



Hearing Transcript

Project:	EN010139 - Byers Gill Solar
Hearing:	Preliminary Meeting
Date:	23 July 2024

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

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

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

AUDIO_BYERSGILL_PM_SESSION2_230724

00:05

Good morning. It's now 1150. So it's time to restart this hearing. My name is Andrew Pinto. And before we broke for the before we had the break, we were moving on to Agenda Item six procedural decisions. So I suggest that we pick up on that specific item, if everyone is in agreement with that. So, I would now like to would now like to turn to item item six procedural decisions taken by the examining authority, which is annex H of the row six letter. Well will, you will note that the examining authority has made a number of procedural decisions on the following matters. Acceptance of additional submissions from the applicant in relation to the off road cable route option to the south of Bishop term, and from national highways as well. To set setting of deadlines for the submission of segments of Common Ground and local impact reports. Deadline for notifications of wish to participate in the Federal Open for hearing in all compulsory acquisition hearing. Submission from interested parties have suggested locations for accompanied site inspections, including justifications for the consideration of the examining authority for the nomination. The exam, the examining authorities, requests for response to all of the relevant representations received by deadline one request to the applicant to provide a compulsory acquisition schedule and request the applicant provides an updated application document tracker at each deadline. And finally, the acceptance of a situation detects position statements related to negotiations with the applicant. Does anyone have any comments that you would like to make on the acceptance of these additional submissions into the examination? Can I don't see any hands in the room? Can I ask you virtually Would anyone like to comment? I don't see any hands raised virtually. In that case, I will then press on to the final item of this agenda, which is item seven, any other matters. I have had no matters notified to me that people will wish to raise and this item specifically. But are there any matters that anyone would be strays now? Yes, please. If you'd like to confirm your name again, for the recording, please look Philip Watson. Thank you, Mr. Watson.

02:52

I have a number of matters which I'd like to raise covering arable land gridding, the bishop and conservation area, protected species and the immunity area, specifically male then the local road network, Bishop and scheduled ancient monument and cumulative impact. If I can be given some time to run through those issues, that'd be great.

03:28

Mr. Watson, can I ask if you are due to attend to the open floor hearing that we are holding tomorrow? No, unfortunately, I'm

03:37

at a funeral tomorrow.

03:41

Okay, the list of items that you have presented to us is outside the scope of this specific hearing. However, considering that you cannot attend to your per floor hearing, I will allow if the rest of the panel

agrees or will allow for you to to make your submission at moment. But I would also highlight to you that it might be that the applicant might not be in a position to take those issues away because obviously that is outside of the scope of this meeting that we'd have announced. But if you could then submit those issues to us in writing as well. Then we'll look to that in those to those issues in more detail. Like we would on the open floor hearing. Okay, on that basis, then please proceed, Mr. Watson. Okay, arable land grading.

04:28

Solar PV generation should not be constructed to the detriment of good high yield active farmland. Bicycle solar farm results in the loss of highly productive farmland and is detrimental to UK food supply security. The grade of farmland in JAM JVM addley reports is grossly underestimated and is not an accurate representation of soil quality in the area. Most of the land being taken by Bayes Gill farm solar farm is high yield high yield agricultural land. It is the responsibility By the planning Inspectorate as part of its robust assessment to have independent samples taken from all areas a B, C, D and F, the samples taken by GBM, RW are not accurate in represent and representative of the entire area on which buys Gill solar farm development is proposed. I would ask the inspector to examine that very carefully. How does the inspector Inspectorate validate the data being presented to them by our web JVM without independent analysis, the planning inspections inspection must be clearly seen to validate the soil sample data independently. Otherwise, it has no mechanism on which to check the data they have been presented is accurate. Local farmers are of the opinion that the land is much higher grade and that is being represented. Again, I think it's an important point and I will ask you to consider it seriously. My next item is the conservation area. As has been discussed, the proposed solar PV panels are far too close to Bishamon conservation area. It's a designated conservation area and this development specifically area e and f will have a detrimental impact on the conservation area. As a minimum to protect Bishop and conservation area the solar panel areas e and f should be removed completely from the solar farm development. And I don't understand how it development like this cannot be considered in this location to a designated conservation area. It makes no sense it doesn't seem to be getting the cognizance it deserves. And I would ask the planning Inspectorate to give recognition to Bishop conservation area as part of its assessment and demonstrate that this has been considered when reaching the decision whatever decision you make. Move on to protected species. The area around Michigan specifically area f of the development is known to be used by migrating grease and curl use. I've seen them personally. The wildlife habitat will be lost due to the placement of solar panels. Photographic and video evidence of this is held personally by me and many villages due to our genuine concerns of the loss of this local habitat. And it is not considered that a sufficiently robust bird survey or wildlife survey has been carried out by GBM and we're doing a more robust independent bird and Wildlife Service is required. Images of protected species and birds and area f can be right can be provided to you and should be requested by ask you to request it via vision parish council will collect the data and evidence we can pass it through to you. We've got lots of photographic evidence of wild geese and kill us. I have recently witnessed deer. I'm aware that there are otters, deer, foxes, bats and owls in the immediate area surrounding that a very F and I request that the planning Inspectorate carefully assess that all Wildlife Service have been carried out with due diligence. And that onsite service has been undertaken over sufficient duration to ensure no species have been inadvertently missed. And subsequently not captured in the Wildlife Service. I feel additional work is necessary before planning decisions can be reached. Immediacy area mill lane. The area of mill lane

which runs adjacent to area f, which I'm sure having countryside serve you'll be aware of, is the only area of accessible immunity available to Bishan residents who use it for dog walking, walking, including elderly residents, running cycling, horse riding and equestrian activities. This is the only safe road to walk on from the village and is the only area available for immediate access on foot. It is the hub of village immunity. Solar Panel area f will have a detrimental impact on this area of immunity and will therefore have a Dettol detrimental impact on the majority of Bishop and villages. The areas of concern are the primary school and play area adjacent to middle lane is the village primary school and children's playground. Area f of the development is too close to the school and playground and as such will have a detrimental impact on both school playground and children. There are equestrian centers in the village and as there are multiple equestrian centers that all use Milan for equestrian use the impact of area f and the presence of solar panels adjacent to the land will place all across a new question users at risk and will render these businesses unviable as mill and will no longer be usable due to construction activities. And then the glinting glare from panels impacting Horses. The impacted businesses include Bishop and equestrian center livery yard and competition center on mill in West house occur equestrian center mill envision in Yorkshire rare horse retraining and re homing center nine the green bishopton These businesses are a noun both locally and nationally and receive visitors from the entire region from throughout the UK. Each of these businesses usable land for writing. hedgerow planting will not be sufficient to hide the three to four meter high solar panels. I strongly object to area f due to all of the above points and request the area f is removed from the development should area f not be removed and be granted approval. Then the planning Inspectorate must ensure that all construction and operational traffic is banned from using the land for the entire construction period and the 40 year lifetime of the development and that this is written into the planning conditions. any breach of this condition must halt construction until correct suitable corrective action to prevent further occurrences is put in place. Subsequent infringement should result in the removal of area f from the construction scheme. Bishop parish council must be consulted in the definition and wording of all planning consent conditions should the project be granted consent and the reason I asked that is to protect the bishop and community. A move on to local road network. The local road network or ambition does not meet highway standards and has not been inspected and maintained over recent years in accordance with highway standard C 126. Darlington Borough Council are aware of this ambition parish council have submitted a detailed road survey report reference PC 124001 to Darlington Borough Council on this matter. There have been multiple accidents on the road from Michigan to red Marshall alone, which is the route of the proposed cable route to the grid connection of bicycle solar farm. Five serious road traffic incidents have occurred on this road since the 31st of the 10th 2023 and are documented in the report. Information on there should be requested from Bishop parish council as part of the assessment of the development by the Secretary of State and the planning Inspectorate a copy of the above report, PC 124001 can be supplied and I would ask you to request that report. The local roadway network will not support this level of construction traffic needed to construct by skill solar farm without the risk of road traffic collisions due to poorly maintained and dangerous roads. The local road network or ambition is deemed in a critical state of repair in reference to highway CS one to six inspection assessment of road markings. There is a genuine risk of a federal road traffic incident occurring on these roads should the developed development proceed with the roadway network in its current critical state. I'll move on to Bishop and scheduled ancient monument. Historic England research records confirm the site of a Motte and Bailey castle built approximately from 1143 within Bishop conservation area, this will be impacted by the cable route works and the detrimental impact

should be considered. A detailed full archaeological surveys should be carried out before works. These works commenced to ensure no loss of antiquity occurs should this development Go ahead. This is an ancient sheduled monument within Bishop conservation area boundary monument number 20970. grid reference N Zed 255173 Morton barely 400 meters southeast of bishopton. Current protection is offered by the document planning policy guidance document 16 PPG 16. Archaeological and planning the sheduled of monument means that permission sheduled monument consent is required for works affecting the monument. This must be considered as part of the review by the Secretary of State when reviewing this planning application. And the negative impact is this dividing the negative impact this development will have on the Michigan conservation area. And finally, cumulative impact we have touched on earlier, but the planning spectrum must ensure that cumulative impact is considered. Already Gary Moore has been approved by darling Borough Council at the local level.

14:29

And that is on the outside of the outlying boundary of Michigan. With this coupled with what we've got going on online land, there is a huge impact, cumulative impact on bishopton in the surrounding area, and that will genuinely like you to consider that. And that's what I have to say thank you.

14:52

Thank you for that. Mr. Watson. Two points for me if I may, you have touched on several different topics that are likely to be covered in future issue specific hearings. So I would ask you to please it now to the agendas that we are going to publish in advance for those hearings, because there might be some discussions that will help understand and explore the issues that you have raised with us now. And also, can I please ask you to actually submit if you if I can, if you if you might, and if I can ask a deadline one, a written submission of your comments to us that line one will be Thursday, the eighth of August 2024? Yes, I'll get that statement off to you. Thank you for thank you very much. Would applicant like to reply to Mr. Watson?

15:50

Sir, thank you not in substance at this stage. We thank Mr. Watson for his comments. They are here to correspond broadly to his relevant representation. And thank you so for asking written comments to be submitted. To the extent there are points of detail and that we wish to address we will do so in writing, I would suggest as the best way forward.

16:17

Thank you very much. Can I ask if anyone else has any other issues that you would like to raise? Yes, please.

16:26

Yes, Sir Richard Karen CPRE and Darren Bird Club. To a large extent I'm following on Sorry, I've forgotten your name from what's just been said. And, but again, I can't come tomorrow. And I suspect you'll give me much the same answer if I put something into submission. But I am concerned about the loss of so much agricultural land to being taken out of food production. We don't have an awful lot of best and most versatile land in the northeast, very little, in fact, but other land of grade three B and below does have other uses. And I would like those, I would like to make the point that I would like

those to be considered. So I can write on those. I have not been involved directly in the Brightwater project. But I, I am fully aware of it. And know that it does extend into this area. I don't know how much the consultation there has been with Discover bright water over the bright water project. Again, sir, I'd appreciate that the Wildlife Trust. And I don't know if they've responded or not. But I think as a member of Durham Bird Club that is interested in how that project progresses, particularly with development of the great Fen not too far away, we would have an interest in knowing how it may impact and it follows on from the protected species sort of comment that's just been made. cumulative impact, obviously, we are aware of development currently taking place at Brafton. And that's been approved around red Marshall, again, I would endorse what has been said. I did note that it was mentioned in the in the documentation that there are no sort of designated off road cycle routes in the area, which I think I would agree with. But again, I think it's following on what's just been said that I regularly cycle together with my club in this area, it is very popular. And I think that is recognized in the documentation. But I think the potential impact is so much commercial construction traffic needs to be taken into account, not just if I can put it this way. So from a highway safety point of view, but I'm finding difficulty in getting traction on this point, from a general amenity point of view for those people that use the road for recreational purposes. And I think this is different from the strict highway safety point of view. Now, whether you would take that into account or not, I don't know it is something that's in the Durham plan. But I know that's not relevant here. But I keep on finding if I can be so blunt, sir, and that planners don't often take that bit into account or dismiss it out of hand.

19:24

Okay, thank you for that comment. A little bit similar to what I have said earlier. Mr. Watson, I would be very grateful if you could actually submit us comments in writing you have touched on several different points that we would like to explore through the examination. Just as a little bit of a comment. We have identified some of the issues that you have mentioned we did our initial assessment of beachville issues particularly run to transport and land use issues. So that should give you some reassurance that we are looking at things from that wider perspective can I Also just asking, recognizing that, Mrs. Hutchinson, I might put you a little bit on spot during to please feel free to tell me if you are not ready to comment on this issue. But I'm just mindful that Mr. Watson mentioned previously the accident report from Darlington, is this something that would potentially be covered within the local impact report? Is there any further information that you can provide on that?

20:27

Thank you, Lisa Hutchinson Darlington Borough Council, not right this minute. Obviously, we're still working on the local impact report, I will speak to our highway engineer and ensure that information is provided within that

20:38

are recognized that, absolutely, if we could just include that note, then that we make sure right, thank you. And can I also take that as an action please? Thank you.

20:53

Any other way you'll be any other business from Durham? Right? Um, yes,

21:00

sir. Thank you. One very quick point, Mr. Minha. Neck for the African our web. When we're talking about timetabling, sir, I've been reminded during the break that you mentioned two possible options about the release of the first set of written questions. They were whether we were asking them to be released on a specified date. And I think you also mentioned the prospect of releasing them in draft.

21:27

Right, let me clarify that point. So it was the question it was not in an hour's not suggesting that we might do that it was a question for you. In terms to clarify your comments. We certainly up until this point, had no idea of issuing a draft first set of questions. But obviously, if that would go some way to mitigate the impact that you have identified. That was something that I wanted to know if we it would be worth as exploring or not. But I'm not in any way hinting at the fact that we wanted to do that or that that was programmed.

22:09

Thank you, sir. Mr. Min Henoch for the African to the extent then that the request can be made, please, if you could perhaps consider that as an option? Because yes, that would if they could be released in draft slightly earlier than you might otherwise have intended to. That would certainly help us and we expect other interested parties over the holiday period during the summer.

22:34

Right? Obviously, considering where we are in the timetable, in when the frustrating for questions that are proposed to be released, it wouldn't be much of a difference, obviously, because even if they were released in draft form, because obviously they would only be released after the set of hearings that we are conducting this week. And considering that we'd have said as soon as practicable following the preliminary meeting. So there might be something that we could potentially do. But I, I have got to it was to clarify that that point with you. So that's why I raised it. I don't think that there is great benefit in as exploring that because it would only be able to say for say one or two days, I'm assuming at this point.

23:20

So in that case, you've obviously thought that the points are in advance. And thank you for that helpful commentary. Clearly, there's not much point in pursuing that option if that's the case, but thank you.

23:31

Thank you. Any other way you will be? Can I just ask if anyone joining us virtually if they would like to raise any other business at this point? Now I don't see any hands raised virtually. In that case, I would like to say thank you to everyone for contributing so usefully to the meeting this morning, including those people that didn't tell you unfortunately, we very much look forward to to commencing the examination of the application. May I remind you that both notes and the digital recording of the proceedings today will be made available as soon as practicable on the project page of national infrastructure website may also remind you that we have an issue specific hearing one program later today at two o'clock. Yes, on the proposed development and development consent order India agenda

for that specific meeting has been issued alongside rule six letter. The time is now a quarter past 12
And the preliminary meeting for bio skill solar project is now close. So thank you very much. Thank you