.

00:13:49:22 - 00:13:53:15

Soils in agriculture, biodiversity, ecology, water and environment.

00:13:53:27 - 00:13:58:08

The applicant we're just going to switch over. Um, experts, if you could just give us one moment. Thank you.

00:14:39:21 - 00:14:54:22

Thank you. Okay. Item six. Soils and agriculture. Biodiversity and ecology. Water and environment. There are five components to this starting with soil resource impact of change from 40 to 60 year project life. So.

00:14:56:14 - 00:15:30:12

Taking this. First, I would like to hear comments and points on the effective use of agricultural land, specifically the points around benefit to soil of leaving land fallow. At issue one and through applicant evidence, the X8 has heard the points about fallow period and improvements to soil condition, which, if the soil is then repurposed back to agriculture, that benefit can be realised. This has been contested

through um issue specific hearings at issue specific hearing one, and was raised at open floor hearings.

00:15:30:14 - 00:16:02:00

And IPPs have also raised this through written evidence. So starting with an overview or an explanation, I'd like to hear the applicants for you on the implication of this 40 to 60 year increase, which now forms the basis of the assessments. I'd like to understand if this leads to further benefits and any reference, any references that can be provided to evidence of that, whether the benefits in nutrients, nutrient improvement diminish with time or just continue to improve continually.

00:16:02:23 - 00:16:22:00

Um, and whether a 60 year fallow period is. So is it incrementally better than a 40 year fallow period? Is it 50% better because the land has been fallow for 50% additional time? So I'll start with that question and move into further questions later.

00:16:22:22 - 00:16:31:19

Claire Broderick for the applicant. I will let Mr. Baird introduce himself and answer the particular questions on, um, the fallout period. Thank you.

00:16:34:12 - 00:16:37:07

Uh, Mr. Daniel Baird working for the applicant. Um.

00:16:37:19 - 00:17:10:05

First of all, in terms of soil health, we're not so much looking at, uh, nutrients, which is, uh, the nutrient status of a soil is something that a farmer will routinely maintain, uh, in response to, uh, crop uptake and monitoring of the soil. In fact, uh, farmers are constrained in what, uh, nutrients they apply to the land because we don't want to create problems of, um, uh, nutrient pollution, uh, eutrophication of, uh, air and water from, um, nutrients such as nitrate and phosphate.

00:17:10:18 - 00:17:47:29

Um. When we're talking about soil health, we are looking at, uh, the soil organic matter and, uh, structural, uh, state of the soil. If you are plowing soil, uh, which we routinely do for arable land, um, no matter what the returns of organic matter to that land, the soil is going to continually approach a low equilibrium. The more, um, uh, soil or more organic matter that you return, the faster the soil biota will grow to consume that, uh, feed source.

00:17:48:01 - 00:18:18:12

By cutting, plowing, we, uh, stop the over, uh, aeration of the soil, which allows that sort of exponential growth in, uh, consumption of substrates such as crop returns. So when we go to a grassland management, the soil will then recover towards a higher natural equilibrium, even though the, uh, returns of organic matter such as, uh, root material may be, uh, lower.

00:18:18:28 - 00:18:50:00

Um, as with all, uh, environmental benefits and, uh, environmental degradation, the, uh, the loss of soil health, um, is very much faster than the recovery of soil health. Um, the extension of the operational phase from 40 to 60 years will increase the duration of the fallow period that benefits the

soil health. So it's paragraph 19 .9. 13 of, uh, rep 010 under a perennial vegetation without plowing soil.

00:18:50:02 - 00:19:29:27

Organic matter, as we stated, will continue to, uh, recover towards a naturally higher equilibrium. The increase in soil organic matter at 60 years, therefore may be only marginally better than that achieved at 40 years. Um, all soils will differ in the rate of recovery. And uh, as a rule of thumb, we'd normally say that for a change of management, you would need about a 10 to 15 year period to notice a signal in terms of soil organic matter over the the noise, obviously, of, uh, soil organic matter.

00:19:30:09 - 00:19:51:06

Um, if you apply a compost or manure to a soil, you will suddenly have more soil organic matter, but that may not be sustained. So it would normally be looking at a 10 to 15 year period, as I say, to see the sustained change in soil organic matter, which relates to that, um, management that land has been put into.

00:19:54:04 - 00:19:55:14

Thank you. So the.

00:19:57:12 - 00:20:25:01

So the benefits need to be realized. Need a given amount of time, I suppose. That 10 to 15 year period. Would you say that is the minimum, or is that an optimal optimal amount beyond which the retaining the lander as follow doesn't then significantly increase the organic the organic matter of that?

00:20:25:16 - 00:21:04:27

Sorry, that's that's a period of time that you be able to um, with any confidence, notice a difference. Um, the the benefits will continue to be gained, although they will approach a plateau. And so the, um, uh, at the beginning of the 40 or 60 year period, the benefits will be greater year on year once you can detect them, then towards the end of that period. But you will still continue to accrue those benefits and you will still get the benefits, environmental benefits that derive from those such as cleaner water, infiltration of rainfall.

00:21:25:05 - 00:21:48:24

Thank you. Okay, I going to invite any comments on this as we have received, uh, a number of comments on this, three written representations to IPS, is there anything any IPS in the room wish to? Comment on in relation to soil and organic matter.

00:21:51:02 - 00:21:59:11

Okay, Mrs. Warren, I'll come to you in a moment. Once Mr. Redwood is with you. But 7000 acres in the interim, please.

00:22:01:08 - 00:22:19:27

Uh. Good afternoon. Um, Tony court, 7000 acres. Um, the question I've got on soil health is, can you tell me what chemicals will be used to clean the panels and what effect those chemicals will have on the soil? Health.

00:22:22:15 - 00:22:40:28

Is it, Mr. court? Okay. Mr. court. Yeah. All the questions should come through the panel. And the panel today is me. So the question is around impact. Of chemicals used to clean panels. Impact that will have on soil.

00:22:46:19 - 00:22:51:20

Okay. Um, Mrs. Warren, um, have you got one?

00:22:53:16 - 00:23:48:20

Uh, Christine Warren underneath the cooling towers at Westport and power station. Um, I don't know whether Lincoln's the same as, uh, um, round West Burton, but this year. Excuse me. We've had an enormous amount of rain, and as such, some of the land looks like, uh, ponds. Um, I've got two small dogs that are back at base on a regular basis. What's your. Are the, um, the research you've done? Uh, was it done prior to the rain, or is it, uh, has it been done as it rains now? And will the rain, um, alter the the fact that we flood in around because we're clear based? Uh, will that alter the soil? Um, throughout the life? Um, if the rain is hitting the solar panels and then flooding underneath because there's no drainage, because we have no drainage.

00:23:48:25 - 00:23:56:01

Um, and as I say, some of our fields look like lakes, and, um, and I like that for months. Uh, I've been for months. Um.

00:23:57:05 - 00:24:30:02

Okay. Thank you, Mrs. Warren. There is a section on drainage and flooding coming up, so that may be revisited later. I'll ask the applicant, Mr. Byrd, to comment on the questions about impact of chemical cleaning, chemical cleaning on soil and what impact that may have and how that's been assessed. Um, and I'll invite the applicant to comment briefly on the clay soil and impact on flooding, bearing in mind that that that is a topic in its own right.

00:24:38:23 - 00:25:08:23

And that if the app can in terms of um, uh, cleaning activities, um, our understanding is that it's just water used for cleaning purposes. But we do want to clarify that, um, so I don't want to give any kind of misinformation. So we will, uh, the applicant will take that away as an action to double check the position with, um, the maintenance teams on other projects to make sure that we give the correct answer on that particular point.

00:25:08:25 - 00:25:25:18

Okay. And in doing so and checking that and responding by deadline for or follow up submissions, if you could answer the specific question, which may involve Mr. Bird or your ecology team.

00:25:26:09 - 00:25:57:12

Uh, collaboratively, yes, definitely. Obviously all maintenance activities, um, that were assumed to take place during the operational life have, um, been taken into account in respect of the individual assessments. I just don't have that particular factual piece of information, um, to hand at the moment. So we will double check that. I think miss, uh, Mr. Burke can obviously answer it from a soils



perspective. Um, the drainage benefits to a fallow period in a bit more detail, if that would be helpful for Missus Warren's benefit.

00:25:57:14 - 00:26:11:27

And then obviously we're talking we've got, um, we've got drainage and flooding and how we've taken into account both existing rainfall levels and predicted future rainfall levels as part of the environmental assessment, but that probably sits better under the drainage and flooding.

00:26:11:29 - 00:26:36:12

Thank you. Yes. Yeah. If that's okay to deal with this specific point now and then the the specific flooding drainage points at that point. Mr.. The response was that there will be a there will be an answer to your question. Um, and it will come through the written process. Okay. So. Mr. Byrd.

00:26:38:05 - 00:27:08:05

With regard to, um, rainfall infiltration. Um, because we have a recovery of soil health because the land is under year round. Um, green cover. Uh, we have two benefits for, uh, rainfall infiltration. First, the rainfall hits the grass before it hits the soil, so it is not breaking apart the soil aggregates, which leads to the transformation of the topsoil into mud, which further reduces, uh, rainfall. Infiltration promotes runoff of that water.

00:27:08:20 - 00:27:41:03

Uh, and secondly, the increased, uh, soil organic matter makes those, uh, topsoil aggregates also more stable. So, um, they are less likely to break apart, um, under, um, mechanical stress, such as, uh, impact of a raindrop. Um, so we would be, um, achieving, uh, greater infiltration of rainfall, less runoff, which is, uh, good for, um, flood risk. It's also good for water quality because runoff carries sediment.

00:27:41:18 - 00:28:10:24

Um, it also carries, uh, nutrients which damage, uh, surface water quality. It carries um, uh, agrochemicals, which are, uh, damaging to, um, surface water health. It also carries a fecal indicator organisms which are damaging to human health and damaging for bathing waters. Um, so all around on measure of, uh, rainfall infiltration, the, um, year round green cover and recovery of soil health is a good thing.

00:28:15:06 - 00:28:15:22

Thank you.

00:28:22:09 - 00:28:23:04

Okay.

00:28:25:06 - 00:28:31:10

I'm just looking online. And around the room for any.

00:28:32:29 - 00:28:46:02

Other queries or comments on this. This item A. It doesn't appear that there are any. So we will move to, um, item B.

00:28:49:11 - 00:28:58:05

This is the implications of the National Planning Policy Framework. December 2023 update in reference to agricultural land.

00:29:00:03 - 00:29:31:04

On 19th of December 2023, the government published an updated National Planning Policy Framework in PDF, setting out a series of amendments. Within these paragraph 1.1 and its footnote 62, consider the environmental impact of suitable sites. Um. The NPF strengthens the protection of agricultural sites by providing the LPA. Local planning authority in that case should also consider availability of agricultural land for food production.

00:29:31:24 - 00:29:54:03

Whilst the original wording of footnote 62 only provided that the development must be carried out in agricultural land, then poorer quality land should be preferred to high quality land. Second part was inserted to the footnote, which encourages a greater focus on food security as it provides the availability of agricultural land for food production must be considered in planning policies and decisions.

00:29:56:16 - 00:30:17:20

Uh. Also paragraph 1.1. The revised NPF requires local authorities to consider the availability of agricultural land used for food production when allocating sites for development. So more in the land allocation, part of an LPA function where significant development of agricultural land is demonstrated to be necessary, areas of poor quality land should be preferred to those of high quality.

00:30:20:10 - 00:30:57:11

So on the face of it, the amendment means that the availability of land use for food production. It is part of the exercise of determining. Where development should occur. I'm going to invite the applicant to outline its view on the NPF changes. What or how does it affect the. DCO application for West Burton Solar project. How far does the applicant view that the scheme complies with these changes in the NPF? And then we'll hear from any IPPs if any comments are forthcoming.

00:30:57:13 - 00:30:58:17

So, Miss Broderick.

00:30:59:23 - 00:31:37:18

Uh, Claire Broderick for the applicant. Um, yes. As you mentioned, um, the, uh, footnote, um, 62 of the NPF has, um, uh, has been updated. Um, the applicant's position, obviously, is that the NPF, um, applies to all development. Um, that particular footnote is not directed specifically at, um, energy related development. And it relates equally to mixed use housing development or, um, other types of developments, such as mines and minerals that would have a permanent impact on, um, agricultural land.

00:31:37:25 - 00:32:27:03

Um, the applicant's position is that, um, that footnote needs to be read in the context of the newly designated NPS, in particular M3, which does specifically recognise that solar farms may need to be

located on agricultural land where necessary. Um, particularly in paragraph 2.10 point um 29 um onwards um, which does recognise um. That, um, developments at this scale, um, we'll use some agricultural land and that the test set out in N3 is the applicant should explain their choice of site, noting the preference for development to be on suitable brownfield or lower or medium grade agricultural land.

00:32:27:09 - 00:33:06:06

Um, the applicant has set out in detail its site selection process and explain the reasons why. Um, there is a need to use agricultural land over brownfield land in order to develop, uh, deliver this particular scheme. Um, it's also set out where areas of BMV land have been included within the scheme. Um, the reasons why that's necessary and why alternatives weren't available. Um, so the applicant's position is that the, that additional wording doesn't, um, change, um, the acceptability of the use of agricultural land for this particular scheme.

00:33:06:10 - 00:33:37:27

Um, whilst also noting it refers to the availability of land for food production. And the applicant's position has been that the land within the solar panels will be available, um, for grazing during the operational life, and that is associated with a form of food production. Um, Mr. Beck, provide some more information about, um, the assessment. But, um, the summary is that we don't think it alters the assessment that was undertaken, but we can provide some more detail if you'd like.

00:33:38:03 - 00:33:38:18

Thank you.

00:33:38:29 - 00:33:47:11

Thank you. Okay. Um, yes. In terms of how the changes to the NPF affect the assessment that's been undertaken prior to that date.

00:33:48:07 - 00:34:19:29

Uh, yes. Well, quite so, um, the footnote 62 introduces, uh, the availability of agricultural land used for food production. And the agricultural land remains available for food production within the operational period of the solar farm. It can be grazed, um, by small livestock such as sheep. Um, there is no sterilisation of the agricultural land resource. There is no degradation of the agricultural land resource by the temporary occupation of the land by solar farm.

00:34:22:27 - 00:34:26:11

And so no change to the, um, to this impact assessment.

00:34:26:13 - 00:34:36:07

Okay. And on that assessment that. Sheep may safely graze amongst the solar panels.

00:34:38:01 - 00:35:02:27

Obviously, we see sheep grazing within solar farms up and down the country. Is there any risk that the size of the solar panels at 4.5m may. Make sheep less likely or less willing to graze within a solar farm of a different scale than that which we are used to seeing.

00:35:06:25 - 00:35:44:16

No, um, the grazers will be, um, moving, uh, the sheep around, uh, the solar farm. There will not be ranches year round within a solar farm. Uh, they will be, uh, brought on and off the land as, uh, required to, uh, manage, um, the vegetation and to also make use of the forage that's available. Um. There is research from solar farms in California, where they do have a slightly warmer climate, but that, um, they had, uh, better productivity from, uh, sheep grazing.

00:35:44:29 - 00:36:12:21

Um, and that was down to, uh, the sheep having, uh, ready access to shade, um, and spending more time eating rather than, uh, suffering from heat stress. And, uh, we do in summer, see, uh, sheep, uh, sheltering under trees and, uh, in shaded areas. So we don't expect any issues for the sheep within the area of solar farm they've been allocated to graze.

00:36:13:07 - 00:36:16:26

Thank you. Okay. Okay.

00:36:23:08 - 00:36:43:03

Before moving on to item C and just checking online and in the room for any further IP comments. Okay, I have Mrs. Warren will come to you in a in a moment. Uh, Lincolnshire County Council is home.

00:36:43:27 - 00:37:15:07

So thank you. Stephanie Hall, Lincolnshire County Council. So I don't have my agricultural consultant with me, but I have some notes from, from him. Um, and um, Lincolnshire County Council's view, which will be expanded upon in writing. In summary now is that footnote 62 does include a new emphasis on availability for food production. And. It firstly in in terms of reliance on sheep, that is a not a point that's secured within this DCO in the same way it might be with others.

00:37:15:09 - 00:37:16:29

So it's just a potential.

00:37:18:15 - 00:37:55:10

Be, even if it comes to fruition, is not available in the same way or at the same intensity that it is available currently. So grazing for food production, even if the sheep that are grazed are then thought of better and eaten. Um, even if that is the case which is not secured either because sheep are not secured or because you can't secure what that shepherd then does with their sheep. Um, even if that happens, then that is a much lower intensity use for food production than cropping.

00:37:55:17 - 00:38:29:03

So it's not available in the same way. So it's not a matter of saying, well, it's available boxed, boxed picked, it's much more nuanced than that. And when you look at that nuance, there is a loss here. There is a there is a change in a negative way from the existing situation. Um, so our view is that, you know, there is a loss here because it will be taken out of arable production and that's a loss of crops and byproducts and that that needs to be properly assessed.

00:38:29:22 - 00:39:00:24

Equally, um, we have some concerns about the level of detail about the assessment on sort of knock on effects in terms of the economics. So not just about loss of crops per se, but also, um, knock on effects for the local agricultural merchants, machinery suppliers, chemicals, fertilizers, etc., etc. there is a wider economic effects that will be felt in what is predominantly in agricultural and arable community. Um, so so that's just a headline of our points.

00:39:00:26 - 00:39:01:12

Thank you.

00:39:01:22 - 00:39:11:08

Thank you, Miss Hall. Yes. So so that will be the, the the details of the mission will be made at the next or by the next deadline.

00:39:12:06 - 00:39:14:18

Yes. I can flesh it out in writing. Thank you. The points.

00:39:14:20 - 00:39:33:24

Noted. Thank you. Okay. Uh, Missus Warren. And then I will bring the applicant back in to respond to points before moving on. So, Mrs. Warren, this is about the NPF December 2023 update or other items that have stemmed from that point on.

00:39:33:26 - 00:40:11:09

Comments from them. Uh, Christine Warren underneath, um, cooling towers. West Burton. Um, one of the things about shading sheep underneath, um, the, uh, solar panels were not California. We don't have the sun that California does. So we probably don't need to do that. And she if you have sheep in the fields where I live, they'd have to learn to swim because the soil wet the fields. Um, and I've not seen a swim in sheep yet, and they've got so much wool on them that they just drowned in the, uh, bogs around, um, certainly around West Burton and our, um, our, uh, uh, clay based soil.

00:40:11:11 - 00:40:19:21

And I think if the if sheep could be on the land where I live, uh, they'd already be there, so I think I don't think it's right.

00:40:21:16 - 00:40:55:04

Mrs. Warren. Okay, I'll invite comments now from the applicant in relation to Lincolnshire County Council's verbal update, which will be fleshed out at the next deadline. That was, um, that, for example, sheep grazing. Agriculture is not a like for like replacement for land which will be taken out of product arable productivity. And secondly, the point about, um, I suppose heat impact on sheeps and shading under solar panels.

00:40:58:02 - 00:41:41:17

Uh, yes. Firstly, um, farmers are under no obligation to manage land to a high intensity. In fact, many farmers are offered payments to reduce the intensity of land management. Um, under Countryside Stewardship. Currently, a farmer can. Well, last year it was £311 per hectare. It's now currently higher. Um, receive that payment per hectare per year for arable reversion, which is taking arable land out of

arable production and putting it into low intensity grassland production, which may be grazed by sheep or could just be mowed, um, without any, uh, removing of the forage for feed.

00:41:41:28 - 00:42:18:15

Um, that's done for environmental benefit, the environmental benefit of doing that, recovery of soil health, uh, improvement of water quality and biodiversity is considered great enough to justify that payment. Um, there is no food security concern regarding that. There is no agricultural land classification concern regarding that. Um, the solar farm is providing exactly the same land management without paying, uh, the government paying the farmer 311. Well, £326, I think it is now per hectare per annum for that beneficial management.

00:42:20:08 - 00:42:23:07

The. There is a, um.

00:42:25:03 - 00:43:00:17

I think there's a danger in. Trying to raise a concern over food security where there is no concern. A farmers are extremely good at responding to market signals in terms of food production, and if there were a food security issue, farmers would be responding to that signal. Currently, farmers in Europe are responding to the market signal of extremely low grain prices by occupying town centres across the EU.

00:43:03:11 - 00:43:33:25

So, um, yes, I, I don't think we, we do have a issue over, um, there being any sort of problem by this land being available for agricultural production, but, eh, it being considered that the intensity of that agricultural production is not sufficiently high. In addition, we also have the environmental improvement plan, which is looking for. Let me see. Um.

00:43:35:27 - 00:44:07:18

To it's they want by, uh, 20, 28, uh, 60% of land, agricultural land under what's called sustainable management. Um, with uh, 40%, uh, with the. Oh, sorry. That's so 2028 is 40% of English agricultural soil into sustainable management. And, um, by 2030, 60% of agricultural soil in England and to sustainable management. Those are challenging targets.

00:44:07:22 - 00:44:11:26

Um, this is a site which will contribute to that challenging target.

00:44:16:07 - 00:44:19:03

Thank you for that. Okay.

00:44:21:14 - 00:44:42:14

Just. Doing another check. Um, Mrs. Warren, I see your hand is up again. Is it something that. Yeah. You haven't got a microphone at the moment. It it still needs to be into the microphone. Can you make one quick point?

00:44:43:00 - 00:44:47:17

Thing is, um, with sheep, does grass go on growing the shade?

00:44:52:15 - 00:44:59:06

And I think we will move on on that point to item C.

00:45:01:02 - 00:45:08:15

This is agricultural land classification, survey, food production and agricultural uses of land during operation.

00:45:11:20 - 00:45:16:10

So IPPs have raised the issue that we have. Uh.

00:45:19:08 - 00:45:38:27

That the surveys have been undertaken. And we've discussed some of the impacts on soils today. I'd like to start by questioning the applicant on a, you know, the joint report on interrelationship of the various projects. Within this. I note that there is no reference to the cumulative impact on soil.

00:45:40:29 - 00:46:04:19

Now this. What I'm after here is really some understanding on the position of this to the applicant. What's the rationale? Is it because the. Nature of the project doesn't lend itself to an assessment or a cumulative assessment of impacts on soil. Is it an omission or please, could you clarify and help? Examining authorities to understand the rationale behind that.

00:46:05:07 - 00:46:51:07

Uh, if I could just, um, add we, uh, the reason for, um, the sort of the slight disparity in the tables is because whilst on the Cottam and the West Burton um, projects, there was a separate agricultural land and soils chapter for Gate Burton. There wasn't that was considered within socio economic, uh their socio economic chapter. Um, so we did update the um update was going to be made to the um, Joint Interventions report that will be submitted at deadline for just to include the confirmation that there were no changes to the conclusions on, um, impacts on soil as a sort of separate subheading within that socio economic.

00:46:52:06 - 00:47:26:18

Ro, as it were, in the table. So it has been considered. Um, there aren't um, there aren't there weren't any changes to the cumulative, um, assessments on those matters. It just wasn't listed as a separate topic because it was dealt with because Gate Burton led the drafting of that report from the outset. They included that within their socio economic chapter. So we that had some clarity on that particular point will be given in the next version of that document. But definitely all of the projects have considered cumulative impacts on soils.

00:47:26:25 - 00:47:32:09

Um, and there haven't been any changes to the conclusions since the environmental statement was submitted.

00:47:32:11 - 00:47:47:04

Thank you for that confirmation that that may. I think that deals with that point. Um. So we will receive an updated version at deadline for us. Gratefully received.

00:47:53:26 - 00:48:10:03

Just on the ALC survey. The. There were a number of written questions about the survey at the first written question stage. The applicant has addressed various of these concerns as to the accuracy of the ALC survey.

00:48:11:25 - 00:48:27:08

Is there anything iprs interested parties in the room would like to raise with regard to, uh, agricultural land classification, the survey, the validity and the accuracy of that.

00:48:34:15 - 00:48:37:20

Okay. Some sneakers. Mr..

00:48:38:08 - 00:48:59:07

Mr.. Court, 7000 acres. Um. Yes, I'd. I'd recognize that. Um, you asked a question. Uh, one, two. Ten. Um, with regard to West Burton, three farm businesses, C and D and.

00:49:01:00 - 00:49:04:09

The applicant has given you a written response.

00:49:06:13 - 00:49:10:00

Which fails. To mention.

00:49:12:03 - 00:49:33:00

The BMV values and the AOC survey results. For farm businesses C and farm business D. You have. They have, um continued, just to reply to you with regard to West Burton, three results.

00:49:36:09 - 00:50:04:28

I would suggest to you. That what they are doing is what is known in the trade as data manipulation. And they should very carefully look back at what they are presenting. Because I will now quote you some figures. From their own values and their own report, not from the adjusted ones that we suggested should be taken into account.

00:50:06:20 - 00:50:47:19

Where they identify what the values are. Or West Burton one, West Burton two, and West Burton three. Such that in West Burton, one BMV is 20%, in West Burton, two. It's 4%, and in West Burton three they report it as being 46%. However. If you were to take their numbers, their figures, and split it into farm C and farm D, which are two parts of Westport and three separated by a road.

00:50:48:19 - 00:50:59:24

You would end up with farm business CE as BMV, BMV 67% and farm business D BMV 36%.

00:51:02:09 - 00:51:19:18

I'm therefore going to suggest to you that likewise they removed West Burton for because of its BMV content. They should also be considering removing Farm Business CE because of its 67% BMV content.



00:51:21:23 - 00:51:22:10

Now.

00:51:24:27 - 00:51:27:28

I would take this a little step further for them if they like.

00:51:29:26 - 00:51:40:01

Because what I've also asked them to do is to respond to whether they've done qualitative and quantitative risk management on this project.

00:51:42:03 - 00:51:49:20

If they have carried that out as a result of that, they would have got some probability results.

00:51:51:14 - 00:52:22:28

And I'm going to suggest to IGP. And probably more important to Pinsent Masons that the advice that they are being given. Has not taken probability into account. And the reason I'm saying that. Is that your response? When you write your final report. Is probably going to suggest that farm business CE should not be taken into account.

00:52:24:28 - 00:52:30:04

Because it does not comply with N1, N3 or the NPF.

00:52:32:09 - 00:52:45:13

As time goes by, all that is happening is that igp's costs are going to be increasing. The probability of getting a positive response is going to be reducing.

00:52:48:10 - 00:53:25:17

The further this carries on through the Secretary of State's questioning. And if it ever gets to a High Court decision, barristers will have a field day with their representatives. So I'm going to suggest they recommend to IGP to reconsider whether they want to include farm Business C in their proposal, because now is the time, if they want to, to review their layout, adjust their application and submit it to this panel to yourselves for continuing review.

00:53:27:24 - 00:53:28:10

Thank you.

00:53:29:27 - 00:53:50:01

Thank you, Mr. Cortes. I'm a I've noted the concerns and the split there that you've provided with some percentages. I know that you've got that written down. Will you be able to submit that to the examination? Um, by deadline four or sooner if it's available?

00:53:50:07 - 00:53:53:24

Uh, Mr. Cortes, 7000 acres. Yes. I will submit it in writing. Yes.

00:53:54:09 - 00:54:12:19

Thank you. Um, I'll invite the applicant to respond to those points, which may. As it's the first time potentially, that some of those figures have been, um, presented maybe in summary and invite further response at deadline for. So, um, Mr. Broderick.

00:54:14:10 - 00:55:02:15

A clever trick for the applicant. And there's obviously I think there's two issues that are being raised here. One is whether we have correctly, um, reported the percentage of BMV land for each of, um, the sites, which we believe we haven't. And Mr. Bear can provide some more information about how that is done. Um, noting obviously that, um, the approach taken to the ALC assessment has been approved by Natural England. Um, the other point he, in summary, is making is in relation to the site selection process, um, that has been undertaken and why the applicant considers that, um, the areas of um West Burton three that are BMV land, um, are where it is necessary and justifiable for those to be included within the scheme.

00:55:02:17 - 00:55:34:24

And in our answer to question, um, 1.2. ten, we did refer to the work that's been undertaken in terms of, um, consideration of alternatives and the design evolution. Um, and that that's explains three where BMV land remains within the order limits the reasons why for each particular parcel. Um, the applicant position is that it's still appropriate to include that land. So in terms of compliance with policy, um, the applicant has um.

00:55:36:06 - 00:56:06:00

Taken a iterative and iterative approach to site selection. It has tried to avoid the use of BMV land where possible, and where BMV land is included. It has provided a justification for that. So the applicant's position is that we have provided sufficient information for the Secretary of State to be satisfied that the policy tests are being complied with. But if you would like further information on how we have calculated the percentages of BMV land for each of the sites, then the Mr. Baird can provide that information. That would be helpful.

00:56:06:27 - 00:56:14:03

Yes, I think so. Given that the comments from 7000 acres. If we could hear as much as you can right now.

00:56:16:23 - 00:56:54:03

Yes. Daniel Bhat for the applicant. Um, firstly, uh, ownership of land or occupation of agricultural land has absolutely no bearing on the ALC assessment. Um, it's a it's assessed, uh, independently of, um, tenure, um, and farm business. See, uh, as, uh, the information laid out in the technical appendix, um, 19.1, um, it's an arable enterprise with approximately 562 hectares of land spread across three farm units, um, with all of the land and arable production currently, apart from a small paddock.

00:56:54:11 - 00:56:54:26

Um.

00:56:57:05 - 00:57:39:17

There is no, um, obligation, uh, to, um, break up an ALC survey, uh, by, uh, tenure or, um, uh, ownership of the land. Uh, we've simply presented the ALC grades, um, for the, uh, blocks of land that were brought forward by the applicant and presented the, um, areas as a whole, um, that we also presented the, um, uh, mapping of, uh, ALC grades for the area of land which was later withdrawn from the scheme, partly on the basis of the presence of best and most versatile agricultural land.

00:57:43:17 - 00:57:45:19

Thank you, Mr. Bird. Okay.

00:57:50:25 - 00:58:23:09

Sorry, just one more point. In terms of, um, statistical analysis, there is absolutely no, um, uh, requirement or need for any sort of, uh, geostatistical assessment of ALC grades. Um, it would be entirely inappropriate for a system, um, which has been in use since, uh, October 1988 to start, um, trying to, uh, place that on top of the current methodology.

00:58:23:19 - 00:58:40:23

Um, and it's been pointed out in responses previously, uh, Natural England, uh, retain um, expertise in ALC assessment and uh, they are perfectly happy with the, the ALC assessment that is being presented.

00:58:43:22 - 00:58:44:19

Okay. Thank you.

00:58:48:08 - 00:59:00:05

Are there any other points anybody would like to make under? Agricultural Land Classification survey. So item C on soils and agriculture.

00:59:02:10 - 00:59:05:29

And just checking also online and it appears not.

00:59:07:16 - 00:59:15:02

So we'll move on to item D. Biodiversity, net gain and biodiversity. Um.

00:59:17:17 - 00:59:20:22

Think we are likely to be.

00:59:22:22 - 00:59:41:09

On. Certainly on schedule to finish by the time. 5:00 comes. I think we'll start with biodiversity net gain and see how time goes and whether or not there is a need for a short break depending on how time evolves. Okay, so on biodiversity net gain.

00:59:45:29 - 00:59:56:15

The topic area is called biodiversity Net gain. It will cover being, but it may include other ecology matters. Some of those ecology matters are probably more.

00:59:59:01 - 01:00:31:08

Conform more to item E. I'll start with a brief recap of issue specific hearing on the draft echo. That was two weeks ago. There were discussions on biodiversity, net gain and how that will be secured in the DCO. Um, it's noted and it's been raised in written reps and further written questions that there exists different approaches to. Bag and securing of bag within DCS development consent orders, nationally and possibly even regionally.

01:00:31:10 - 01:01:04:15

So between schemes there may be different approaches to how biodiversity netting is secured. An action point from the DCO hearing with an ongoing date was for the applicant to keep the approach to securing BNG under review. I appreciate this was only two weeks ago, but I will ask the applicant for any update on this. In doing so, if the applicant could recap for the benefit of this hearing, the the current approach to securing Vnt.

01:01:04:24 - 01:01:19:04

Um, briefly, any other approaches considered and if the applicants approach hasn't changed, um, why it remains. Take taking or opting for the approach that it is.

01:01:21:19 - 01:01:52:02

And clever logic to the applicant. So the current approach that set out in the um and secured by way of the draft DCO is that the applicant is, um, obligated to deliver all of the landscape and ecological measures that are set out in the outline landscape in the ecological management plan. Um, so all of the planting, um, both in terms of hedgerows and grassland, etc., um, that is proposed on those plans will be delivered by the scheme.

01:01:52:23 - 01:02:35:12

Um, that planting um, has a um will deliver a biodiversity net gain. But um, previously the applicant had not secured specific percentages within the draft DCO itself. Um, it, it had a requirement to, um, submit for approval of biodiversity net gain strategy. Um, but the actual percentages had not been referred to because there was, um, concern that because this area was is evolving, um, that there may be, um, may be a need for flexibility in terms of the actual percentage that those measures that are going to be, um, implemented, uh, would achieve.

01:02:35:29 - 01:03:09:03

Um, the same discussion has been taking place in relation to the Cottam solar project. So we've been keeping the position under review in respect of both of those. Um, in respect of the Cottam project. And updated draft DCO was submitted at the last deadline, which was, um, last Tuesday. Um, and we are now proposing to include reference to specific percentages within, um, requirement nine, so that the biodiversity net game strategy must set out how those particular percentages will be achieved.

01:03:09:15 - 01:03:41:23

Um, at the moment we haven't specified the particular percentage because some further consideration is being given as to what kind of flexibility is needed to account for changes to the metric. Um, between now and when we come to construct, um, the scheme. So obviously we have done an assessment of what we believe, um, the landscape and ecological mitigation measures can achieve. And that's been set out in our documentation. But that was based on an older version of the metric.

01:03:41:25 - 01:04:16:00

And there is a possibility that the metric could change again. Um, before we, um, come to construct, there was also, um, further guidance and regulations coming through in relation to Town and Country Planning Act. Um, I understanding is we're expecting some further guidance imminently in terms of ongoing monitoring and maintenance of biodiversity, net gain and other associated matters. So at the moment, the applicant's position is that it is willing to commit to a percentage, but it may need to include a small buffer, um, to allow for changes to the metrics.

01:04:16:02 - 01:04:49:27

So the it's likely that the figures that go in, um, are not, um, do not replicate the ambition that we've set out within the DCO, um, application materials purely because, um, there could be a change to the metric and we'd need to then amend apply to amend the DCO. If the metric meant that we don't know, we're 0.5% of a of what we'd said, that would result in a non-material change to the DCA, which obviously we'd want to avoid, particularly if it's just in relation to changes to the metric that have taken place.

01:04:49:29 - 01:05:21:24

So that's where we've got to in terms of an update on the position. And we recognise that comments from the local authorities would that were that it would be very helpful for there to be specific percentages. In there. Um, and that that would help, uh, potentially help give yourselves in your recommendation and the Secretary of state greater comfort, um, in the planning balance, that an actual biodiversity net gain would be delivered over and above the obligations set out in the landscape and environmental management plan.

01:05:21:26 - 01:05:28:04

So that's sort of an update on the position. And the deadline for version of the DCO should contain that updated wording.

01:05:37:12 - 01:05:37:28

Can I?

01:05:39:25 - 01:05:58:29

Bring in any comments from IPS on that. So we've heard about the change in approach to securing BNG and the requirement for a buffer. Is there any comments that any of the local authorities would like to make in the first instance?

01:06:00:00 - 01:06:16:00

I'm Stephanie Holt, Lancashire county councillor. Just. Thank you. Yes, we are grateful for that. Um, completely understand the need for a buffer. I think that I think we've already always acknowledged that that would be necessary. Um, and a sensible way of dealing with the fact that there is some uncertainty about the metric. So we're grateful for that amendment. Thank you.

01:06:18:21 - 01:06:19:07

Okay.

01:06:21:11 - 01:06:29:27

So progress on that will be provided by deadline for and I'll take. That in the actions box on.

01:06:31:27 - 01:06:37:09

No further comments on that aspect of being um. Turning to.

01:06:41:18 - 01:07:12:18

An item here that the Environment Agency had requested. This is to do with film filamentous algae. So in the Environment Agency. Relevant representation. Representation RRO 90 request. There had been a request for more information on the remedial action suggested for filamentous algae. Algae in ditches to be able to comment. Uh, it states that it wished to see the actions would be undertaken that year for.

01:07:14:15 - 01:07:35:00

Following on from that. I. The position of the environment is that the information has been considered, and the advice is that for Water Framework Directive purposes, the Environment Agency agrees that the West Burton solar farm will not cause a deterioration in states of the river network, therefore, they have no concerns regarding that element.

01:07:37:00 - 01:08:03:25

However, the environmentalist did have concerns in terms of quantifying net gain under bag requirements and relying on the removal of only a certain element of fertilizers from the wider input to create habitat units. And one question to how quantifiable this is. The Environment Agency stated that improvements in habitat units needed to be needed. Need to see on the ground changes, for example reduced filamentous algae.

01:08:06:13 - 01:08:19:06

They've also commented in the recent submission that they're happy to proceed on the basis of no deterioration in WFD, but the bag requirements need quantifying through the metric calculator. More work is required from the applicant.

01:08:21:17 - 01:08:33:16

Is there any update on this? Alternatively, is this tied up in the potential changes to the DCO that have previously been mentioned?

01:08:38:14 - 01:09:08:17

Harry Fox, um, ecologist for the applicant. Um, we have engaged with that the EPA on this matter. And, um, I have explained that, um, there is no specific facility within defi's, um, biodiversity metric tool to quantify the, uh, change of water quality in ditches, rivers, um, and other waterways through the cessation of agricultural inputs.

01:09:09:00 - 01:10:02:27

Um. There is a, uh, there is a qualitative, um, mechanism for, um, identifying improvements or changing, um, water quality in the presence or percentage cover of filamentous algae that is, uh, that is factored into some of the, um, predicted, uh, net gain, um, that we have calculated for river units. Um, we, we have sought to be proportionate and, and, um, realistic in our, um, in our predicted

improvements through, uh, periodic ditch management focused on biodiversity opportunities, mapping um, zones that have been identified in Lincolnshire's um Local plan.

01:10:03:19 - 01:10:27:23

Um. So we're of the opinion that it's, it's it's reasonably achievable the, the benefits. And um, in terms of um, the, the cessation of agricultural inputs, uh, unfortunately it's it's just not possible to provide that quantification at this stage.

01:10:30:20 - 01:10:47:00

Um, as has been alluded to, there will be, um, changes to the biodiversity metric, and it's not possible to foresee whether that is something that will be looked at or expanded, um, in future iterations of that. Um, calculation tool.

01:10:47:10 - 01:10:55:26

Okay. Okay. Thank you. So they those discussions with the Environment Agency will presumably continue.

01:10:57:11 - 01:11:21:22

If, uh. Bearing in mind that we have second set of written questions looming, it would be quite useful to receive a brief update on that and that specific issue within being at the next deadline that will assist, again, examining authority in writing and preparing its questions so we know where to target the time and resources.

01:11:22:12 - 01:11:55:17

For that project for the applicant. Just on that particular point, I think our understanding is that we're now aligned with the Environment Agency, but that will be confirmed in the next iteration of the statement of Common Ground. So I think they're their submission in lieu of coming to the hearing, was just giving them a bit more time before they confirm that. But we we believe we've answered all of their questions that they had on this, this particular point. So not envisaging anything further, but obviously they didn't feel quite comfortable when they submitted the letter to confirm that. So we're just discussing the drafting of the statement of common ground.

01:11:55:19 - 01:12:00:06

But at the moment we don't envisage there being, um, an issue on this particular point.

01:12:00:23 - 01:12:02:23

Okay. Thank you.

01:12:11:02 - 01:12:21:16

Before moving on. Linda. Do any IPPs have anything to raise? Anything to add on the issue of biodiversity net gain? Item D.

01:12:23:06 - 01:12:23:24

Mr. Pry?

01:12:25:06 - 01:12:58:15

I think so. Mark Pryor, 7000 acres. Um, I think it's worth just briefly, um, quoting from the House of Commons in in the via mental audit committee who, um, reported at the end of last year and in their report, they did state that each hectare of lost, um, farming land needs 2.9 hectares, um, overseas to produce the same amount of food.

01:12:59:08 - 01:13:43:17

They also reported that the um bio um diversity impact is an adverse one, 3 or 4 times that of the UK. So if we're looking in terms of global warming, which of course is on a global basis, global cocoa SO2 emissions, then I um, then you might like to take it into account when assessing the adverse impact, the global impact on BNG, not any gains just within the red lines of the schemes, the adverse effect as a whole.

01:13:45:09 - 01:13:45:26

Thank you.

01:13:51:03 - 01:13:52:20

Thank you, Mr. Pryor.

01:13:54:24 - 01:13:55:24

That's noted.

01:13:59:15 - 01:14:05:00

Okay. I think I'll move on to. Item E.

01:14:07:21 - 01:14:17:17

There's a few subcomponents to Isom, which may necessitate a brief pause in between as a comfort break.

01:14:19:12 - 01:14:20:02

But.

01:14:21:17 - 01:14:51:19

As of now, I think we will at least move into item. Item is consideration of the impact of the project on drainage and flooding and rivers, ditches. Aquatic life. Again. Noting that the Environment Agency has provided, has provided written submission and has sent apologies for today. Some of the questions may be those that were submitted by the Environment Agency and events may have moved on, in which case please just provide an update.

01:14:51:26 - 01:15:03:07

The first point under drainage and flooding is this issue that has been raised in questions about water drop erosion.

01:15:05:11 - 01:15:35:20

This relates to the exacerbated channeling of water erosion through dripping and runoff from panels raised by interested parties in submissions, and reconfirmed in responses to first written questions. So in summary, the phenomenon, as I understand it, is result of. Solar panel and coverage design of the



panels increases the level of hard coverage and the drain drains water drops, um, to certain drainage areas.

01:15:36:13 - 01:15:55:12

The submission queries whether or not this has been accounted for on this very large scale. That's to say, the speed of the runoff and the channeling effect, which would presumably if. Effect, which would stem from panel coverage overland.

01:15:57:03 - 01:16:04:08

Heard the applicant. Please provide a response to this phenomenon. It was.

01:16:06:16 - 01:16:35:09

Respond. There was a response at first written questions, and I accepted that this is a correct phenomenon. Please give the applicant therefore release set out how it's been addressed and assessed and just confirm how it's been assessed and so included within flooding surveys. And can the applicant set out any of the mitigation measures which may be included to to mitigate against this?

01:16:37:05 - 01:16:51:18

A cloud project for the applicant. Um, I will let, uh, Mr. Rigby introduce himself, and he can explain, um, what's been taken into account in terms of the assessment undertaken and the appropriateness of the mitigation measures that have been proposed. Thank you.

01:16:52:14 - 01:17:26:21

Joshua Rigby, hydrologist for the applicant. Um, so the fact that it's been mentioned is often referred to as the drip effect. And it's the effect of water hitting a panel, um, and then being concentrated to the front end of a panel, um, and causing, over time, a rolling effect in the soil and increasing erosion. Um, the this tends to be a little bit of a misconception of how the panels are constructed. The panels aren't a single piece of, uh, photovoltaic cell.

01:17:26:23 - 01:17:57:15

They are broken up into several cells on the, um, on the equipment, and it causes their gaps. Um, so water falls onto these panels and then falls within the gaps and rains down onto the ground, which will be rust beneath them. Um, the concentration of that water isn't all at the front end of the panel is distributed beneath the panel. Um, the grassland beneath the panel will be, um, it will be grasped.

01:17:57:17 - 01:18:30:25

And that will take away a lot of the mechanical action of raindrops falling onto the ground and causing the, um, effect that is alluded to. Um, the available research that we have, which is the McEwen report, which is a US report, but it is the best that we've got, um, shows that panelled areas on grassed fields have a minimal impact, um, on, uh, surface water runoff. In fact, I believe the wording is, uh, negligible.

01:18:31:02 - 01:18:49:01

Um, but, um, so the, the effect of the of panelled areas on grassed fields, um, is not, uh, isn't seen to be, uh, you know, massively well it's negligible basically on surface water runoff.

01:18:52:20 - 01:18:58:01

Thank you, Mr. Rigby. And so to confirm really that.

01:18:59:18 - 01:19:10:14

How? Is. Is it taken into account in any of the hydrology, the flooding survey, or is it so negligible that.

01:19:12:06 - 01:19:16:01

It's it's purely it's kind of discounted from that survey.

01:19:17:18 - 01:19:20:15

It's negligible to the point where it's discounted from server.

01:19:21:29 - 01:19:22:25

Okay. Thank you.

01:19:27:19 - 01:19:55:09

I just invite, um, interested parties to comment on this specific element of. Uh, drainage and flooding. I think it was 7000 acres, among others who who have raised the issue. Certainly. First written questions and deadline two submissions. Is there anything? The IPS would like to say, having heard, uh, Mr. Rigby's analysis.

01:19:55:17 - 01:20:05:02

Um, Mark, seventh and thousand acres specialist is not here, so we will, um, respond in writing, sir.

01:20:05:29 - 01:20:14:06

Thank you. That's absolutely fine. Um, Mrs. Warren, have you got something to. Question on.

01:20:16:27 - 01:20:29:24

Um, Christine Warren underneath the cooling towers at West Burton. The research, um, it says is from America. Whereabouts in America is it California again, which is? The climate is a lot different to ours.

01:20:31:07 - 01:20:53:22

Okay. Thank you. I think the research was the best put forward as the best available evidence. I will either seek confirmation, but the specific area that that comes from may not be known off the top of Mr. Rigby's head, if that's okay. Mr. Rigby, do you know the detail about where that study area was?

01:20:55:12 - 01:21:25:27

Uh, not the specific area. I've got it in front of me, but I'll, um, I'll come back and write it. The, um, the specifics of the area, um, are not a material consideration within the report. It is, uh, it considers all aspects of hydrology, so it assesses not only the potential rainfall, but also the slope of an area, the underlying soils. Um, so when you take all those, uh, aspects into account, it can be applied, uh, for any region.

01:21:26:24 - 01:21:29:09

Thank you. Thank you. That's understood. Okay.

01:21:33:18 - 01:22:08:28

If I could just add for, um, Warren's benefit, obviously, the actual hydrology assessment that's been undertaken as part of the environmental statement specifically relates to this scheme and the, um, hydrology, flooding and soil condition of the area within the order limits. So the reference to other studies was specifically in relation to this particular point. But I just wanted to reassure us, one, that the assessment that's been undertaken in terms of flooding and flood risk and the drainage strategy and risk assessment that's been undertaken, is very specific to the land that forms part of the scheme.

01:22:09:05 - 01:22:33:06

Thank you for that confirmation. Yes, that's understood as well. Okay. Moving on from that specific element. Um, but continuing with drainage, IPPs have raised the impact on soil as a consequence of maintenance and site visits and the impact this may have on drainage problems such as compacting of soils as.

01:22:37:00 - 01:23:09:24

The compacting of soils from consequential impacts, with reference to vehicles with low pressure tires as the proposed solution. I'd like to hear from. The applicant first. About, um, the impact of. Maintenance vehicles or other vehicles access the sites, and what impact that may have on soils and compacting and causing issues with drainage. And then I'll ask 7000 acres, albeit you may choose to respond in writing again on that point.

01:23:23:21 - 01:23:24:27

Or, um.

01:23:26:21 - 01:23:52:24

The outline soil management plan that we have submitted as part of the application. Um, we include an assessment of soil conditions, uh, specifically plasticity, um, guidelines that we recommend using, uh, those given by the Institute of Quarrying. Um, in their report uh, recently um. It includes that, uh, following rainfall.

01:23:53:15 - 01:23:54:10

An assessment will be.

01:23:54:12 - 01:24:34:05

Made of, uh, the soil. Consistent, consistent. And if the soil has been wetted up sufficiently to become plastic, then you would not be undertaking soil handling work or trafficking over the soil. It's all will have to be dry enough to be friable. Um, it's very simple to a. Reliably and repeatedly assess the plastic limit of a soil, um, in the field. Uh, so, um. It's a routinely carried out on, uh, sites owned by farmers themselves, uh, to avoid, uh, causing, um, damage.

01:24:34:08 - 01:25:10:06

Also, we're looking at extremely, um, uh, heavy soils in this location, which, uh, when dry, uh, are going to be very firm rather than just friable and resistant to compaction. We're also looking at a year round grass cover, which is going to speed the removal of moisture from the soil, uh, by the plant

roots. Uh, so we'll have faster drying, um, than would be the case if it was, uh, arable land where there was, uh, no active, uh, water uptake by any crop for large parts of the year.

01:25:10:29 - 01:25:11:14

Um.

01:25:13:01 - 01:25:55:03

There will be a we for maintenance. We do not have the same constraint. That is for business as usual, for arable management, where, um, large plant needs to be brought onto the site in narrow windows for crop establishment or for harvesting. And if those, uh, windows are missed, then, uh, there's a loss of crop or a loss of crop quality as well. Um, farmers may know the, um, damage that can be done by, uh, taking equipment onto land when it's in a plastic instance, but sometimes they have no choice.

01:25:55:14 - 01:26:10:15

Um, it's just basic economics for them that they have to, uh, look at the lesser of two evils. Uh, we will have the option of being able to confine work, um, to periods of dry conditions with, uh, dry soils, which are not plastic.

01:26:13:18 - 01:26:14:03

Thank you.

01:26:14:25 - 01:26:40:21

Uh, just to add that the principles that Mr. Byrd has referred to are set out in the Outline Soil Management Plan, the latest version of which was rep 3-016. And that includes measures both during construction and during um operation of the steps that we take in to minimize any impacts on um, so structure during maintenance activities. So the management plans do deal with that specific point.

01:26:41:08 - 01:27:02:27

Thank you. Okay. Um, 7000 acres. It. Nothing to add. That's absolutely fine. Um, obviously deadline for is not until the 28th of February, so I appreciate that your response may may come through in written form at that point. Before moving on to.

01:27:05:06 - 01:27:05:27

Flooding.

01:27:08:06 - 01:27:20:16

Mrs. Warren. Is this a point relating back to those points that we've just heard? And is it likely to be an answerable question?

01:27:22:29 - 01:27:45:24

Christine Warren underneath the cooling towers of West Berlin. I keep listening about arable farm, where the where the cables are going into West Burton. It affects Nottinghamshire. Have they assessed the land where the cables are going, as well as where the solar panels are going, or have we been emitted because we are clear based? I don't know whether you've assessed them as well.

01:27:48:03 - 01:27:53:12

Thank you, Mrs. Warren. I think that is one that the applicant can address.

01:27:54:03 - 01:28:23:22

A clear picture of the applicant. You see, a full assessment has been undertaken of all land within the order limits, including the land for the solar panels in Lincolnshire and the land for the cable route connection, which goes from Lincolnshire through Nottinghamshire. So all environmental topics, whether it's hydrology or soils or um, um, air quality or any of the topics, um, consider the whole of the environmental, uh, the whole of the order limits, which includes the land within Nottinghamshire. Thank you.

01:28:29:12 - 01:28:35:24

Thank you. Okay. I'm just checking no further comments on.

01:28:37:21 - 01:28:40:28

Train is on. Move us on to flooding.

01:28:43:12 - 01:29:08:00

Part of. Part of. This element may already have moved on again through discussions with the Environment Agency. The Environment Agency had some concerns. Um, but I note in their recent submission that there have been further discussions around the statement of common ground, certainly in relation to HFD ten, and that concerns whether the proposal will result in a loss of floodplain.

01:29:10:05 - 01:29:47:00

In relation to that concern, the applicant provided calculations that the Environment Agency has considered and confirms that the Environment Agency agrees with the volumes calculated resulting from the solar panels, that the impact on the floodplain would be insignificant in comparison to the size of the floodplain. The Environment Agency is therefore happy for that point to be removed to or be moved to the section. The agreed section statement of Common Ground. There is a follow on to that, and the Environment Agency is asking if it's possible for the calculation to be put on a reference document.

01:29:48:24 - 01:30:11:17

I don't think that they calculations have yet been put onto reference document that have been submitted into the examination. So the question here is, have things moved on since the government sees submission, and will those calculations be put on in into a document. And presumably that would be by deadline for.

01:30:17:12 - 01:30:41:18

Double check the applicant. Um, yes. The, um, statement by the Environment Agency, um, correctly reflects the position, um, that that this point is agreed. Um, we are going to submit those calculations in at deadline for. We're just considering the best format to do so, whether they're appended to the statement of common ground itself or whether they need to be some form of addendum, um, to the um, yes. Thank you.

01:30:43:18 - 01:30:44:06

Thank you.

01:30:47:12 - 01:31:04:16

Do IPS or local authority IPS have anything? To add the point, there really is that issues around flooding and moving on in a statement of common ground with the Environment Agency.

01:31:08:23 - 01:31:22:27

Or any other flooding related concern. I have nothing online. One further question and then I'm going to move to a short ten minutes pause. Okay, Mrs. Warren.

01:31:28:16 - 01:31:57:19

Uh, Christine Moran. Um, underneath the cooling towers of West Burton Power Station, where the, um. Um, at the side of my house, where they're going down the quarry lane, um, to with all the transport. Um, I walk I try not to walk it very often, but I do walk it on a regular basis. And I've got two small dogs, and there are areas down there that they have to swim, um, because it's so flooded and there's so much water. Um.

01:31:59:18 - 01:32:33:05

How, how can how much of an assessment of they made. When I walked down it. And it can be flooded for days and it's my dog's legs are six inches, and sometimes they've got to swim across the flooded areas, um, down, uh, past my house. And there's another area that's like a bog, um, A-Class that has flooding. I don't know whether anybody else does, but it's on a regular basis. Um, so I've assessed where the coming down the quarry lane, um, at the side of my house, because it certainly is flooded.

01:32:36:17 - 01:32:57:24

Okay before answering that yet, I think we will put that over to the applicant and then take the break. I suppose the question really is about the thoroughness of the hydrological and flooding surveys, and confirmation that it does extend within the entire order limit set and the areas that are covered by that.

01:33:18:10 - 01:34:00:29

A clear product for the applicant in terms of the works that are, uh, due to take place in in this particular area as part of the scheme. It is the grid connection cable works that have been um, considered the um assessment has considered, um any impacts during construction activities for the grid connection cable, um within the hydrology assessment and the um Outlying Construction Environmental Management Plan contains a number of provisions to manage um construction work sites, um, during construction activities, um, the applicant is confident that it can construct the development in this area.

01:34:01:01 - 01:34:17:21

Obviously it will, um, when those works are carried out in terms of what time of the year works are carried out, um will be taken into consideration when selecting the the most appropriate time to carry out construction works in this area. But, um, in terms of, um.

01:34:19:25 - 01:34:51:11

Particular flood impacts, then the applicant has fully assessed the. All of the areas within the order limits, which includes the um the track that Mr. Warren is referring to. But I think as we mentioned yesterday, um, and we are going to provide the information is the um, it is only minimal construction traffic movements for the particular part of the grid connection cable that goes into, um, West Burton Power Station that we're talking about here, not construction vehicles for the whole of the scheme or the solar panel areas.

01:34:51:13 - 01:34:51:28

Thank you.

01:34:52:06 - 01:35:00:27

Thank you. Okay. Um, Missus Warren, one final point. Before moving.

01:35:02:23 - 01:35:03:28

To Appals Warren.

01:35:04:00 - 01:35:34:09

Underneath the cooling towers at West Point and Power Station. The area that I am talking about is next to the biggest catchment drain. Um, in, well, it's the longest cut, um, walk back walk or catchment drain walk in Nottingham and it extends from um West Burton are certainly steeper right through to Creswell. So any contamination from anything that you do and the flooding will, will extend. I think it actually goes to the trend.

01:35:34:11 - 01:35:49:27

I think it comes from the Trent. So you're not very far from a catchment drain which services half of um our villages plus into the Trent. Um, so it needs, um, some surveys I presume, because it certainly floods.

01:35:51:06 - 01:35:57:08

Thank you, Mrs. Warren, for that point. Um. It is now. Time for break. Did.

01:35:59:21 - 01:36:04:18

Is there anything to respond to on that point that hasn't already been made?

01:36:06:00 - 01:36:06:15

Rigby.

01:36:07:16 - 01:36:29:00

Mr. Rigby. For the applicant, um, we have assessed all of the areas within the order limits, including all of the neighboring areas. Um, to ensure that the site, um, is. Uh, is safe from flooding and that all flood risk is considered as part of the construction. Uh, during the construction operation stages.

01:36:31:06 - 01:36:56:19

Thank you. Okay, so we are at item six E and have concluded 0.1. For today. I will move now to a short ten minute break to resume just after 4:00, where we will proceed with the remaining items on the agenda through to the close. Okay. Thank you.

