



## Hearing Transcript

<b>Project:</b>	Helios Renewable Energy Project
<b>Hearing:</b>	Issue Specific Hearing 1 Session 2 (ISH1)
<b>Date:</b>	4 December 2024

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FULL TRANSCRIPT (with timecode)

00:00:12:08 - 00:00:43:14

45. This hearing is now resumed. Just a bit of housekeeping. So what I propose to do is we'll go back to the applicant and we'll we'll continue with this agenda item. I'll open it up for any kind of further discussion. Then I think I'd like to clarify action points on this particular agenda item, just so it's clear to everybody. And then what I propose to do is we'll run through till basically, um, 1:00 and then we will take a full hour for lunch between 1 and 2, and we'll try and finish sharply at one so that it gives us an opportunity to have lunch.

00:00:43:16 - 00:00:56:06

And if any discussions need to happen in the background, it's a good opportunity to do that. So that's what I propose to do. So yes, I could return to the applicant to continue where we left off in terms of agenda item five D please.

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

Okay. Thank you, sir. Catherine Tracy for the applicant. Um, I think it's, uh, Mr. Fox, it needs to continue rather than me at this point. Thank you.

00:01:05:22 - 00:01:47:19

Uh, Ben Fox and the applicant. Um, yeah. So picking up the the sort of three free points which I've got written down that we've worth discussing is the. Yes, securing the flipping compensation for the bears area, the finished floor levels for the equipment and the staying operational safe in times of flooding. So regarding the floodplain compensation area for the bears, it's really important to stress that the bears and 12132 kV substation is located in an area which doesn't flood in the fluvial design flood, so this measure is only in place for the um, maximum credible climate change scenario, which is a sensitivity test.

00:01:47:21 - 00:02:18:01

So as a precaution, we've um, enclosed the bears area with a bund, and that bund is set 600 mil above or 0.6m above the credible maximum climate change scenario. So there's a high level of sort of, um, resilience built into the design. And then it's, as Liz pointed out from the environmental agency, if that situation did come to pass, which it may not, but we've assessed it, if it in case it has, then there's the risk that that band could displace floodwaters.

00:02:18:03 - 00:02:51:18

So as a precaution, we've then designed a floodplain compensation scheme to actually lower the areas of land around it, um, to mitigate the effect of the volume lost from the Bund. And the point of, say, disagreement is basically how without mitigation is secured at present, that's not required from sort of de dot because it's not affected in the design flood. It's it's how it's secured and how the review process comes about. But is the maximum credible climate change scenario going to occur over the lifetime of the amendment.

00:02:52:00 - 00:03:05:03

And it's that review process. So in the flood risk assessment we recommend a flood management strategy which could be secured by a requirement. And then it's the details of how that is needed to be thrashed out with the Environment Agency.

00:03:06:26 - 00:03:12:15

Just pick on that point you say could be secured by requirement. It is it.

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It isn't yet.

00:03:15:13 - 00:03:17:15

But we are. Is it going to be.

00:03:17:17 - 00:03:19:08

It is going to be. Yes.

00:03:19:14 - 00:03:35:02

Okay. Again if I can have a point to that in the post hearing note and then I see it at the appropriate point, but again won't put you under pressure to have it in right now at deadline one. But but at the appropriate point that we, we, we see that wording once it's been agreed.

00:03:35:11 - 00:03:59:01

At Catherine Tracy for the applicant. Yes, sir. That's fine. I mean, I think um, we are certainly working to a deadline to, um, it with the Environment Agency. I, um, I, I don't think that's unachievable, but if it isn't achievable by deadline two, we will be able to give you an update as to where we are and how far apart we are.

00:03:59:03 - 00:03:59:26

Okay. Thank you.

00:04:04:01 - 00:04:29:03

I'm Ben Fox and on behalf of the applicant again. So the next point I wanted to raise was to do with the finished floor levels. So we're sequentially located and control equipment outside of areas effectively affected by the design flood where the flood depth is zero. The parameters are for up to six meters above ground level. So if the design flood level zero by default we are above the design flood.

00:04:29:12 - 00:04:37:29

Can I just ask clarifying point. So when you're saying 302 600 why is there that range? Can I just understand why you're giving me a range.

00:04:38:06 - 00:04:56:08

It's the range is secured. It's part of the parameters. So I believe it's to do with. Yeah. The detail of the equipment which may evolve over the. Yeah. Over the detailed design of the development. It gives flexibility to the applicant. So we've assessed the. We've assessed the maximum sort of parameters.

00:04:56:14 - 00:05:05:05

So the maximum is the 600. Yes. But depending on the nature of the equipment installed, it could be it could be lower.

00:05:05:10 - 00:05:07:05

It could be lower. It's my understanding okay.

00:05:07:21 - 00:05:40:14

I and I just think on that point just so that I'm clear and again pick this up in the post hearing note and going forward is is how that's secure in that. Because if it's dependent on the nature of the equipment installed, it's that, that, that is that is then a trigger that says, well, well, it's fine to go with the lower or you have to be pushed up to the higher amount so that somehow that that is nailed down in one of the control documents. If I can understand how that's managed through the process.

00:05:40:26 - 00:06:13:04

Catherine Treacy for the applicant. Yes, sir. Um, that is ultimately it's secured in requirement three, uh, which is the detailed design approval requirement which requires the layout scale, proposed finished ground levels, external appearance, etc. etc. um, all to have been submitted and approved by the local planning authority before um any development on that phase is commenced. So it's it will all once detailed design is done, um, and approved.

00:06:13:06 - 00:06:28:08

That's where those levels become fixed. But for the purposes of assessment, because we don't know exactly what it is, which equipment it is at the moment, we have assessed what we consider to be the worst case scenario, and we will be held, therefore, to those maximum and minimum parameters.

00:06:28:19 - 00:06:29:04

Thank you.

00:06:32:17 - 00:06:50:23

Um, Ben Fox and the applicant again. So then the point picking up on the point on the operational in times of flooding. So these are tracker panels. They're rotating. So the design parameters we've assessed as part of the flood risk assessment is sort of the central axis would be 300 mil above the design flood. In reality,

00:06:52:10 - 00:07:03:21

the design flood is not very extensive. Across the site will be significantly above that. And then the other parameter that's worth pointing out is the actual rotation. It could be up to 900mm above.

00:07:04:12 - 00:07:06:06

And when you say full rotation.

00:07:06:08 - 00:07:18:26

As in at an angle okay. Um, obviously. Yeah. Not over. Yeah. So the lowest point of the panel at full rotation could be up to 900 mil above ground level.

00:07:21:00 - 00:07:54:14

So if the depth of water in the design flood is obviously significantly lower than that as of reference in the flood risk assessment, by by default, we would we would be we have a high level of resilience built into the design that even if the panel were to fail, the majority of the panels would still be above the design flood. And it'll be only very, very localised on the point that yeah, what's the likelihood of the panels failing? See, they'll be rotating every single day as part of the operation of the site.

00:07:54:19 - 00:08:13:11

It's in the applicant's interest that. Yeah, to maximize energy generation potential that they continue to do so. And that any if there are any faults, they're fixed quickly. It's the day to day operations of the site. And that how that's secured would be through the yeah operational management plan.

00:08:13:25 - 00:08:25:17

And again the obvious question is is it. And if it isn't currently in that, should it be. And are you going to actually have that specifically in the operational management plan.

00:08:26:11 - 00:09:02:07

So Catherine Tracy for the applicant, um, I'm not sure that there's a need to secure, um, maintenance of the tracker system in the Operational Environmental Management plan. Um, the the panels will track, um, every day they will move. They. They will stow when they, when they need to in the event of, um, wholesale failure. That should be, that will be picked up, um, and corrected by the applicant.

00:09:02:09 - 00:09:36:23

Otherwise they lose energy generation. So it and the explanation around the design flood. Um, we are we have sufficient clearance that in a design flood event, the waters will not affect the panels when the panels need to stow is in a extreme flood event, which is, um, unlikely or sufficiently rare that, um, this isn't it will be picked up through operational management as a matter of course.

00:09:36:25 - 00:09:54:09

I'm not sure at the moment. So that there is a case being made that this is that we need to do a periodic test every, you know, every Tuesday morning in the same way that you do with a fire alarm. Um, but I'll, I will take instructions and come back on that.

00:09:55:03 - 00:10:42:03

I think at this stage, I want to leave that as a slightly open question, as I'd like you to to go and consider that, continue a discussion with the Environment Agency and the Council. And if this does become a particular matter, that that if the tracking failed and it wasn't being suitably monitored and and rectified, that it could then cause an issue with flood risk. If ultimately the Environment Agency and the Council consider that even in that event it it's unlikely to have any, any kind of significant effect, then then there may be so be it, that it doesn't need to be actually physically controlled in the operational management plan, that that this is monitored and there's a mechanism to rectify a problem quickly.

00:10:42:12 - 00:11:02:02

So I think at this stage that's where I'd like to leave it. But if you can pick that up in the post hearing note in terms of what you're doing to consider that and then and then I'll, I will. As an ongoing basis, I'd like the, the Environment Agency and the council to to kind of pick that up with you and then and then then to respond at the appropriate point in the examination going forward.

00:11:03:03 - 00:11:28:12

Yes, sir. That's fine. And I think just linked to that point is the, um, I think, uh, Miss Loc of the Environment Agency mentioned, uh, debris clearance after flood events. Um, and and that would be again, that's something that would routinely be undertaken. But that is something we can wrap into this discussion about. Yeah. Where, how if it's necessary for it to be secured.

00:11:28:22 - 00:11:59:01

And I think that's really what most of these, these kind of detailed points is. It's does it need to be actually secured. And if so, is it. And if it's not then it's going to have to be. But if you're saying to me, we we don't actually need to secure it, then, then I need to understand the rationale behind that. And I appreciate to an extent you're saying, well, in all likelihood, an operator is going to do this because it helps them function in terms of their their energy production.

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But nevertheless, we need to get to a point where if something genuinely needs to be controlled, is it controlled and if so, how? So that's that's where I think with with those two matters we need to get to. And again, the sooner we can get to that that point the better.

00:12:18:05 - 00:12:25:03

Yes, sir. We'll wrap those all into the discussions with the Environment Agency for, um, an update at D2. Thank you.

00:12:50:07 - 00:12:59:03

Um, so I think that's everything for the Environment Agency's points. I don't think we've missed anything. Um, in relation to North Yorkshire councils, could we just pause?

00:12:59:09 - 00:13:13:07

I'll just check with the Environment Agency if they. It might be easier if they want to, to say anything at this stage. Come back. So Miss Locke and or any of your colleagues if you would, if you'd like to, to come back at this stage.

00:13:15:29 - 00:14:01:28

Thank you sir. Yes. So let's look for the Environment Agency. Uh, thank you for, um, going through those points. Just as a point of clarity, the issue with the tilting panels and whether or not they impede flood water or whether or not they, they they, they move successfully as intended to avoid the floodwater. I think, um, our concern there was really if if they, if they do remain in the down position and, um, they are in the path of the floodwater, it's just understanding what impact, if any, that may have on the movement of floodwater, um, around the site.

00:14:02:00 - 00:14:40:27

So, um, we acknowledge that it would only be, um, well, it would be a very unlikely scenario. And we acknowledge that it would only be in a small portion of the site. But it was just having that, um, confidence that if that were to happen, that wouldn't have a detrimental impact on movement of water, um, around the site. So it's not it's not just about whether or not they will remain operational, but what the impact could be if they did fail.

00:14:41:18 - 00:15:19:00

So my my understanding is, is if, if it, if it failed, kind of the worst case scenario and that it wholesale failed or a large portion of the solar panels failed and they were in the downward position, the worst case in terms of flood risk at this stage. Are you essentially saying you need to be confident that even in that case, it doesn't impede water flow? And and then if that was the case, then from your perspective, it's irrelevant whether or not we have a control to make sure that they remain operational so that they can tilt because because it's it's a non-issue.

00:15:19:02 - 00:15:24:18

But but at this stage, you're not clear that it is a non-issue. If I understood you correctly.

00:15:25:27 - 00:15:50:23

I think so, yes. So there's there is an acceptance that if they did get stuck in the down position, um, they, They may impede worst case scenario flood flows. Mhm. Um, but then it's a case of just understanding what the impact of that could be. Um, as the, the water moves around the site. Okay.

00:15:51:15 - 00:16:26:20

So I think, I think from my perspective, what needs to happen here is, is that needs to be clarified to your satisfaction as to what, what that worst case scenario is, if the panels did or a large amount of them got stuck in the kind of downward position, and then what impact that had, and then if it potentially does have an impact, then my view is then we might need to then be discussing do we need a control so that that can't happen so that these are monitored and maintained such that that, that it removes that likelihood to happen.

00:16:27:29 - 00:16:39:13

And I think that's what we've got with the applicant is that their current view is they probably don't. We don't probably don't need a specific control over that. But but what I'm hearing from you is you're not 100% satisfied at this stage that that's the case.

00:16:39:26 - 00:16:42:03

I think that's a good summary. Yes, sir. Thank you.

00:16:42:05 - 00:16:52:18

Okay. Thank you. I think I think on that point, then I'm going to leave that as an action with the applicant to take that away, do some further work and further discussion with the Environment Agency and the Council as appropriate.

00:16:54:14 - 00:17:04:15

Yes, sir. I think that's that's very helpful. We can we will pick that up and deal with it directly. And I suspect most it will come out in the statement of common ground. Hopefully sir.

00:17:04:17 - 00:17:12:23

Thank you. Okay. Thank you. Okay. In which case if I go back to the applicant, if you then move on to responding to the point from Norfolk Council, please.

00:17:17:16 - 00:17:30:25

Catherine Tracy for the applicant. So I don't think there was much it was um surface water, um drainage and there was a mention of infiltration testing, um, which I will let Mr. Fox refer to. Okay.

00:17:32:05 - 00:18:08:19

Uh, yeah. So obviously it was a good summary of. Yeah, what our approach to surface water management on the solar farm elements and the business element in the scheme, we do treat them both differently as sort of picked up. So the infiltration testing for the BS area, we haven't we haven't provided at this stage because we are lining the whole sort of internal way over the compounds. And the reason we're lining it with an impermeable liners, geo membranes, plastic sheeting in sort of, um, layman's terms is to stop the risk of pollution pathway occurring down into the groundwater because we are in groundwater source protection zone three in that location.

00:18:08:28 - 00:18:24:06

So we because we're not infiltrating into the ground because of pollution risk, we therefore don't need to do the testing. So we've gone to the next stage of the drainage hierarchy, which is to a watercourse at a controlled rate, which is inconsistent with the Internal Drainage Board's rates as well.

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Okay. Thank you. If I could come back to the council on that point.

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That seems.

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If you could just introduce us. Sorry.

00:18:36:28 - 00:18:47:00

Oh, sorry. Uh, sorry, sir. Mark Henderson Lee, local front authority. North Yorkshire council. Yeah, that seems like a reasonable. Um. Yeah. Uh, I hadn't got sight of that, so that's fine.

00:18:47:02 - 00:19:03:23

Okay, fine. I think then in order to kind of bottom that out, it says, as Matt in in the post note, if you can point to that and then as statements of common ground progress, if we can pick that up and if, if that matter does get resolved, then then fine. Thank you. Can I ask.

00:19:03:25 - 00:19:45:13

One additional question? Last two. Yes. Yeah. Um, just the notes on the construction management plan. Um, simp, uh, it was suggesting that you weren't sure whether or not there'll be disturbance on



the ground. Um, and it said in there that it would be left to the discretion of the site manager. I suppose the question is, how do you know from experience of doing these sites elsewhere what what impact, you know, scraping the soil, you know, the impact, the runoff, the associated runoff in construction phase, you know, kind of. Do you have a feeling now what it is? And because it's suggesting that you'll kind of make a take a view depending on at the time, which seems a bit, you know, leaving out to a site manager to work out is making a judgment is.

00:19:45:18 - 00:19:48:07

Yeah. Just yeah. Just your thoughts really.

00:19:48:13 - 00:20:22:20

Okay. I think probably what I would like is if this I'll ask the applicant, respond in a second. If that remains a concern, then probably for deadline to either as part of the local impact report or going forward. If if you think wording in the construction management plan needs to be tightened, then I would like to understand what what wording you would like. But but not again, not going to ask you to do that for deadline one. But but ideally if deadline two and if the if in the background you can have the conversation with the applicant.

00:20:22:22 - 00:20:29:08

So I'll ask you to briefly respond on that. But I think it's probably quite detailed point that needs to needs a bit of discussion.

00:20:32:18 - 00:21:08:21

Uh, Ben Fox for the applicant. So my understanding of that question is to do with the phasing of the interception swales, which is to do with the solar farm element of the site. So it's yeah, the effect of construction is the same for any, any construction site, be it a solar farm or thousands of element is how the site is managed. The site is managed well, then the vegetation is retained across the site. Then the effect of runoff is going to be low. It's a grass field now, grass field construction and grass field operation. So the effect of digging the swales themselves has an effect that you are then physically excavating a hole, even if it is a shallow one.

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So it's making sure that that's done at the appropriate time. So it's just trying to provide flexibility through their implementation. They can they can be provided at the outset or they can be provided for at the end of the construction period. Is it was just providing that flexibility in the documentation, but we can take that offline and discuss that with you if the wording wording needs tightening up. Yeah.

00:21:34:17 - 00:21:43:05

Okay. I think at this stage that's probably the appropriate way to deal with that, that, that that specific query. Um,

00:21:45:01 - 00:21:55:24

okay. So so in terms of the applicant is, is that does that conclude your your response on item five day?

00:21:57:00 - 00:21:58:12

It does sir. Okay.

00:22:00:15 - 00:22:22:18

Is it likely that that when we come to discuss agenda item six, which includes the DCO and the control documents, etc., that we're going to have to revisit, what environment issues or or are we from your perspective, confident that we've at this stage dealt with them? And then obviously there's lots of things to progress.

00:22:25:26 - 00:22:46:16

Uh, Catherine Treacy for the applicant. Uh, no, sir. I think we have the principles. Agreed. And then we will discuss offline the wording and present that at a later date, I. And we've got the relevant people here with the Environment Agency and the Alpha. So I don't think there's any need to cover that afternoon. Thank you.

00:22:46:26 - 00:23:11:13

I'm doing this simply because it could be that. Well, well, the Environment Agency and legal authority are welcome to stay for the rest of today. Equally, I'm happy to to release people if, if, if they don't want to. Well, if they've got other things to be doing then then listening to to us talking about matters that are totally unrelated to their, their profession.

00:23:11:15 - 00:23:20:09

So, so that would equally relate to the experts on my side that if it is possible to conclude a matter and release people, that would be much appreciated. Fine.

00:23:20:11 - 00:23:47:02

I think then what I want to do is on this item if, if from if I could hear back from you the actions that you've captured and then I, then I'm going to ask the Environment Agency and the council from there, the flood, the legal lead flood authority perspective to come back. And then we might be able to draw a line under that issue. And given we're very early in the examination, there's always an opportunity to to kind of square things off in writing if needs be.

00:23:56:01 - 00:24:48:28

Okay. This will test my note taking. Sir Catherine Tracy for the applicant. Uh, we have as actions on us to undertake the volumetric assessment requested by the Environment Agency, um, and share that information with them and hopefully come to an agreed position. Uh, our initial thoughts are that that's a deadline, too. Um, should be achievable by then that I also have, um, an action on us to draft out and or amend, uh, requirements dealing with the, um, flood compensation strategy, the hydrological risk assessment and the piling risk assessment, um, which we will, uh, liaise with the Environment Agency for and then report back to you again.

00:24:49:00 - 00:25:23:02

Hopefully that can be done by the two. So I, I'm not envisaging those to be particularly controversial. Um, I also have an action on us to talk to the Environment Agency about the definition of commencement and site preparation and work out where we stand there in terms of what is or is not site preparation and what needs to be controlled, and then to report back with our what I hope would be an agreed position by D2 and.

00:25:27:21 - 00:25:53:01

Liaising potentially with the Alpha around the outline camp. And if there's any additional wording required for the swales. Now I don't know if that might be picked up in the council's leer, but in any event, I would expect hopefully D2 we should be able we can liaise directly with Mr. Henson and hopefully get an. I don't think it sounds like we're too far apart.

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I think, I think I would like to understand where you're at by D2, but I appreciate if it's something that's ending up in the letter that's only coming in at D2. And so your response might well be different, but I'd like to know where you're at with that, at least by D2, even if it's to say it's coming in in the Olaf and the council, and then you'll deal with it by deadline. Three. Yes, sir. Something along those.

00:26:17:06 - 00:26:24:09

And we have a draft statement of common ground with the council. So it's probably something that can be woven into that in any event. Yeah.

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That's all I've got on my list. Unless somebody tells me I've missed something.

00:26:34:22 - 00:26:47:14

From from my perspective, I think that's fine. It's just doing this as a single, single examiner. It's quite hard to manage the room and take action points. Um, because if you're on a panel, it's much easier because you've got people to, to help. Um, okay.

00:26:49:08 - 00:27:08:12

So I just I want to ask check with the Environment Agency in terms of because really I do want to draw a line under water environment and then not come back to it today at all, including DCO matters. So I want to check with the environment and then I'll come to the council and then I and then the wider room. If anyone has anything to say on this matter.

00:27:12:20 - 00:27:27:03

Thank you sir. Liz Lok for the Environment Agency. Yes. We appreciate, um, how you're, um, arranging this meeting to to deal with our matters. Um, in one go. Um, I agree with the points that, um,

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the the applicant have summarized there. Um,

00:27:34:00 - 00:28:09:29

three extra things that are on my list. Um, if I can just add those. Um, there was something around the operational pollution control measures for the compound, um, providing some clarity over the, um, the, the successive pollution control measures that, um, Mr. Fox described. Um, so we'd appreciate some, some clarity there. I don't think it's necessarily extra material, but it's just providing some clarity as to, to what measures are proposed.

00:28:10:13 - 00:28:41:00

Um, another point is to wrap around the finished floor levels. So just to be clear, we were, um, seeking finished floor levels that were, um, 300mm above the design flood level, not, um, ground level. So just seeking some clarity. And we, we agreed that we could, um, secure those through the, um, submitted, um, scheme design.

00:28:42:08 - 00:29:06:08

Um, and then the the other point was, um, about the, the panels in times of flood and just an understanding as to, um, how any panels that are stuck in the down position during times of flood could affect the movement of flood waters around the site.

00:29:12:21 - 00:29:46:05

Thank you. Tracy. For the applicant, sir, I have no issue with those being added. Um, and it has just occurred to me before we release the Environment Agency. We should probably just acknowledge that there are protective provisions there already in the draft development consent order, but there are ongoing discussions with them, um, on those protected provisions and, um, new ones are likely or certainly amended, if not new, um, are going to be substituted.

00:29:46:12 - 00:29:50:24

And and those really are in relation to um,

00:29:52:09 - 00:30:25:03

article eight of the DCO and the dis application of um, some regulations that the Environment Agency have control for. Um, I don't again, I don't think that's and it's just because we're going to touch on that this afternoon. But sir I wouldn't want to discuss those in detail today in any event. Um, given that we are, I think, fairly close, probably to a to agreeing a position on those anyway, which should be D2.

00:30:29:04 - 00:30:59:18

Yeah, I'm content with that because I don't I don't think that at this early hearing it's appropriate to get into very detailed discussions about protected provisions, particularly if work is progressing. So. So as long as the Environment Agency are content with that and then pick that up in written submissions as we go forward through the examination. So Miss Loc, is that is that your understanding or your content with that at this stage?

00:31:00:07 - 00:31:07:07

Yes. Miss Lock, Environment Agency. Absolutely. Thank you. We can we can finish those off um, by D2.

00:31:07:25 - 00:31:10:26

Thank you very much. Uh, yes, for the administrator.

00:31:11:03 - 00:31:41:10

Sorry, sir. The the other point there was, um, mentioned earlier, which we should probably just clarify in relation to water abstraction. Um, and that is already acknowledged in the consents and Licenses position statement that if water abstraction consents is required, that is outside of the DCO process.

That is not we're not seeking consent for that now and will be dealt with as a separate consent at the appropriate point with an application to the Environment Agency.

00:31:42:18 - 00:31:47:07

But that is already set out in that document. So that probably closes that loop.

00:31:47:20 - 00:32:22:29

Okay. I think then in terms of the post hearing note, if you can just indicate exactly how that works through in the DCO and how that is secured, and then the Environment Agency and anyone else will have the opportunity to respond to that in the following the following deadline. And if we need to, we can pick it up at a later hearing, but thank you. Um, so if I just want to check with the council in terms of matters relating to water environment, is there anything else you wanted to raise or clarify? Because otherwise, like I say, I want to kind of close this item off and release people who don't need to be involved in the other items.

00:32:23:01 - 00:32:24:27

Michael Reynolds, North Ayrshire Council, nothing else.

00:32:25:03 - 00:32:56:20

Okay. Thank you. And then I'll just check with the wider room and online. If anyone else has a matter on this particular issue. I am not seeing any hands. Okay. Thank you. So in which case I'm going to close off agenda item five D and will now move back to agenda item five A. So socioeconomic matters and initially I want to focus on agricultural land.

00:32:56:24 - 00:33:07:29

Food production matters the best and most versatile agricultural land. And I think it will be helpful if we have available. Um.

00:33:16:10 - 00:33:22:10

The. Sorry, I'm just fine. The document reference. I'd. I'd like, um.

00:33:58:15 - 00:34:06:02

Yes. In terms of documents that would be helpful to have available is going to be.

00:34:12:00 - 00:34:35:12

The AOC of the site. So agricultural land classification which I think is app 171. And in particular page 42, we don't need to necessarily show it immediately, but I think it is likely that we that that it is going to be helpful to have that at some point through the discussion of this, of this agenda item.

00:34:38:11 - 00:34:40:15

So could you give me that reference again?

00:34:40:17 - 00:34:41:26

Sorry. No worries.

00:34:51:19 - 00:35:23:02

Yeah. So app 171. Um, so it's in environmental statement. Appendix 14.1 Agricultural land classification of the site in particular. Page 42. I think I did, I did pop it on a document list that may have been shared with you. It's just a map of the agricultural land classification, essentially. Like I said, I do not think we need it necessarily immediately, but I'm pretty sure we are going to need it as we, as we kind of go through the discussions.

00:35:55:07 - 00:36:32:08

Okay. So, so if we can get that up In due course. So I want to then talk about the applicant's general approach to the identification of best and most versatile agricultural land. Um, so I think in this case I want to turn to the applicant first. Then I'm probably going to ask the council for their view as to currently, and then I'll invite anyone else in the wider room if they if they wish to talk about about this. And I do have a I do have a number of questions as we go through this, this part of the agenda, broadly speaking.

00:36:33:24 - 00:36:37:24

But if I could start with the applicant just on the kind of general approach.

00:36:38:13 - 00:37:28:09

Yes, sir. Catherine Tracy for the applicant, um, I think where are we where we start from is, um, in a similar way to, um, all the constraints here. We start with a grid connection point, um, which is at Drax power station. Uh, and then a five kilometre search area was drawn around that in order to locate the site more generally. Um, I think in the, um, planning statement, appendix two, there's a figure 2.7. So which you might want to look at in due course in terms of agricultural land classification in the within that search area, um, which uh shows the, the various grades of ALC, um agricultural land classifications, um, for that area.

00:37:28:11 - 00:38:02:03

And you will you'll see there so that the vast the overwhelming majority of the the search area, the five kilometer radius is um, on some form or other of, of good quality agricultural land. Um, so, so that's how we end up as part of the the site selection procedure at its at its broadest sense, there is BMV Almost, I would say, with the exception of actually the built villages across the whole of the search area.

00:38:02:05 - 00:38:10:10

And then and then you get to our site, which I will ask Mr. Kernan to actually talk about BMV on the site. So.

00:38:10:27 - 00:38:16:18

Okay. Thank you. Sorry. Before we move on, just give me that document reference you referred to again.

00:38:16:24 - 00:38:27:15

Yes. It's in it's the I haven't got the document reference to the planning statement, but it's the appendix two of the planning statement, which is figure 2.7.

00:38:29:08 - 00:38:33:18

So I've written down AP 227. So hopefully I've written it right.

00:38:33:20 - 00:38:39:02

So AP 227227. Great. Thank you.

00:38:40:23 - 00:38:41:15

Thank you very much.

00:38:45:05 - 00:39:11:12

So yes, hello. To introduce myself I'm Tony Kernan. I'm a chartered surveyor and a fellow of the British Institute of Agricultural Consultants. Um, and I'm the lead author of the agriculture chapter within the environmental statement and also the outline soil management plan. Um, so I've been involved with the scheme for a number of years. Um, yes. As Mr. Tracy said, sir, the.

00:39:13:18 - 00:39:46:23

The available information that anybody has about agricultural land quality is fairly limited. Um, as a nation, we haven't surveyed all of the country, and the only way we know what the land quality is through going out with the soil auger and doing a detailed assessment, usually on a detailed basis, one per hectare. And it's quite slow and intrusive and it's sort of ten, 15 minutes per point. So it's not a quick process. Um, the Ministry of Agriculture, when they first brought the system in, did produce these provisional maps.

00:39:46:25 - 00:40:18:25

And that's what's referenced in that planning statement. So those show grades one, two, three, four and five. They don't break down the subgrade. And in fact, those maps were produced before the land classification system was changed in 1988, which changed it to three A and three B. So they are somewhat limited, but they're all we've really got. And from those maps and we can give an a statistical estimate, which we have done in the years.

00:40:19:07 - 00:40:52:14

And that suggests that from those provisional maps, if we assumed that broadly 40% of grade three is sub grade three, and we assumed that that breakdown applied in Selby, then the figures that you'll find in the environmental statements in table 14.8 are that that suggests that 76.7% of Selby is the best and most versatile. I can explain the calculation if you like, so, but broadly 40% of.

00:40:52:16 - 00:41:12:06

Yeah. No. And this site is shown as grade two and we know it's a mix. So you know when you go out with the soil auger it will change. But that's that's the best we can estimate. So it is an area of very high quality land. It's sandy soils and loamy sands and level.

00:41:15:07 - 00:41:48:28

That was part of the sort of background. So that doesn't tell you what the quality is. The only way then to go out is to go out with the soil survey. A firm called Amrit and James Fulton, who's an experienced soil surveyors, has been out. They spent quite a few weeks sampling on a 100 meter regular grid, and they've sent samples off to the laboratory to have those tested as well, just to validate the hand

texturing. So if you think you've got a loamy sand, you send some samples off and they tell you the proportions and the size and it says, yes, it's a loamy sand, not a sandy loam, etc.

00:41:49:00 - 00:42:20:10

and then you calculate each grade. So I think the the land. Classification is robust and natural. England haven't raised any concerns about either the authorship or the the findings that have come forward. There's some you might notice at some points. I think Natural England said 1 or 2 points weren't shown on the map originally. They surveyed a larger area, and not all that's been reported is obviously the area that's now part of the site. So some of the the numbers aren't sequential, but that doesn't there's not a failing.

00:42:20:12 - 00:42:23:18

It was just they've dropped off the the site map.

00:42:23:25 - 00:42:38:25

I think just on that point if in the post area note if I could just have a bit of clarity just to kind of square that circle just so that kind of clear why that concern was raised by Natural England and then and then your content that

00:42:40:13 - 00:42:46:17

they kind of it's just to do with this the sequencing of numbers and and not that things haven't been surveyed.

00:42:47:17 - 00:42:59:15

Yes. I think the sort of general comment the Natural England points had much more, just little points of clarity as much as concerns. But yes. So I think there's the.

00:43:01:15 - 00:43:23:26

Um, the site's 395 hectares. I think originally 537 were actually surveyed. So, um, that's why there's sort of 150 points that have been looked at which which don't feature in the report. We've just compressed that so you don't get superfluous information. Sure.

00:43:28:01 - 00:44:00:02

So in respect of the, um, the land classification, it is, um, it is what it is. And I think it's it's entirely typical of what's in the, in the area. Um, we obviously don't know the land quality of, of the rest of the, the the circle. You would only know that if you went out. But that's the sort of a couple of years work just to go and do that. And you have to have permission to, to, um, those to access the land. So, um, so, you know.

00:44:00:04 - 00:44:12:07

It's like an in in general terms, you've got an understanding of what it's likely to be. But what you're saying is you can't be certain because without physically surveying every piece of land within your five kilometers.

00:44:12:09 - 00:44:47:08



Absolutely, sir. Even even ALC surveyors have been doing it for 40 years. Can't stand on a roadside and tell you what the grading of the land is because there's so many different parameters. What you can cover off is there's no slope limitations. You can there's no climate limitations, etc.. And then in areas, um, of most of basically sort of eastern half of England, um, the what results in the grading is the type of soil and then the depth at which you start getting mottling.

00:44:47:10 - 00:45:25:24

And that sets the wetness class. And then it's not always the case. But in most of of eastern England it ends up at table six in the land classification guidelines. And you're saying you've got a wetness class of three or wetness class of four, you know, the um, the climate. So the field capacity period. Then you say it's loamy sand. That's three a it's um heavy clay loam. That's three B and you work it through on a point by point. So there is nothing looking around to suggest that anywhere else is going to be any different than this sort of mix that we've got across here.

00:45:25:26 - 00:46:01:03

And I think what we found across the site, sir, is the, um, the soils to the northern half where it's mostly subgrade three a are, um, Sandia. So drought in us is really affecting them. It's not saying you can't grow crops, but what it's saying is that at certain times of the year, particularly the summer, the crops are likely to not be able to obtain as much water as, um, they could to be, um, perfect growth.

00:46:01:07 - 00:46:16:06

And the southern part, there's more loam in the soils. So that's why they've they've graded a little higher I mean some sites. So it's the other way around. It's wetness that clay soils don't cause the limitations. Good.

00:46:20:08 - 00:46:20:23

I.

00:46:21:20 - 00:46:33:21

I think before because I've got I've got some fairly specific questions, but I think, I think I want to address a more policy question rather than a technical one in terms of.

00:46:35:23 - 00:46:51:02

The, the categorization in terms of BMV, where, where where the we sit. And then just in terms of the applicants approach from the kind of the policy provisions, particularly in M1 and M3, and I just want to understand

00:46:52:22 - 00:46:59:10

the applicant's approach to that. And then, like I say, I've got a few kind of more technical queries after that.

00:47:11:21 - 00:47:46:27

Yes. I'm not sure quite understood the point you're looking for. But in terms of the the well grading, it is one, two and three a, which is all best and most versatile. Um, so then that's set out the plan that you've referenced as two, sir. So that that shows the detailed agricultural land classification by field

across the site. But it, it is um, mostly best and most versatile. I think it's about I think it's 3%, um, just in one corner where there's some subgrade three B.

00:47:47:01 - 00:47:47:16

Mhm.

00:47:49:19 - 00:48:22:07

I think, I think the question I am I'm raising and it's a, it's a, it's a, it's, it's been raised in lots of the relevant representations is that, that this, this, this site is largely BMV and if you the policy test is where possible to, to seek to avoid using it. And so so so this isn't really a technical question about how you've sampled it. It is about the, the the use the proposed use of this land which is in BMV, largely speaking.

00:48:22:27 - 00:48:55:20

Yes, sir Catherine Tracy for the applicant. So acknowledging that there is BMV on the site, the policy test, is that it um, that you should prefer areas of poorer quality land before using BMV. However, there is no sequential test as there is for flooding. There is no requirement not to develop on BMV for solar farms. Um, and the way that the applicant has, has addressed that is, is partly is through its site selection search.

00:48:55:27 - 00:49:35:09

In that we have a grid connection and it is reasonable and proportionate to draw a circumference around that to begin to look for sites that are suitable. Uh, that circumference was drawn and, and that's why I referenced, um, when we started the plan in the planning statement. Um, figure 2.7. Um, because that, that shows you that, as Mr. Kiernan has already, um, explained, is that within this geographical area, it is uncertainly within the five kilometre search area of our connection agreement.

00:49:35:11 - 00:50:13:07

it is not possible to, um, locate the development on land that is not BMV land. Um, that land just doesn't exist unless it's the middle of Campbell's Forth. Um, so it's that's the approach that's being taken. It's not a, um, we have tried to design the scheme so that we are not affecting the best quality land. And that is, um, from the farmers perspective. So the landowners, for example. Um, the reason we have a big cable corridor in the middle of that T shape, um, that's that's where the cable's going.

00:50:13:09 - 00:50:46:26

And, and that is land that the landowners have said. That's good quality land for us. Please don't. Um, we're not prepared to offer you up that land for solar panels. So within the the original, uh, 537 hectares that are available to the applicant, the design of the solar Rays have taken into account, um, the most productive land available for the landowners and avoided that and then have have laid out accordingly.

00:50:47:00 - 00:50:54:26

But I think the key thing on a, on a policy basis, so is there isn't a sequential test that says you must avoid it. It's it's a preference. Preference.

00:50:55:03 - 00:51:07:00

Yeah, I appreciate that that wording of the policy. But it's set. So essentially this is driven by the grid connection which is also referenced in in policy in terms of locations of grid connection. Okay.

00:51:07:02 - 00:51:14:29

So Tony Kernan, on behalf of the applicant, it might be worth having a quick just look at that um, plan, which is 2.7. Is it possible to.

00:51:15:01 - 00:51:19:10

Bring it up on the screen? If someone can do that for me, that'd be yes.

00:51:19:12 - 00:51:20:22

Because it that's

00:51:22:16 - 00:51:54:07

so that that shows the over which the centred on the connection point. So this is, this is a provisional map. So this is the 1970s ALC. So it's not the subject of surveys. So with all those caveats, but it's the best that we've we've got. And that shows the dark blue is the grade one. So there's a lot of predicted grade one um, in the sort of north and east. Um, then there's a belt of grade three, which is obviously been looked at.

00:51:54:09 - 00:52:25:16

Part of that is for the approved solar farm, um, just north of Campbell Fourth. Anyway. And in the alternative sites assessment, they looked at other areas there. And then um, the sites are is all shown on the, the left hand side. Um, that's obviously now been classified and graded. There is also um shown in the ESR. There's the rather gaudy pink and purple predictive percentage, best and most versatile maps.

00:52:25:18 - 00:52:51:13

And basically that's that whole um circle is pretty well, purple, which is at least 60% best and most versatile, which is the highest category they've got. So if you're if your site is to be within that five kilometre zone, there isn't really much alternative than BMV. It's basically the point. And I think if you did survey the whole area, you'd still come up with mostly BMV.

00:52:55:08 - 00:52:56:15

Options likely to.

00:52:56:28 - 00:53:00:19

Yes. So yes. Um, Mr. Tracy was just saying obviously.

00:53:02:25 - 00:53:19:17

The provisional maps have shown all of this site is grade two, and we know half of it or bit more is subgrade three a um, I say those are the limitations with those provisional maps, but nobody's done anything else to to be able to give us any more detail. Okay.

00:53:20:17 - 00:53:47:00

Thank you. So that approach, I think before I'm going to I want to seek views, particularly from the council and then others. Just, just just a matter of clarification. And this is where the the document that I said I might want to to see brought up. Um, if we could bring that up on screen, um, and if we could yet zoom out so that we can see as much of the site as possible. And so.

00:53:49:07 - 00:54:08:20

Just a point of clarification. So this is, this is grading the land. We've actually gone out and surveyed it. If I understood that correctly. So this is rather than the generic kind of we think it's going to be this is what you've now surveyed and and and assessed.

00:54:08:22 - 00:54:32:18

Yes, sir. Tony Kernan, on behalf of the applicants. Yes. This plan, um, is at the back of the Agricultural land classification report. Preceding plan shows all the auger points and all the individual points, and all the data is recorded in there. So, yes, for absolute clarity, this is the mapping that's followed the detailed Agricultural Land Classification survey.

00:54:32:20 - 00:54:33:05

Okay.

00:54:33:07 - 00:55:11:03

Thank you. What I've just observed is what's essentially missing from there is the interconnecting cable corridor, which you've just referred to a few moments ago. And I just want to understand a few things about that. So firstly, you're saying that the landowners are keen to not offer that up for solar panels because they they view that as the productive from their perspective. But but I am also conscious that this plan seems to indicate that the detailed surveying hasn't been done on that essentially T-shaped piece of land.

00:55:11:05 - 00:55:24:03

And I just want to understand, has it been done? Has any detailed surveying been done? And if not, why not? Other than merely the landowners say, we're not going to give it to you anyway?

00:55:24:28 - 00:55:57:29

Yes, sir. Tony Kernan. On behalf of the applicants. And the cable route hasn't been surveyed. Um, the intention will be that pre-construction, a survey will be carried out, and. But at the moment, the cable route, as you said, is a very large area of land. Typically, the cable construction, depending on the cable size, is a sort of trench of one to 1.5m through there, depending on the construction technique.

00:55:58:01 - 00:56:30:13

It may be that the topsoil will be stripped over a a 15 or 20 metre working strip, and then the cable will be cut through there. But that's quite a narrow amount of disturbance. And the benefit really, of surveying several hundred hectares for what then turns out to be sort of a hectare of actual disturbance, seems to me unnecessary the because the survey really needs to focus on the bit.

00:56:30:15 - 00:57:01:11

Where are you going to put the cable through? Um, sorry. And um, certainly, for example, at the Cottam um, DCO that's recently been approved, it has been accepted there that there because of the,

um, lack of detail at this stage about the exact cabling route, is that once you know where that cable route will go and there's lots of other considerations trees and hedges and streams and everything else.

00:57:01:13 - 00:57:36:09

So you therefore know the width and the location that what's required is a soil management plan, the starting point of which is to do a soil resources survey. So then you know what the soils are along the bit that you're actually going to do. And then the soil management plan can be precise to those soils. It won't cause downgrading to keep the key. Consideration is that you move those soils when they're suitably dry, so that you don't damage them, so that once you know, the exact cable route would be my suggested route.

00:57:36:11 - 00:57:45:03

Otherwise, you've got a great amount of information and spent weeks and weeks surveying for areas that you're not going anywhere near with the cable.

00:57:46:09 - 00:57:49:25

Okay. Um, I think

00:57:51:23 - 00:58:24:25

so. My initial question is then, so I understand the rationale for that approach in that not not surveying land that inevitably not all of it is going to be disturbed. I also understand that currently this interconnecting cable route is quite broad. I know from the written material I have understood the applicant's rationale behind that. This is something that probably I want to pick up tomorrow, just in terms of the amount of land that is sought for this.

00:58:25:10 - 00:58:33:25

But that's a compulsory acquisition question. But just to pre warn you that we're going to revisit this this area probably tomorrow. Um.

00:58:36:20 - 00:59:14:20

And so I appreciate that you're, you're saying you don't want to needlessly survey lots of land when actually ultimately it's only going to be quite narrow strips of land that will ever be disturbed. And, and then there's a process in place that can, can deal with that appropriately. What I, I think at this stage need to understand is how is that secured that, that at the appropriate point that this larger swathe of land is reduced down to a narrower swathe, and then that is just either surveyed if it needs to be and then and then subject to soil management, etc..

00:59:14:22 - 00:59:34:03

And then I've got another subsequent question I'll ask you about kind of then on going agricultural use post cabling. But I don't focus on that just yet. But just understanding how that is nailed down, that we're taking it from this broad area which has not been surveyed down to a narrow area, and then how it's all ultimately controlled appropriately.

00:59:44:20 - 01:00:15:10

Yes, sir. Tony Cohen, on behalf of the applicant, is I think that, um, whether it goes into the outline soil management plan or have we have a separate cable route soil management plan? Um, certainly.

That's an approach um, we're looking at at the moment. Um, so I've got a draft on another scheme with Natural England. So let's see if they're, they're happy with that. But I think that takes the bottom idea because you're not what the land grade is doesn't really matter.

01:00:15:12 - 01:00:48:08

The key consideration is that the soils are disturbed. It's a temporary situation. The soils are disturbed as little as possible and put back in the same order. And I know there's a I've got some photograph of the water pipeline that Natural England have agreed to that comes from the Humber Bank down to Lincoln, that they didn't classify pre consent, but it's got a soil management plan that was an resource that was done post consent pre-construction, so that the soils that on your exact route are suitably managed.

01:00:48:12 - 01:01:27:01

It's not normally a problem with cables to be honest sir because um you're doing a trench, so you take the topsoil off for the you don't crush that with the vehicles. You take the soil out, you put the sub soils to one side, the cable goes in and the soils are immediately there. So as long as you do them in the appropriate conditions, you haven't moved the soils off. They've just gone to the side and they come back in the same place. And then it's it's normally fairly light touch in terms of problems. And here you've got generally sandy soils so that they'd be lovely to work with for the diggers and not going to give you the same sort of time constraints of clays, etc..

01:01:27:03 - 01:01:33:11

But that may be the the soil management plan I think is the way to control it would be my suggestion.

01:01:34:00 - 01:02:03:03

I think it's an action. Then I think I just need to then understand if that's not in the current version, that it is going to be and how. And even if at deadline one, you're merely telling me where we're addressing it. And if you're in negotiations with Natural England and others about the precise detail, I don't need to see it immediately. But, but, but if that is the case, I'd like to understand that. So just briefly from the applicant on that. And then I've got another subsequent question.

01:02:03:22 - 01:02:17:23

Catherine Tracy for the applicant. So there is a requirement for a soil management planner. Uh requirement eight. Um, and that does enable different elements of the development to be treated differently within the soil management plan.

01:02:18:06 - 01:02:55:17

But I will I will look at this after but in its current wording, does it actually require that this element that the interconnecting cable route is subject to that? Because I appreciate that that that exists as a requirement. And then the the controls sit behind that. But I just want to be clear that this element is not without that. You know, that it firmly sits within it. I appreciate it would be treated probably differently to other elements of the site, but that is actually nailed down.

01:02:58:16 - 01:03:04:14

And again, I don't necessarily need an immediate answer because I will go and I will go and and double check myself.

01:03:06:09 - 01:03:11:00

If we come back in writing in our post hearing summary with clarification on that. Yes.

01:03:11:02 - 01:03:11:17

Okay.

01:03:12:13 - 01:03:13:24

I think on this.

01:03:14:19 - 01:03:33:06

If you so Tony Kernan on behalf of the applicant. Yes. We could do it as either another section in the outline soil management plan, um, or as a separate document. But it doesn't it just needs to cover that point that the soils need checking preconstruction. Whereas for the rest of the site they've already been checked. Yeah.

01:03:33:20 - 01:03:50:26

Yeah. I mean my current view. And as I say, I'll go and think about this more and hear what you say in your post here. And note is I do think this needs to somehow be controlled and be clear that it is separate, because I understand it's a there's a slightly separate issue to other parts of the site. I think that's where I'm at at the moment.

01:03:50:28 - 01:03:51:13

But but

01:03:53:00 - 01:04:20:04

yes, I think the, the difference with the cable corridor is that the, um, the classification of the soil is, is only relevant to the way that you manage the soil in the soil management plan, and that that is going to be standard across the board, because once the cable is laid, it is laid at a depth that means that the land can continue to be farmed by the farmer in the usual way. And I know that's probably moving on to your next question. Um, but I think that's where it goes because.

01:04:20:09 - 01:04:54:15

Because just to be clear, what I'm not necessarily asking is, is, is is saying that the requirement or, or the controlling the soil management plan requires that the whole area that's currently identified as a potential keeper, which is then surveyed before you start. I appreciate that you've got you're trying to do is reduce it down. And if that's appropriate, fine. So I'm not I'm not saying that the requirements ought to force that to happen, but obviously it needs to happen for the the narrower swathe of land that you then need to take.

01:04:54:29 - 01:05:04:25

So just just to be clear and and if we can pick that up in post hearing noticed exactly how that is controlled. I think that's what where we need to get to on that. Is that clear?

01:05:04:27 - 01:05:14:12

Is that the control of the soil management surveying? Or is that the control of the narrowing of the width, sir? Well.

01:05:16:23 - 01:05:36:00

So. So my understanding is that once you've narrowed the, the down for, for the various logistical reasons, presumably then you would need to sample that much narrower corridor to then understand how you manage the soils appropriately. So I understood that and I just think that needs to be captured clearly that.

01:05:37:03 - 01:05:39:27

Understood, sir. Okay. We'll take that as an action point.

01:05:40:19 - 01:05:49:29

And then yes, you preempted. My next question is so once cable is laid and the soils are put back, I just want to understand

01:05:51:28 - 01:06:31:23

the impact, if any, on agricultural production of that particular area of land. So the interconnecting cables, which is largely this T shape, but I think there's a small other little bits that have similar issues. Um, so understand that impact. And then I guess we may as well deal with this now is in the decommissioning phase. Is it envisaged and is it secure that the cable would be removed, or is it is that more intrusive and is it is it envisaged that the cabling under that section would, would just be, would just be kind of decommissioned? But then the actual physical, physical cables, laughter would they be removed? So I just want to so there are two separate questions.

01:06:31:25 - 01:06:34:25

So if you could could deal with those.

01:06:36:15 - 01:06:49:08

Yes. So can I just try Tony Colon on behalf of the applicant. Can I just clarify with those two questions? We're just talking about the interconnecting cable. Now between the there is not anything around the panels themselves. Yeah.

01:06:49:21 - 01:06:56:21

Yes. At this stage just just that where it's purely interconnecting cable. So not the operational solar panel areas. Yeah.

01:06:57:00 - 01:07:33:13

Yes. So sorry Tony Kernan on behalf of the applicant. So the the farm ability and the farming operations above the cable should not be constrained in any shape or form. Once the cable is gone in so it's a temporary construction disturbance. The cable will be below any, um, point at which any farm machinery could ever go. Um, and it will be, um, below any field under drainage, in any field under drainage, which has been um, picked up during the construction point will have been reconnected and made good.

01:07:33:15 - 01:08:04:08



So basically it's as with all, not with all. But as with majority of services, there will be points, I think, in the hedge to warn you that there's a cable under there, but otherwise it's just a field and farmed as normal. And that would be the objective of the soil management plan is that it's it's back to as it was. And you're not able to tell that it's gone in from the ground, from farming it from crop yields or anything else. Um, in respect of the, um, the commissioning phase.

01:08:04:10 - 01:08:16:05

I think that the normal expectation is it would stay, um, because it's too deep, but that because otherwise you just disturbing everything again. But certainly on site they come out.

01:08:19:05 - 01:08:52:15

Okay. So I'd just, um, add to that we've worked on the basis at decommissioning that potentially everything is removed now that is subject to, um, the outline decommissioning management plan, which will be agreed, um, 35 years hence. Um, and so it might that we're working on the basis that it's, um, it's removed but it may be left in place. But the worst case scenario is that it's removed. So that is what has been assessed as part of the application.

01:08:52:29 - 01:08:53:20

Okay. Thank you.

01:08:59:27 - 01:09:08:09

So I think I think largely that covers my questions in terms of item A, I um

01:09:09:29 - 01:09:29:12

and to and before I move on to to the next point, which is just generally about cumulative effects of, um, impact on BMV land. I just want to ask the council first and then anyone else in the room, if they have any issues they want to raise on that particular matter.

01:09:31:14 - 01:10:01:18

Michael Reynolds, North Yorkshire Council I'm sure that the this is in the application somewhere, and I may have even missed it at the beginning of the response, but I think it would help us and sort of residents if in relation to BMV, and obviously there were lots of driving factors as to why the sites that are picked, it's not just versatile land. Um, but the response was that the within the five kilometer radius.

01:10:01:20 - 01:10:32:22

All of the land is BMV. And this is, you know, paraphrasing. But this is as good as we're going to get. My response. The next question for me is then don't wipe it, Drax. I suppose. So. In the face of being surrounded by BMV, Drax is still being picked as the connection point. It would be helpful if the applicant could set out what the other driving factors are for that, and why it's still going to that grid connection. Does that make sense? Rather well, it's not the only grid connection in the country, you know.

01:10:32:25 - 01:10:33:19

So yeah.

01:10:33:21 - 01:11:03:26

Okay. If I could just happen to briefly respond though I appreciate that. It's a large large question but but but it does. It does come to something I do need to examine ultimately, which is kind of alternatives, which is in the list of my initial assessment of principal issues, although today's hearing is a little bit more focused on detail. But but yeah, if I could have an initial response on it, it's probably something I am going to pick up in written questions in terms of largest, larger issues on alternatives. And again, that just will foreshadow what I'm going to ask you.

01:11:03:28 - 01:11:38:23

So now that's fine. Catherine Tracy for the applicant. Um, I mean, high level, uh, a connection agreement was sought at Drax. That is an entirely appropriate place to have a connection agreement. They have offered multiple connection agreements. Um, and that's where you start from. And look out and and that's an accepted approach in n one and three is, is acknowledging that grid connection agreements drive locations. Um, as to as to, you know, my client has other grid connection agreements in other locations across the country.

01:11:38:25 - 01:11:53:09

But for this site, the grid connection is a is at Drax. Um, and I'm, I think it would probably fall in terms of a wider conversation about alternatives and why we're here. Um, it probably falls to those written questions. Yeah, I.

01:11:53:11 - 01:12:13:04

I think I don't want to put this down as a specific action for you to respond to at this stage, because I want to frame, I want first one to read your local impact report, and then I want to frame written questions around alternatives, because it is obviously a quite, quite a wide, quite, quite wide issue. So yeah. Is there anything else from the council in terms of this particular issue?

01:12:16:03 - 01:12:21:06

No thank you. And just yes, please. Um, come to the table. Thank you.

01:12:27:13 - 01:12:54:12

Pam strictly a concern resident, but can I also say that I am the only one here? Um, from the Holt group? Um, and that's because a lot of people that wanted to come couldn't do because it's been held on a working day and they're all busy at work, so couldn't even do virtually. So if I also can say that I'm representing the whole group as well, because the key issues that we're raising here are shared amongst those members. Is that okay, sir?

01:12:54:20 - 01:12:55:05

Yep.

01:12:55:12 - 01:12:57:12

Yes. In general terms, yeah. Yeah.

01:12:58:11 - 01:13:31:02

Um, just to say, I mean, um, we appreciate what you said is within the circumference. And again, Michael picked up on on that has been the, the dominating reason why you've chosen this. Our issue

really is, is that, you know, aren't we doing enough in this community, a small little community? Aren't we doing enough already? We've got Drax, we've got Campbell Smith, which has already been agreed, which is 180 acres. We've got Drax of 140 acres, which has been approved.

01:13:31:04 - 01:14:07:10

Hill. Um, there's a hundred acres there that's got to be decided by North Yorkshire Council, Light Valley Solar System. There's five sites there amounting to 2500 acres with this project, which is 1176 acres of best and most versatile farmland, means that that's a total of 4200 acres. Now that using that land could produce four tons of corn an acre, and that's going to be taken out of the food supply for 40 years.

01:14:07:21 - 01:14:40:12

And if that land could ever possibly be used for farmland after those 40 years when it's been covered with solar farms, that's for the birds. So my concern and the concern of a lot of our members and residents, if they were aware of this, is that it is prime farmland, which should surely be given priority to food security at this time when we've got all the world problems around as well, especially with Ukraine.

01:14:40:14 - 01:15:31:04

Um, and, and the uncertainty is that does and and as you know, Defra and also the National Farmers Union have said how important that the government must see this and as as Mike Jordan, councillor Mike Jordan said yesterday. Italy, for example, have stopped any, any construction of solar farms on agricultural land. So my argument is, isn't food security more important when you're using the most, best and most versatile land for covering it with solar farms? So isn't that important? And secondly, as importantly, is surely this region, this small little village of villages? Surely they are doing enough for the national good with what they've got already and what's already been approved? This is just one more.

01:15:31:06 - 01:16:05:25

Too much. Eight square miles of prime farmland being used for solar farms adjacent, closely adjacent to residents that have been used to a rural community. And can I also say one thing which covers something as well, that Mike Jordan said yesterday as well, is that the option of using wind turbines is something that hasn't been considered. More recently, wind turbines would do a much better job than solar farms, and I can tell you, we can guarantee you've got wind around here.

01:16:05:27 - 01:16:19:28

I don't think we can guarantee that you've got sun. So it beggars belief that we're using and having so many solar panels in an area where, you know, we're not always blessed with as much sunlight as one would have hoped.

01:16:20:00 - 01:16:21:03

So yeah.

01:16:21:06 - 01:16:54:04

Thank you. Mr.. Mr.. Strategy I some of what you said I'm going to I'm going to I'm going to ask questions of the applicant and others after lunch. So because essentially I'm going to it's just gone one.

So I'm going to break for lunch now we will break till 2:00. But just to be clear what we're looking at after lunch, I do want to talk briefly about the cumulative effect in this area on on BMV, the applicant's position and approach. So some of what you said is leading into what I want to discuss.

01:16:54:22 - 01:17:26:16

And then moving on, I just I do want to understand the agricultural land use on the operational land. This is where the solar panels are. I want to have a conversation about that after after lunch as well. So I'd be agenda item A, II and then um, and then maybe briefly we will, we will talk about some of the wider benefits so that I think some of that I might ask that we, we kind of deal with that in writing in this first, first phase.

01:17:26:18 - 01:17:40:28

And then we'll move on to the other, other agenda items. Um, but yes, it's just gone one. So we'll break. Um, so I'm going to adjourn the hearing until 2:00, have a lunch break, and then we'll be back at two. And we will start with those matters. Thank you.