



Hearing Transcript

Project:	Byers Gill Solar
Hearing:	Issue Specific Hearing 6 Session 1 (ISH6)
Date:	27 November 2024

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TRANSCRIPT_BYERSGILLSOLAR_ISH6_SESSION1_27112024

Wed, Nov 27, 2024 12:05PM • 1:25:48

Good morning.

Can I just confirm that everybody can hear me clearly?

Yes.

Can I also confirm with production 78 that the live streaming and recording of this event has commenced? Okay, thanks for those people watching the live stream. Can I also advise that, should we at any point adjourn proceedings this afternoon, we will have to stop the live stream in order to give us clear recording files as a result, at the point at which we recommence the meeting and restart the live stream. You will need to refresh your browser page to view the restarted stream. I will remind you of this again. Should we need to adjourn? It is now 10am and it's time for this hearing to begin. I would like to welcome you all to this issue specific here in six on the land use and socio economic aspects of the proposed development in relation to an application made by RWE renewables, UK solar and storage limited, Who we will refer to as the applicant for an order granting development consent for VAs Gil solar. The development proposed proposal consists of a solar farm with over 50 megawatt capacity, ground mounted solar photovoltaic models and associated mounting structures, inverters, transformers, switch gear and control equipment, a substation, energy storage equipment and underground on and off site cabling. Thank you all for attending this hearing. My name is Alex oyebade. I'm a charter transport planner employed by the planning inspectorate, and have been appointed by the Secretary of State for housing, communities and local government as a member of the panel to examine this application. I am now going to ask my fellow panel members to introduce themselves.

Thank you, Mr. Everybody.

Good morning, everyone. My name is Andrew Pinto, and I am a charter town planner, and I have been appointed by the Secretary of State for housing, local, Community and Government to be the lead inspector for this examination.

Good morning everyone. I'm Max Wiltshire. I'm a chartered civil engineer employed by the planning Inspectorate and appointed by the Secretary of State on this panel

the bioskills solar farm. Thank you.

Together, we constitute the examining authority, and we will be reporting to the Secretary of State for energy security and net zero with a recommendation as to whether the development consent order should be made

the case manager for this project is Jenny savage. Jenny is being supported here today by Rebecca lockston. If you have any queries about the examination process or the technology we are using for virtual events, they should be your first point of contact. Their contact details can be found at the top of any letter you have received from us, or on the project page of the national infrastructure website. I now deal with a few housekeeping matters for those attending in person. Can everyone please set all devices and phones to silent. The closest inclusive and female toilets are just outside the room on this floor, through the same doors that you use to enter the room earlier, there are additional toilets just by the snack bar on the first floor. There are no fire evacuation tests planned for today. Should the fire alarm sound, please make your way to the nearest fire exit door using the fire doors marked on this room and head downstairs fire evacuation assembly point inside the square. Outside the main entrance to this building today is a hybrid event, meaning some of you are present with us at the hearing venue, and some of you are joining us virtually, using Microsoft Teams for those people observing or participating through teams. Can you please make sure that you stay mute?

Unless you are speaking. If you are participating virtually and you wish to speak at the relevant point in the proceedings, please use the hand up function. Please be patient, as we may not get to you immediately, but we will invite you to speak at the appropriate time. We will make sure that whichever way you have decided to attend today, you will be given a fair opportunity to participate. Any questions on that.

Thank you.

In addition to the live stream, a recording of today's hearing will be made available on the bios, gills solar section of the national infrastructure planning website. As soon as practicable after the meeting has finished, please ensure that you speak clearly into a microphone, stating your name and who you are representing each time before you speak for those at the table, you can do that by pressing the like button on the base of the microphone. If you are not at a table with a microphone, there is a roving microphone, so please wait for one of these to be brought to you before you speak. If you are attending

virtually and don't want your image to be recorded, you can switch off your camera for those in the room who don't want to be recorded, there is an area at the very back of the room out of the camera shot. Please use that area, because the digital recordings that we make are retained and published, they form a public record that can contain your personal information, and to which the General Data Protection Regulation applies only in the rarest of circumstances. Might we ask you to provide personal information of the type that most of us will prefer to keep private or confidential, therefore, to avoid the need to edit the digital recordings, please try your best not to add information to the public record that you would wish to be kept private or that is confidential. If you feel that personal information is necessary, please provide this in a written document that we can redact before publication. The planning inspector's practice is to retain and publish recordings for a period of five years from the Secretary of State's decision a link to the planning inspector is private. NOTICE was provided in the row six letter alongside the notification for this hearing, I assume that everybody here today has familiarized themselves with this document, which establishes how the personal data of our customers is handled in accordance with The principles set out in data protection.

In data protection laws. Please speak to Jane savage if you have any questions about this. The meeting, this meeting will follow the agenda as published on 19th, November 2024

it will be helpful if you had a copy of this in front of you, I am going to ask the agenda to be displayed on screen now.

Thank you. Does anyone have access to an agenda?

Thanks. We will aim to finish the hearing today, by 12:30pm

at the latest, with a break if needed, around 11:30am

please remember those who are participating virtually to turn their cameras and Microsoft microphones of this during this the break, we will conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. But if the discussions can be concluded, then it may be necessary for me to prioritize matters and defer other matters to written questions. Likewise, if you cannot answer the questions being asked or require time to get the information requested, then please indicate that you need to respond in writing, and we will advise web best to submit your response or issue in writing. Thank you. Does anyone have any questions on what I have just set out

now.

Thank you. I will now hand over to mister wisher, who will do the introductions.

Thank you.

I'm now going to ask those who are participating in today's meeting to introduce yourselves.

Yes,

when I state your organization's name, could you introduce yourself, stating your name and who you represent and which agenda item you wish to speak on. If you're not representing an organization, please confirm your name, summarize your interest in the application and confirm the agenda item on, upon which upon which you wish to speak these could have really also state how they wish to be addressed. For example, Mr. Mrs. Ms, Miss, Miss, can we start with the applicant and then any of their advisors? Please

Good morning to the panel. My name is Alex mink. I'm a solicitor or partner at Burger salmon, and I'm representing the applicant, RWE renewables, UK, solar and storage. I'm joined today in the hearing to my left by Mr. David Brown, who is a chartered town planner at Arup. To Mr. Brown's left is Mr. Michael Baker, who is the DCO project manager at RWE. To Mr. Baker's left is Miss Lily boys Hunter, who is a junior project manager within the RWE team and is controlling the screen sharing of documents, should those be required, and to miss boys Hunter's left is Mr. Jonathan cat, who is a colleague of mine from Burge salmon, a solicitor. We are also joined online via teams by Mr. Alistair field, who is the agricultural land lead for the project. Here's with reading agricultural consultants. Thank you Seth,

thank you very much.

Can we now move on to the organizations and individuals who've given notice of their intention to speak, starting with Darlington Borough Council. Please,

good morning. I'm excuse me, Lisa Hutchinson, development manager at Darlington Borough Council, and I'll contribute and answer or ask questions as necessary on points as they arise. Thank you. Thank you very much. Moving on to Stockton Borough Council, please.

Hi, sir, Mrs. Helen Boston, principal planner at Stockton Borough Council, and again, I'm here to speak, should it be required during the course of the examination?

Thank you. Good move on to the parish councils, please, starting with great Stainton parish meeting.

Good morning. Colin Taylor, representing great Stainton parish meeting, I'm here to speak as required on Item three, and I'd have to be addressed as Colin or Mr. Taylor.

Thank you very much.

And then bishopton parish council, please

Good morning. I'm Norma Malani, representing bishopton parish council. I'm happy to be addressed as Norman,

and I'll be speaking on behalf of the parish council, and with regard to the cumulative aspects.

Mr. Mulaney, did you say cumulative aspects?

We're doing dealing with cumulative aspects this afternoon, this morning's going to be land use and socio economics. So can I encourage you to save those cumulative comments for this afternoon? Is that? Is that going to work for you? Yeah, well, I can, I can speak on both, actually,

okay, yeah, thank you.

Moving on, please. In the order I've got it to the bishopton Village Hall Association, please

Good morning. My name is Peter Ward, happy to be addressed as Mr. I'm just here to speak on any matters that may arise. Thank you very much.

Thank you.

And

next on my list. The gentleman to your right, are you? You planning to speak? Sorry, I

Mr. Smith, no, look, Mark Smith, happy. Addressed as Mark. I'm part of Bishop and villages Action Group, not planning to speak this morning, but this afternoon, definitely Okay. Thank you very much. So I'm going to run down the other interested parties who've

told us they wish to speak, starting with Susan Mulaney,

you online? Yes, can you hear me? Yes, I can. Thank you. Yeah. My name's Susan Mulaney. I'm a resident of bishopton village,

I do wish to speak if there are any questions that arise that I would like answering.

Thank you, Mrs. Mulaney, thank you. Applause.

Um,

less smiles to see me that on the attendance list are all the people that um have notified us of their intention to speak. Is there anybody else in the room who wishes to speak? Could Thank you be a microphone coming to you.

Good morning, thank you. My name is Sean Anderson. I'm a resident of bishopson, and I wish to speak on the socio economic impacts of the development. Thank you. Thank you, Mr. Anderson,

is there anybody else in the room who wishes to speak you? Raise your hand.

Thank you. I can't see anybody else, anybody online who hasn't introduced themselves. Could you raise the virtual hand please?

I see no more hands.

So thank you all very welcome.

I'm now going to hand back to Mr. Obadi, who will lead us through item two,

I've got a hand up. Hold on a minute. I do have a hand up.

Andy,

good morning. My name is Andrew Anderson. I'm representing the bishopton villages Action Group. I'm here primarily to observe, but I did want to perhaps have the opportunity to make a short intervention as of when an issue arose.

If that's permissible, okay.

Thank you very much.

Anybody else that I haven't seen?

Do you like to take your hand down now, Mr. Anderson, please. Thank you. I'm going to hand back to Mister obadi, who will lead you through item two of the agenda.

Thank Thank you. Mister wisher, let me briefly explain the purpose of this issue specific hearing. The main purpose of the issue specific hearing six that we are having today is to undertake an oral examination of environmental matters in relation to land use and social economics, together with compliance with relevant planning policies. Today's hearing will be a structured discussion led by the examining authority. Please be assured that I am familiar with what you have already submitted to us so you don't have to repeat in length anything that you've already put to us in writing. Submissions carry equal weight regardless of the format, format in which they are put to us. If you do prefer refer to any documents this afternoon, it will be helpful if you could give us the correct examination Library Reference number. Please do try to avoid using any acronyms as people who might be watching in the room might not be as familiar with those terms as you are, are there any comments anyone would like to make on item two of the agenda?

No, I thank you.

I will now move us to Item three, land use and social economies,

a list of the key written submissions that will inform my questions has been included in the agenda published in anticipation of these hearings.

As it is a long list, I do not propose going through it in detail. Now, nonetheless, I would like to make minor correction to the description of two of the documents listed in the agenda has been day five submissions, which should actually have read a day for submissions. And these are the

first one is applicant statement of common ground with red Marshall parish council. Rep four, dash 008,

and the second one is applicant statement of common ground with Darlington Borough Council. Rep four, dash 015,

can I now ask if anyone has any comments they would like to make on the list included in the agenda for this item.

Thank you.

I will now turn to environmental statement appendix, 9.1

agricultural land classification and soil resources in.

A, PP, 150,

would the applicant describe the methodology used to categorize the agricultural land in the ordinance of the proposed development and what each class of land represents and justify why the examiner authority should believe the adopted agricultural land classification method.

Thank you, sir. Alex menick, for the applicant, I will ask Mr. Field, who is with us on teams, to come in at this stage and provide a response to this question, if I may.

Thank you, Mr. Mihi Nick

and Mr. Fields, we are listening.

Thank you, sir.

The the agricultural land classification for this project followed the methodology set out in the agricultural land classification revised guidelines and criteria,

which were originally published by the former Ministry of Agriculture, Fisheries and food math in 1988

and have not been revised since They are still the extent guidance for classifying agricultural land, natural England's technical information notes 049,

summarizes the guidelines and sets the context and the and the policy implications of those of those guidelines, But the actual methodology for classifying each individual soil profile that we looked at is summarized in those math guidelines,

NPS, en three,

paragraph 210, 33 confirms that the agricultural land classification system is The only approved system for grading the quality of agricultural land in England and Wales,

and

suggests that, if necessary, field survey should be undertaken to to establish the the ALC grades. Well in this in this case, we we undertook a detailed survey

of all the agricultural land in the panel areas and along the cable corridor where access was available

and

and I've classified The land accordingly.

The the survey itself involves a surveyors

ordering into the into the soil profile, and pulling up the Cora soil and then describing various characteristics of that soil so that typically it's things like the topsoil depth and the topsoil texture, the subsoil depth and texture, stone content, evidence of poor drainage,

and this type of thing, and those characteristics are recorded for every single soil profile within the area

and then analyzed according to the grade, the grades, the criteria and guidelines in the in the math guidance. So

every single so every single point is identified and classified and given a grade. And then those grades are amalgamated into into areas, into land use units, effectively to show the pattern of agricultural land quality

within any particular site.

The just looking again at the question, sorry, the the ALC system divides the quality of agriculture land into five broad categories with one category subdivided

running from grade one to grade five. Grade One is the best. It's It's described as excellent quality agricultural land with few or no limitations to agricultural use. Grade Two is very good quality land

which only has minor limitations to issues. Grade three is moderate or good to moderate agricultural land,

which is subdivided into sub grade three A, which is the good quality agricultural land, and sub grade 3b which is moderate quality agricultural land, grade four is poor quality land which has severe limitations to its use, and grade five is very poor quality land which has very severe limitations, and usually only for.

Around

in ons and similar habitats.

The best, most versatile land, which obviously has implications within policy. Best most versatile land is defined as grades one, two and three, a.

And I think you also are asking about the credibility as well of the

survey, in

terms of the credibility the we carried out the survey. We've been carrying out a cross line classification surveys for 50 years or so.

We survey 1000s of hectares of land each year. You know, it is our bread and butter

at work,

and

we commonly have our survey results peer reviewed.

And you know they are, they do represent a credible representation of the agricultural land quality of the

of the panel areas we've identified, we've identified areas of best, most versatile land. We haven't whitewashed across the whole of the panel areas and described them as a sub grade 3b even though they are majority sub grade 3b

You know, there are small patches of sub grade three A and even one of grade two, which we've identified. So we haven't shied away from from, you know, identifying the better quality.

Lag. Thank you, Mister field, you did mention that

you surveyed areas where you can gain access.

Can you just tell the examine authority whether where you did not gain access has any impact in the assessment that you've carried out?

Yeah, we, we had access to all of the panel areas.

We didn't have access to some of the cable corridor areas.

So that these are, these are showing on

bigger.

Thank you.

So

there's the there's a sort of the

orange hatched areas

are the areas to which we didn't have access. So you see on the right hand side of that image, there's part of the cable corridor there where we didn't have access. And if you can go into the other slides to show you the other areas.

So

you see that some of these cable corridors, we did have access, and we surveyed those. But again, there's another area there on the right hand side of that image where we we didn't have access in time.

Mr. Field Andre Pinto here, Mr. Field, just to clarify for people in the room, there is some confusion in terms of the area that you are explaining now that you have not had an opportunity to survey. Is that why that area is highlighted in orange, which actually says in the key predicted sub grade 3b and that's why it is predicted, because you did not carry out the survey. Is that what you're trying to confirm yes, that's correct.

Thank you.

So just to finalize Mr. Field, so you can confirm that all the all the areas that are not categorized in the key as predicted, you did do actual samples of the ground and you had access to those fields. Yes, that's correct. Yeah. Thank you. Sample. They were sampled at one observation per hectare, so that's broadly

on 100 meter grid, but obviously varied, to make sure that,

you know, we didn't take any atypical areas. But So yeah, the sampling was undertaken at one observation per hectare, which is the recommended density of sampling in natural England's technical information. Note 049,

thank you. Mr. Field,

thanks, Mr. Field,

the there is a point allow you to clarify as well in terms of justification, you did mention the.

Method, and 1988 if I remember correctly, would you be able to

explain, especially on that to say, okay, perhaps this is the only method that is available. And no other method is better than the one you've used, if you can, just especially it on that please. Yes, I mean, it is the only there is no other method. There's no other there's no alternative method that people use to classify the quality of agricultural land. So it's it was developed originally. It was developed in the 1960s it evolved and evolved until 1988

and it has stood the test of time. It's been in use

ever since then,

and there hasn't been a need to to revise it or that update it. It is, it is a credible and and well tested system of classifying agricultural land.

Thank you, Mr. Field,

I will now ask the applicant

to present the agricultural land classifications within each of the panel areas and the pertinent proportions, particularly highlighting areas and extent of best and most valuable land that are occupied by the panel areas and associated apparatus.

Think, I think this is me again.

Okay,

the the agricultural classifications within each of the panel areas. We get a panel area

where there's a LC, one or two or three, a within each panel area, I would like you to demonstrate in terms of proportions within each panel area to say, Okay, in this panel area, the ASE grade of three is only 10% of the land area, or 5% of the land area, and then the extent of the best and most valuable

land, which is the best land for agricultural purposes. So I just like you to demonstrate that, please. Okay, so, I mean, it's best done by these, by these plans. This is panel area A, and you'll see there the dark green is sub grades three A, and that is part of the best and most versatile land. There are six,

yeah, there are six patches of best, most versatile land within panel area A,

when those comprise 18.9 hectares,

which is 16% of the panel area A,

and the remainder, which is 95.8

hectares,

or 84%

is sub grade 3b

The reason,

the reason for the difference in the in the quality of our cultural land is all to do with the wetness, class of the soils.

They generally the soils here

are heavy clay loams or clay topsoils over a slowly permeable clay subsoil. And the quality of agriculture land depends on how deep the impermeable or slowly permeable clay subsoil is within the within the soil horizon. So if the slowly pumpable clay is close to the surface, the land is poor drained and a lower quality, and those are generally the wetness class four, which is poorly drained land, and tend to be sub grade 3b if the slowly pump will clay occurs deeper in the soil, soils, soil profile, then the drainage of the soil is better, and the wetness class three, they've called imperfectly drained, and those tend to be the the areas of sub grade three A

and that's generally true for all the panel areas. And don't need to repeat that as we go through the remainder, but that that's generally the reason for the different grades.

So,

yeah, carry on. Mr. Field, okay on panel area B,

it is wholly 100%

sub grade 3b and there are 53.2

hectares there of sub grade 3b

on panel Area C.

There's one hectare.

Little blob there. You can see a.

Of sub grade three A, which is best, most versatile land, and 78.9

hectares, or 99%

of sub grade 3b

on panel Area D,

the there's an area of sub grade three a there in the north

and that amounts to 3.4 hectares, which is 4% of that area, and the remainder of sub grade 3b

which is 72.5 hectares, or 96%

then we move to panel area E,

which is 100%

sub grade 3b

which is 26.5

hectares. And then we move to panel area f, which has some grade two. There in the in the south,

which is 1.8 hectares, 3%

some sub grade three. A in the north, which is 3.7 hectares, or 5%

and the remainder is sub grade 3b which is

66.1 hectares, or 92%

so the overall,

the overall grading, is set out in in the years chapter nine,

but it's the overall grading is 1.8 hectares or nought point 4%

of grade 227,

hectares or 6.4%

of sub grades three, a

and 393

hectares, or 93%

of sub grade 3b

and then if you add in the cable corridor areas as well, there's no point six hectares of grade two, nought point six hectares of sub grade three A,

and then surveyed 13 hectares of sub grade 3b and predicted

21.1

hectares of sub grade 3b

that combined 96%

of sub grade 3b

2% of grade two and 2% of sub grade three A,

thank you. Mr. Field,

I will now ask the applicant to explain the effects of the proposed development on agricultural land and farming, including sheep grazing, mineral resources and food security, like

you said. David Brown, on behalf of the applicant, so Mr. Fields just explained the impact on the agricultural land quality as a result of the development. So I won't go over that in any more detail. At this point, we did so look at wider farm holding impact as part of the assessment. So that was in ES chapter nine, which is a PP, 032,

that assessment. So was limited at scoping stage, we agreed to scope out impact on farm holdings. Given the land acquisition strategy, the applicant so the land is volunteered into the scheme. Obviously, that's a decision made by the farm holding so the plan inspector at the time agreed where the agreement was in place, we could scope out that impact as part of the assessment process. All agreements to the panel areas were in place that time. So the farm holding impact focused on the cable route and cable areas only.

That land is required for a very short period of time.

The land is required to lift, install the cable, and then it's returned to its current use, and the farmer can carry on using that land as it's currently used. So the assessment considered sensitivity of farm holding to be medium, with a magnitude of impact of low, which led to a minor impact, which is not significant in EIA terms,

as discussed in other hearings. So it remains the applicant's intention to use those off off road cable routes, and therefore it was important that we include that was part of the assessment process in relation to sheep grazing, so it's not expressly considered in the assessment. It is discussed as a potential opportunity for the scheme, but no agreement is currently in place to actually graze the panel areas. Specifically at this point in time, it will be subject to land and agreement, should the scheme gain consent.

And again, the applicant is keen to explore that with the landowners, if consent is granted.

So whether it is grazed by sheep or hay cut, there will be a benefit in terms of that hay cut as well, but the benefit of that isn't reported in assessment because of the fact that it's not secured at this point in time. And

then so in relation to food security, the issue, again, is not expressly considered in the assessment chapter, although there is a link back to the best, most versatile land and the assessment that Mr. Field undertook in terms of the quality Outland related to food security and food production. So we have responded to matter more broadly, in our response to relevant representations, which is R, A, p1, 004,

and that's in summary, made the points that solar farms do provide a valuable income for the farm alongside farming practices,

and it can therefore help secure food security. It can allow investment in other areas the farm holding, which is anecdotally being discussed with us by the farm holdings themselves,

and it can still be used for a hay cut or sheep grazing, as we discussed as well.

Those points and positions were supported by the Independent National Food strategy review statement Secretary of State for energy in the House of Commons on 18th of July, 2024

solar energy UK is the trade body as well as the UK Food Security Report. So that's all in that submission, sir, to go back to

thank you, Mr. Brown,

I will now ask the applicant to illustrate the effects of the proposed development on the adjacent community and recreation, recreational facilities, including horse riding and public right of way. Sorry. So

Mr. Brown, on behalf of the applicant. So apologies in the last question, I did miss the mineral resource point, which I think you raised as part of the Oh yes. So cover that. So the mineral resource potential impact is identified in the chapter. So that's chapter nine of the ES, again,

part of panel areas C and panel area d do have a potential to affect safeguarded limestone mineral resource, which is a shallow resource, as well as a sand and gravel shallow resource. And that's defined in the tees valleys minerals and waste core strategy. So the area was considered as part of the development. Again, in terms of the scope and opinion, we agreed that should agreement with Darlington be reached, that the sterilization wouldn't have an impact on the future of that resource, we could scope the

topic out of the assessment. We didn't have that agreement at the time, but since submission of the ES and as per the statement of common ground with Darlington, which is ROP 4015,

we have agreed the position that it won't sterilize the resource into the future, and post decommissioning, that resource would be available for use as it currently is, and there's no known current application or consent to extract that mineral at this point in time. Yeah, that's how we covered the mineral resource within the

chapter, sir, thank you, Mr. Brown. And the next question about the effects of the proposed development on adjacent community and recreational facilities, including horse riding and public right of way. Thank you, sir. So just to note, before we go into the detail, the chapter does look at impacts on all of those receptors. It's very much from a socio economic and land use perspective. They have been considered elsewhere in the environmental statement, in relation to other impacts such as landscape and visual impacts. Some of those receptors do experience some of those impacts as well. So, but yes, chapter nine, which is a PP 032,

explores the effect of construction, operation and decommissioning on a range of recreational facilities and community receptors. Those are listed in Table nine, four of the chapter

within the baseline, and that includes some 69 receptors, ranging from Parks and play areas, nature reserves, public Houses, churches, recreational spaces, schools and colleges, etc, which were considered as part of that baseline

in terms of the summary of assessment, so there was no direct effects concluded on those receptors. So by that, we mean that the receptors aren't directly affected, so no land is being taken from them or buildings demolished, for example. So the assessment therefore focused on any indirect effects that may occur on those receptors as part of the proposed development

it's important to note so that there's a number of embedded mitigation measures considered as part of the chapter, and by that we mean measures that are committed to through the proposed outline management plans, which would reduce the potential effect on those receptors, so they were considered as part of the assessment process, and that includes the outline construction environmental management plan, the outline construction traffic management plan, and the outline public right away management plan as well. So.

So with those commitments in place, so in the management plans, the magnitude of impact on all receptors was considered to be minor adverse

changes to the baseline position. So when combined with the primarily low sensitivity as receptors, given the nature of the scheme, it was a negligible impact across those receptors, which is not significant in EIA terms, and therefore no further mitigation beyond that. Embedded mitigation was proposed as part of the assessment

in relation to public rights of way, recreational routes. Again, they're considered in full in Chapter Nine of the assessment.

Within table nine, five provides a list of the rights of way, bridal ways and other recreational routes that interact with the development, and they were considered during construction, operation and decommissioning, with the majority effects considered to take place during construction, given the nature of the development, again,

again. So as mentioned, we do have the public rights of way of management plan, the outline rights for management plan, which is CR, 1017,

the latest version. And that includes a hierarchy of proposed mitigation measures for rights of way within the vicinity of the scheme, which with the aim of trying to keep rights away, open wherever safe and practical to do so during all phases of the development. So, for example, so where we've got permanent diversions proposed, where a private right away, for example, may currently diagonal cross a panel area. The principle within the management plan is that the diversion is put in place prior to construction, and that route is therefore maintained open and safe during the construction process.

Again. So with those measures in place,

we

included

a minor impact on those rights of way, and therefore not significant any items

we did do further work in relation to some of the indirect effects on right of way and further submissions at deadline four and that related specifically to noise, and that submission references R, E, p4, 012, and that was in relation to concerns raised, particularly in relation to horse rider in question, businesses and premises within the vicinity of the scheme. And again, so we've proposed some more mitigation

measures within the outline, C, M, C, E, M, P, to work with those businesses to ensure those disruption during construction is minimized

during operation. The majority effects, as I say, voucher and construction on the rights of way network, again, though we conclude the effect would be minor adverse by acknowledging the change in circumstance for some of those rights away in terms of the

routing through panel area, but also the fact that some rights of way may need to be close to be close to short periods in operation for maintenance activities, and that are like we also note that we propose circa 3600 meters of permissive routes in addition to the current rights of way as part of the proposed development. But given the permissive nature of those routes, we again, didn't take the benefit fully into account in the assessment work

as just to explain permissive routes can be closed by the landowner any time, and therefore they don't care, and carry the same status as a formal legal right of way. And

then in terms of decommissioning. So the mitigation management for decommissioning will be confirmed through the outline decommissioning management plan. So obviously, some time away, we'd expect that and anticipate that to be similar to the construction Environmental Management Plan and the construction traffic management plan, and therefore the assessment assumes that impacts during decommissioning will be very similar to those felt during construction, and that is reported within the chapter.

Thanks Mr. Brown,

what I like to understand is how the proposed development will safeguard access to accesses to the community and recreational facilities. Would you like to explain that I

the question so safe got the access to access, so now people can access those community and recreation and facilities at all times. Thanks. And so, as I've said, so, the application is supported by a number of outline management plans, and it is those management plans, really that provide the commitments from the applicant, which will ensure that ongoing access to either community facilities, recreation facilities, or the rights of way network. So if I can just run through those in turn quickly, the outline public rights of management plan, as I've discussed, includes details of division routes and potentially potential temporary stopping up and permanent diversions. That

includes a hierarchy of measures which the contractor will be asked to follow, which ensures that wherever possible, rights away are kept open where safe to do so during construction, and that will be our preference wherever.

We can do that so that that will ensure continued access to that to those areas during operation. The rights of way will be maintained by elderly within the order limits, and again, so they will be maintained to be open and accessible during the lifetime of the development. In terms of wider recreational community facilities, there is a commitment in the outline construction Environmental Management Plan, which is ID I, u, s, e2, as the commitment ID, and that is to provide continued access to recreation community facilities during construction of the proposed development. And that will be done working with the contractor and those facilities. And measures in the construction traffic management plan linked to that commitment, such as vehicle routing and also timing of certain vehicle arrivals and departures on the highway network, particularly around schools, for example. And that commitment was added to the latest outline construction traffic management plan at deadline five.

So it's the applicant for you. So with those commitments in place

and the plans to be further developed at the detailed design stage, the access to those facilities will be maintained during construction, operation and decommissioning of the post

Duncan. Thanks, Mr. Brown.

In terms of the access to this recreation of facilities and community facilities, I'd just like to know if

the safety of the patrons of these community facilities have been taken into consideration in terms of the timing of the construction activities, because sometimes you get more people traveling at a particular time to access a community facility, and at some point you might get less people. How do you vary the timing of the construction activities to accommodate that?

Thank you, sir. David Brown, on behalf of the applicant, I think so the commitments we've made in the latest updates, the outline management plans, as I described, try to reflect some of those potential conflicts where we've been made aware of them. So for example, the school hours we've committed to no hgB deliveries out within the school peak periods either end of the day. I think if there are other community facilities, recreational facilities that do have a peak period that may contribute or conflict with some of the construction routine, we'd be happy to discuss those with that facility at the time of construction, and we've made a commitment to that liaison officer within the management plan as well,

to talk to both local community but also the developers, where there might be a cumulative effect from other developments coming forward at the same time as well.

So as Mr. Brown, you

okay, would the applicant now explain how it has minimized the use of personal most valuable lands in the siting of the proposed built structures that require soil stripping and disturbance, such as access tracks, substations and compounds, actually,

David Brown on behalf of the applicant. So we previously searched from this point in our response to exa q1, so that reference, just for references, is R, E, p3, 004,

in summary, so throughout the site selection process, best, most fertile agricultural land has been a key constraint for that site selection process. So at the the very start of that site selection process, we sought to avoid best, most fertile, best, most versatile land under the provisional grading, which is published by national England, and that is in line with the requirements in NPS en three, which, however, recognize that due to scale of these developments at the national level, it means that applicants may have to use agricultural land in certain circumstances,

subsequent to identify in those broad areas, from The provisional results as Mr. Fields describes, we've undertaken detailed ALC surveys,

and the results those surveys have been assessed within es chapter nine

and also taken into account in the production of the outline soil resources management plan

in terms of avoidance of those areas. So we have tried, wherever possible, to cite the more permanent structures that you described away from the best, most fertile land areas and areas that Mr. Field described

earlier on in the presentation, either have panel panels within them.

They are mitigation areas. So the.

The larger area north

in panel area e i think it was, is for biodiversity enhancement, and then the grade two land

around bishopton is for panels, but also some mitigation areas and enhancement areas. So panels, again, can be removed at the end of the development without any impact to that to that soil resource. So so we have tried wherever possible to avoid placing permanent structures on those areas. There are certain areas where this may not be possible, like access tracks that need to follow through the development. But again, so at detailed design, we've committed to take another look at those areas of best, most fertile land within the middle of the panel areas, and try to avoid them wherever possible.

And so I think that the nature of the BMV land within the scheme, as you saw in the plans, is that they are small areas within larger areas of lower quality, and therefore it is quite difficult to avoid them in certain circumstances in their entirety.

So I just draw attention to natural England's response in their relevant reps, and a particularly key issue, number any six, where they state that they consider the proposed development, if temporary, as described, which it is, is unlikely to lead to a significant permanent loss of the NBA, agricultural land as a resource for future generations. And so we don't have an socg with Natural England. We did progress, or seek to progress a pads with Natural England, because we were under that system prior to submission of the application, and because there was no matters outstanding or in disagreement with Natural England, no pads has ever progressed, and agricultural land was obviously a key focus of that discussion. Thank you, sir. Thank you, Mr. Brown.

I would now like to explore the possibility of transferring a portion, or all panels and apparatus sited on a BMV land, best and most valuable land

in a panel area with the largest, best and most valuable land size to another partner, panel area with minimal or no best and most valuable land. For example, the feasibility of moving the proposed solar panels and related equipment that are currently in part or all of the 18 hectares of the best and most valuable land that is agricultural land classification three a in panel area A to the moderate quality land in panel area B or E, would the applicant confirm if this is possible, and if not, Explain the relevant limitations? So

so in terms of transferring the Michael Baker for the applicant, in terms of transferring panels to different areas of the scheme,

those areas identified or referred to in your question are designated for mitigation areas related to the triple A side to the south of panel Area C, so we have to strike a balance between using small areas of BMV land versus mitigating the impact on ecology and providing ecology enhancements.

Can you just explain that again? Because I don't seem to understand

your answer there, please.

So the spare areas, if you like, in area in Area C and B,

which have been referred to, are have been left without panels as they are designated.

If I may miss everybody. Can I ask the applicant if it is possible for us to put a map with the areas? I think that will be, will assist in everyone accompanying our reasoning here and our questioning.

So for example, I am looking at moment, at the panel areas figure, I will provide you with a reference now.

So that will be a PP, 039,

so if we could put that document up, it's just one page. You

Thank you. Over to Mr. Obadi,

yes, so if you can just explain to us

how

faci.

It is to move certain portion of land from

where it is certain equipment or panels, where it is sited within best and most valuable land to an area where it is within a less or moderate land quantity, if you can just demonstrate that using the map that Mr. Pinto has just identified. So

David Brown on behalf of the applicant. So just before Mr. Baker does that, I would force back to natural England's position in their random representation, if I can. So, so that is our 373,

and within that point, they do make the point that the point around unlikely

to lead to significant permanent loss of BMV agricultural land that they make in that random reputation is followed by the fact that they say because solar panels would be secured by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to

occur provided the soil is managed over the lifetime of development. And so we have our outline soil resource plan, which you submitted as part of the application. So I'll let Mr. Baker answer the question. So, but I'm not sure we need to explore really movement of panels off BMV land on the basis of natural England's advice within their random representation. And I just started to draw our attention to that. Thank you, if I may miss to everybody, thank you for that clarification.

I think that the x, A's concern is obviously, I do understand what you mentioned in terms of permanent effects to the land, however, the lifetime of the project is quite significant and quite considerable, and therefore the excess concern is, how will that land be put to its potential and use to its maximum potential throughout the period that the project will be in operation? Thank you.

Thank you. So Michael Baker, for the applicant. So in terms of, as I explained, the areas roughly

in Area A, which are of BMV, which are in the top area here, from memory of the last plan, and the small area here, around here, if we were talking about moving them to the areas in Area C, which currently don't contain panels here and here,

the reason why we wouldn't propose to do that is because these areas which do not contain panels At the moment have been designated as mitigation and enhancement for ecology, which as as Mr. Brown has explained,

we need to retain as the impacts on BMV when we're weighing these decisions, the impacts on on on those smaller areas of BMV land don't outweigh the need to mitigate the ecological impacts and provide enhancement for ecology.

Thank you.

Sorry. Can I Can I follow up on that question? Thank you. Mr. Obata, thank you for that intervention. Mr. Weiker, can I just clarify

your in your response, you just said that most of the area that has been identified as most available in versatile land is going to be used for mitigation.

Is that? No, so I was referring to the area in the area in Area C, which currently does not contain panels, which isn't shown on this map because it's a high level, oh, in Area C, yes, yeah. So when you're talking about transferring from area A to Area C to fill in a area that doesn't contain panels, there's a reason why that area doesn't contain but it's clarified now. Thank you.

Thanks myself, Pinto.

I will now turn to the last paragraph of RPC two, row of the applicant's statement of common ground with red Marshall parish council. Rep four, dash 008,

which states that the parish council considers that while the land may not be best and most versatile, it is currently regularly found without any problems. Would the applicant respond to this? As it is not apparent that it has been satisfactorily answered.

Sir, Alex Minnick,

for the applicant, I think

I just asked Mr. Field, who is with us online, to come in and just comment on the nature of the agricultural land classifications and what it means. What.

Land is or isn't classified in the higher echelons of those classifications, which is where the best and most versatile designation comes in.

Mr. Field, could you? Could you perhaps elaborate on that point? And then Mr. Brown can chip in just with, with where we are in terms of discussions on the statement of common ground with with the parish council.

Yes, certainly

the best and most versatile land nationally comprises about 42% is the is natural England's estimate of agricultural land in in England and Wales, sorry, in England.

So obviously the majority of agricultural land that is farmed is, is not vestimates, first type land. You know, approximately 58%

of what you would see as normal agricultural land. It's not vestimates First time. But clearly it can be farmed and sub grade 3v land, which is what has been identified throughout the whole of the panel areas,

is moderate quality land.

It's it's not grade four land. It's not, it's not unfarmable. It is moderate quality land, but it isn't the best and it isn't as versatile. And the reason, in this particular case, why, why that is, is the wetness and the drainage limitations that are inherent within the soils, and those are long term physical

those are long term physical limitations, which are, you know, which are difficult to overcome.

That's Mr. Fields.

Would the applicant now describe the proposed on road and off road cable routes and associated cabling methods and the extent of the affected land area where each practice will be applied. Thank

you, sir. Michael Baker, for the applicant, there are two methods that are proposed for the laying of the cables, and I'm primarily talking about the off road cable route, so the conventional trench method and the mole plow method for the off road cable route, the conventional trench method would involve digging a one meter wide and a maximum of 1.2 meter deep trench.

During that we then store the top soil for the short duration of this dig, lay the cable, and then we place the top soil within the trench.

This operation would require a maximum of nine meters working area during the duration of the construction, and the width of the easements and rights being sought to retain access rights to the cable is five meters. This doesn't exclude the ability to grow and plow over the cable. It's just that we have rights to access it if we needed to for the on road cable uses a similar methodology, however, this doesn't include the need to store top soil, therefore the working area is reduced,

so that we will adapt the On road working area to

retaining access to roads.

The Mole plow method, which will be used off road,

is would use a plowing device to open the land and then lay the cable and then reseal the land without the need to dig a trench. The land is required. The land required to use this method is similar to the amount of land the trenching method due to having the drum or containing the cable running alongside.

So our preference is to use the mobile method when we're off road, unless certain site conditions don't allow this, such as undulation or hills or other site conditions that might arise.

Thanks, Mr. Biff,

you said

your preference, at least you've got a choice there. I just like you to confirm that for majority of the

cabling and indeed the

off road cabling,

the plow method will be used.

Yes, that's our preference. Yeah, it'll be confirmed by the reference. Yeah, you confirmed that majority of this world. That's the method that is going to be used. Yes, yeah, okay, thank you.

I will now refer the applicant to paragraphs four point 3.3

and four point 3.4 of the outline.

A materials management plan, a PP, 114,

which states that the preferred method of cable installation is via a cable plow. And in areas where cable plow may not be possible, trenching will be used, given that cable plow method is more beneficial in terms of having a low impact on the environment, typified by its minimal disturbance on the land,

would the applicant explain what proportion of each of the on road and on site cablings This method will be applied to?

That isn't a proportion that we know yet. That's something that would come at the detailed stage of design and be defined by the contractor, but we will

set up the contractor to ensure that they use the mobile file as much as possible. Okay,

thanks, Mr. Bit.

I will now refer the applicant to paragraph nine, point 7.11,

of Chapter Nine of the environmental statement, land use and social economics, a, PP

032,

which lists the recreational assets

and community facilities in the study area of the proposed development, excuse me and allocate their sensitivity levels to the proposed development. Would the applicant explain how the low sensitivity given to all these recreational assets and community facilities had been derived.

Thank you, sir. David Brown, on behalf the applicant, so the sensitivity criteria, or the socio economic assessment, is set out at table nine, one of the chapter in relation to the community facilities and recreational receptors within

nine, 711, I think you mentioned, and the table which followed that, which is table nine, four.

So they were attributed to low sensitivity, primarily given their nature as as receptors, but also given the nature of the scheme. So the criteria for low is businesses, individuals, groups or individuals or other receptors possessing some economic, social and community value. So we just, we've acknowledged they possess that economic and community value. But the key points there is that the receptors are not likely to incur loss or gain as a result of potential changes of the environment.

So as I mentioned earlier on, there are no direct effects to any of those facilities. So there's no loss of land or loss of buildings as a result of the development. And therefore everything is indirect in nature in terms of potential impact. So the assessment concluded that that potential of change meant that that likely to incur loss was of low sensitivity, and that's how that that was attributed. Okay, thanks, Mister Brown, again, picking up a few examples from table nine, dash four of Appa 032,

document like those described as public houses, assuming most of them serve foods,

bishopton Village Hall and greenden parish hall, Stockton on tales, would the applicant not agree that If construction workers are indeed encouraged to buy food stroke drinks from this public houses and the applicants regular business meetings and staff training and solar technology exhibitions are proposed to be held in this community facilities at the applicants expense the sensitivities of these facilities and the related game will be higher than low or neutral assigned to them. So if you encourage people to go and patronize the public houses and then meetings are being held, training sessions being held by higher in the halls, the local halls, I would have thought that the sensitivity will be greater than law.
Thank

you, sir. David Brown, on behalf of the applicant, so the sensitivity of those receptors is is applied as a baseline position. So

whilst I agree we could encourage those things, and we are likely to encourage the contractor to use local facilities, etc, it wouldn't necessarily change the sensitivity that receptor from an assessment perspective. So I'm also conscious that we don't want to double count within the assessment, and those type of effects that you described in terms of potential beneficial effects are picked up in the.

Induced or indirect employment effects under the another part of the assessment in relation to the local economy. So again, so I wouldn't want to duplicate the beneficial effect within the assessment

by attributing a greater sensitivity in that in that scenario.

Thanks, Mister Brown, well,

I would have liked to see certain action to say we will indeed encourage

contractors to patronize the local businesses and training sessions or exhibitions will endeavor to hold this in the

the community halls. I would have thought that would improve something in the local area. Thank you.

So David Brown and healthy applicants, so I think we'd be happy to put a commitment of that nature into the probably outlined CMP or similar document, alongside wider commitments from a social economic perspective, I think Mr. Baker would be, would be happy with that. I think so those those impacts will generally occur anyway. With an increase in people staying locally, they will generally use

recreational facilities and other resources because they are in the area, and that is spend that wouldn't normally be spent within those receptors, so it is captured within the border assessment. But yes, so we're happy to look at a commitment to that effect. So you will include in the document, yes, so we can Yeah, yeah. Okay. Thank you, Mister Brown.

I will now ask the applicant to demonstrate how the proposed development would safeguard the continuity of operation of existing recreational assets and community facilities in this locality without hindrance and support job creation and businesses in the local area.

Thank you. So David Brown on behalf of the applicant, so I think we've covered the point around community facilities and recreation facilities and access in an earlier point, and so that was around the commitments made within the various management plans to ensure continued access to those facilities. Do

you want me to go back through that to this point or

the one of us supporting job creation? Yeah. How would you describe that? Please? Yeah, sure. So. So the approach to job creation, we have touched on this in an earlier response to ex q1 which is our E, p2, 007,

and and again, the commitment in there is that. And the assessment concludes circa 95 net direct jobs within the immediate study area as a result of the proposed development. We then touched upon it again. So in our response to ex q2, which is R, E, p5, 031, and and specifically our US, 2.2

where arably committed to a minimum of 20% of the workforce from the local area, and that would be an expectation placed on the contractor through procurement documentation. And we also mentioned so the apprenticeship program and training programs run by ardibly on a national basis, and I think we touched on them in a in a previous hearing.

So the point I would make is, obviously the assessment is done at a point in time, and it's based on a number of assumptions,

and the assumed employment profile will be influenced by that engagement with the contractor, but also engagement locally. So the more engagement we can get from local suppliers and providers, the more benefits will be felt locally, and we are committed to having those engagement sessions with the

point of contractor and any local organizations that are willing to have those sessions. Thank you. Mr. Brown,

I want to ask the applicant to describe the appropriate mitigations, monitoring, management and compensatory measures against the impacts of the proposed development and their effectiveness. I

Thank you, Sir David Brown, on behalf of the applicant. So the summary of the assessment from a socio economical land use perspective is in Table 911, of ES chapter nine,

just to run through those in terms of the potential impacts and then mitigation requirements, as the question asks. So in terms of socio economic receptors during construction, that is the local and regional economy, we conclude a minor beneficial, not significant effect, because that not significant nature, no mitigation is proposed beyond the commitments made around local jobs and commitments.

We've discussed already in relation to recreational community facilities, again, so we discussed the embedded mitigation measures which were included and taken into account within the assessment. And with those measures in place, we conclude a negligible, not significant effect

in relation to development land, which is primarily the mineral resource that we talked about earlier on. Again, there's a minor adverse effect reported in construction which is not significant, and therefore no further mitigation is proposed

in relation to public rights away network, again, so as we've discussed, the outline public rights of way management plan contains a number of committed and embedded measures for those right the rights away network during construction, with those measures in place, the assessment completes a minor adverse, not significant effect with the mitigation management within the embedded plan, rather than any further mitigation being required. And then, in relation to agricultural land and construction, the assessment does conclude a moderate, adverse and significant effect recognizing the removal or taking out of agricultural land into solar development, and

then in relation to soil resources, we also conclude a moderate, adverse and significant effect. So the outline soil resources management plan submitted to the application is the mitigation for those two effects, and although it doesn't

directly mitigate the temporary loss of land, it does include measures to try and mitigate the quality of that land post decommissioning.

So during operation in relation to socio economic receptors, it was

effectively scoped out of the assessment as very limited employment during operation, and therefore very limited effects in terms of recreational community facilities. Again, so no real relevant impacts during operation, given most of the impacts of Fauci and construction, and therefore no mitigation proposed in relation to development land, the limestone and sand and gravel resource. Again, we record a minor adverse, not significant effect during operation, because the fact that that resource is taking out of an ability to extract it. But again, so there's no mitigation proposed for that in relation to public rights of way. Again, we record a minor adverse, not significant effect in this in the assessment chapter, just recognizing the change in nature of some of those rights of way across the study area and agricultural land and soil resources at operation. So was scoped out of the chapter, given that the impacts occur at construction stage and

then so decommissioning, as we discussed briefly already, the chapter records very similar impacts and mitigation proposals during decommissioning to that felt during construction across all receptors. And so in terms of the effectiveness of those mitigation measures, many of the measures, as we've discussed, are embedded, so they were taken into account as part of the assessment, rather than being required post assessment. But all of that mitigation says is secured the final approval of the mitigation measures through the management plans lies with the local planning authority through requirements of the draft eco and therefore so we we feel that the mitigation will be effective because of that approval process and the commitment within the outline plans, which will then be formalized At detailed design stage.

Thank you, Mr. Brown,

the effectiveness of those,

monitoring mitigations, monetary management measures, I don't quite get how effective would these

measures be?

So David Brown on behalf of the applicant, so the assessment considers the measures as I say, they were embedded within the assessment.

So we didn't undertake an assessment identify significant effects and then look to mitigation to mitigate those effects. They were produced as outline management plans and informed assessment process. So the commitments within those plans are already committed. They're made within the outline documents that we've put in with the application and are before us. At the moment, those commitments will be a requirement for the contractor

within the outline plans to then develop into full and detailed plans, which will then be agreed to the local plan authority as approval body for those plans through requirement. So the effect of us, sir, is we've assumed effect and rest within the assessment, because those commitments have been made and they will be a requirement for the contractor to take those commitments on and ensure they're delivered at the detailed design and construction stage in particular, which is where most of the effects are felt.

Councilman Brown, you.

Um, I think we are getting close to half past 1111, 25

I think this is the best time before I move on. I think the time now being 1125 it will be beneficial to all that we have a quarter of an hour break and resume at 1140

if everyone is happy with that,

the meeting is now adjourned and we we resume at 1140 Thank you. Applause.