

AUDIO_AQUIND_ISH3_Session4_15122020

Tue, 12/15 3:02PM • 51:12

00:07

All right. Good afternoon, everyone. We are now resuming this issue specific hearing.

00:14

And we are moving on to

00:17

item m on the agenda.

00:25

My man could ask someone from the case team to share the agenda on the screen is that option has gone from my desktop. Thank you.

00:36

Many event question em on the agenda.

00:41

This one will be answered by I imagine Winchester, Hampshire County Council sorry, by Mr. Guymer. In lieu of East Hampshire and haven't bear account. So the question is, in relation to x q one, and 111 five, the applicant has provided further explanation at paragraph 17.3 point 2.3 of the s addendum to explain how successive periods of noise have been treated in the noise assessment haven't bear account. So in East Hampshire district council had earlier expressed concern about the methodology. Does this update set satisfy these concerns? And is there now common ground between the parties on this matter, Mr. Guy, I'ma

01:34

get off.

01:37

myself this Winchester city council that this question should be answered by apologies I did. I did think that I started off on the wrong course didn't know when I said that. But yes, thank you very much for that over to Winchester City Council. Okay.

01:53

So it's filtered Richard Winchester Council, and I can't give you an absolute on that it is my understanding, talking to my colleague, Charlotte Ascot, that they're now satisfied with all matters

relating to the noise documentation. But I would reserve the right for this clarification or that should I be wrong regarding that matter?

02:13

Of course, thank you very much. And is there anything from the applicant on this?

02:27

I don't know if Mr. farmer would like to cover it. But I think our our transcript, our transcript is clear that the statement of Common Ground submitted a deadline for confirm that the matters are agreed

02:39

to thank you very much, Mr. jervis. And just on a related point, in terms of exposure to noise,

02:48

I recall seeing detail somewhere regarding the harbour side caravan park, but it was raised by ports for city council. And the issue was that there was the suggestion that were noisy activities would be in place for a certain length of time, alternative accommodation for residents would need to be provided when if affected. Now the applicants response was that the work saw a temporary transition or an unlikely to get that level of noise exposure, and therefore no accommodation needed to be offered. Notwithstanding that, just noting that Joint Base are taking 20 consecutive working days to be constructed. Can I just confirm for completeness that there's still no need? If you'd like to offer that alternate accommodation? Were doing bays are to be constructed?

03:41

Mr. Jarvis. Mr. farmer.

03:48

Martin, would you like me to take that point?

03:50

Yes, please. Tom. Thank you. Yeah. And yes, so that the noise assessment of Joint Base has been undertaken, and the noise levels anticipated and not of a sufficient level to warrant temporary and temporary rehousing. And therefore, on that basis, and that's what we've computed in the assessment.

04:15

And just and just for clarity, and our assessment is based upon Joint Base being undertaken during core working hours. Okay, thank you very much. Thank you for clarifying that. That was my assumption. But that's that's good to know. Is there anyone who has any further points to raise on on this matter Under Item agenda?

04:38

Okay, nothing heard. We'll move on then to genda item six, and about the optical regeneration stations.

04:48

Does Portsmouth City Council have any further observations or concerns regarding the noise assessment presented in the environmental statement in respect of the construction and operation of the

05:00

Optical regeneration station buildings, Fort Campbell and car park has enough information being provided to satisfy the council that any noise emanating from the buildings can be mitigated effectively.

05:13

Miss Cahoon in the first instance. Thank you, sir.

05:18

Thank you, sir. I'm able to indicate that that Portsmouth is happy. But I think perhaps you should hear from his ASCO course.

05:27

Hello, yes. What's being recommended? Obviously, we've got no details with regards to the building construction or the equipment that's going to be installed in there. But what has been proposed is that the noise levels will not exceed the existing bound. Sorry, the existing background levels. So we're happy with that proposal.

05:49

Thank you very much for that confirmation. Is there anything from the applicant in this regard?

05:57

No. So just one point just to add that the that those noise criteria are secured through the

06:05

the broadband and octave band noise and criteria document which itself is referenced in requirement 20 of the draft DCA?

06:13

Okay. Yes, indeed. Thank you very much. And just one quick question, Mr. Farmer, is probably covered in the submissions. But would there be any electrical noise or hum associated with the optical regeneration stations where view of note and said that the key noise producing equipment that we have assessed in in the noise assessment is the heating, ventilation and air conditioning units on on the side of the on the side of the optical grade regeneration station, those noise criteria, we wouldn't anticipate any any tones or hums from that equipment. But in any case, the noise criteria specified in terms of a rating level, which in accordance with British Standard for one or two will ensure that any characteristics of of that equipment is appropriately mitigated through and through those criteria.

07:10

Thank you very much. That's all I had on that. Is there any further points anyone wishes to raise under that item?

07:20

Okay, nothing heard. We'll move on then to six on the agenda

07:27

relating to decio provisions. Now, I appreciate that the position on these has changed somewhat at deadline five, with the revised version of the draft decio. And we've covered some of the ground in issues specific here and one on the draft development consent order. But for completeness, let's go through these questions to see if there's any outstanding points.

07:52

So the first question on there

07:55

in relation to Winchester City Council's local impact report, can the applicant clarify the use and meaning of the phrase cannot reasonably be avoided, as incorporated into article nine of the D draft decio? And how this relates to any noise nuisance? And any subsequent levels secured in the requirements? Could Winchester city council please explain its concerns in relation to this? And the best practice documents to which it refers? Mr. Cornwell, is this saying you can assist them?

08:32

So I'm going to pass it over to my colleague, Mr. Ted rich to deal with this. Excellent, thank you.

08:41

If I may just give you a highlight of could sort of recap our understanding of our position. And where we are at the moment is as it does rapidly change. And in fact, we were sent a suggested revised version of this decio provision again on Sunday. So again, additional suggestions have been made. I think it might be helpful just to reiterate our main concerns. Our main concern initially was the need at all for for this article nine provision.

09:15

It's already in law there is controls and defences under the Environmental Protection Act 1990 in relation to control the Pollution Act, prior approvals, and also a best practical means defence under Section 80 of the environmental protection that we feel these give adequate protection to the applicant and would question the need at all for the article nine. When we asked for just justification of this article nine the applicants primary reason is this is quite a common condition and we accept it has been used, but that isn't in our view, a robust defence of the necessity in this instance, for such a condition where it is used

10:00

On some occasions, and not another, our concerns, we understood from the applicant, what their concerns were that maybe this provisions of nuisance legislation would be used by third parties to slow the construction process. And also it may prejudice as they called it, their agent to change position in relation to nuisance. And those arguments we do not accept. We feel that

10:29

that there is already plenty, as I say, defence and under the Environmental Protection Act to give him that however, the other point I'd like to make on that is pins reference n 0200 to two, which is the applicants statute nuisance statement very well basically advises us that they will not be causing a statutory nuisance. So we do wonder when we have that assurance, why such a condition is necessary, unless their report may be wrong.

11:01

Having said that, so we are we are minded to be reasonable in our position, and we have explored compromise on on that article nine condition. And we are prepared to move and understand the applicant's concern about anything that may prevent the development occurring during the construction phase. So we have been exploring the use of a condition. And my apologies, I'm not sure exactly which version you have at the moment as the versions keep changing so quickly, that allows some degree of defence in relation to the construction period. But what we do still robustly have an issue with is this article nine condition being used during the use period. And I yet find a reason why the act feels that is necessary to exempt them from other primary statute legislation in this country, which provides them as I've already outlined with adequate defences against that legislation nuisance legislation.

12:08

The applicant has suggested wording which is cannot reasonably be avoided, I would suggest that that is a watering down of a condition, which is different to the BPM best practical means. And yet, again, I know you've asked I don't know exactly what cannot reasonably be avoided means either, sir, but it certainly in my head is a lesser standard than best practical means that we would not welcome it. The applicant has also suggested on Sunday, a revised version of this condition that ties them in to following during the use of period, the noise management plan instead. And we still have concerns with that. So that I know I haven't had the time as I was not well yesterday, to have dialogue with the applicant regarding that. My concern, however, is a noise management plan agreed now is somewhat problematic if it's set in stone for a period of 30 years. For example, we've already heard the changes of use that might occur on the operator on the site that is both a commercial use as well with optical side of things. And we feel to try and set a noise management plan that covers a 13 year period would be a little bit of crystal ball gazing. Can I also say Well, that doesn't matter, because there are noise levels that we can set. But we know that any noise level may control certain types of noise, but it'd be very difficult to phrase acoustically speaking noise conditions that covered concerns relating to noises such as hums and low frequencies should they occur. So the outcome is looking for an exemption for the next 30 years based on a one off noise management plan. We will feel that it's unrealistic for the reasons of crystal ball gazing changes in use

14:05

phraseology and getting exactly right and unforeseen circumstances so we wouldn't welcome that condition either should you be minded to follow that route. So, I would also then reserve our rights to wish to revisit condition 20 which relates to the noise management plan. So there was a possible necessity to refresh condition 20

14:27

during certain triggered instances, for example, change of use of the change of sorry, changing operator on the site, or possibly an identification of key equipment, and should that be changed. This This might be welcomed because the noise management plan has certain requirements such as a complaint procedure, and it's quite possible a new operator may wish to change that anyway. But when in fact as it stands at the moment under condition, plenty half rat ability condition 23rd causes me less concern as a one off

15:00

Always mentioned plan if article nine still does not exist and allows us statute nuisance provision should all else fails. So, but if you're minded to, to allow that I would ask you to look at the phraseology of that article nine and a possible change to condition 20. My apologies if that's somewhat of a diatribe, but hopefully,

15:25

I will clarify forever. That's not make sense. And the only other question you asked for was, what do I mean by best tracks, tracks documents? I think there's been a slight mis translation in my communication. I think that relates to best practice. And the details relating to that.

15:42

Okay. Thank you for clarifying that. Can I just confirm just to correct terminology, you refer to condition 20. Do you mean article or requirement? place? mention requirement? 20, sir. Okay. Thank you very much. Thank you to the for one cycle.

16:03

Yes. Now, okay. all that noise during the operational period, sir. Okay. Thank you very much. Now, Mr. Jarvis. I'm aware that following the issue specific hearing last week, there are moves to look into article nine, it sounds like you've already made good headway with that by sending a revised draft around. Is there anything that you particularly would like to respond to at this time in relation to what you've just heard?

16:29

Yes, please verify my integrity issues in terms. So the revisions that have been made provides that the cannot reasonably be avoided wording applies to construction and maintenance only would be in accordance with the CMP. And there is a clear reference in Article nine, six, sorry, nine, four, which confirms that where something is cannot reasonably be avoided, you will use a CMP to confirm whether that is the case. So I think that's clear. The reason be be avoided word it is not proposed in relation to operation, it's just by reference to the noise management plan that's to be secured. I think there were suggestions there that changes of use could occur. There are no changes, as you saw within this application, it's an irrelevant matter. There are also suggestions that a changing operator could change the position, this is an approved document required to be complied with, the only way it could be amended is with the approval of the local authority. So again, that doesn't really seem to be a point that needs to be considered any further. And of course, it is entirely appropriate that if we do agree a document that controls the operational noise, and that's been complied with by the authorised

development for life, that that sets the appropriate noise levels. And that's the level of certainty that an applicant for nationally significant infrastructure project needs in order to be able to confirm that they can operate the development into the future. I would just like to refer to Tom farmer if that's okay, sir, to see if he can address the query around hums and low frequencies and the extent to which they are already addressed in the control document that's put forward. Thank you, sir.

17:59

Mr. farmer. Thank you, sir. Yes, Tom farmer for the applicant. So yeah, the

18:07

the broadband and broadband noise criteria document do

18:12

include provisions for ensuring that both noise across all frequencies including low frequency noise and

18:21

characteristic features, such as tones and harms will be adequately assessed and controlled through those criteria. As I've already indicated, I think for the core regeneration station, the broadband criteria are assessed in terms of a specified intangible rating level, which means that

18:43

the characteristic features of any of the noise will need to be appropriately assessed, and potentially penalties applied in the event that the noise that those features do do exist, and that all the criteria will be will be reflected will reflect those any any characteristic features with respect to low frequency noise.

19:15

The noise criteria also include noise levels across the octave band spectrum. And so that's an assessment that is supplementary to British Standard 4142. And it looks at noise levels across across the octave bands. And that will ensure that planning and noise levels, low frequencies are adequately addressed and secured through the noise criteria.

19:39

Thank you for that. Mr. tedra, Jr. refer back to not that I wish to get a tooing and froing game but there's anything further that you wish to say having heard those remarks?

19:53

Yes, yes. As they say we could become in danger of having an acoustic argument indeed.

20:00

Tell a technical,

20:02

I agree that there has been a good attempt at setting setting acoustic criteria which we have seen. My point I'm making is no acoustic criteria is perfect. And giving a one chance only to get a noise management plan fit for the next 30 years does seem a little unreasonable way forward.

20:26

When removing the ability for local authority to to look at taking action only were obviously against the BPM defence that the client would have any case. In terms of the noise criteria, yes, there are noise criteria, but are getting too acoustically involved in this, no criteria will cover all issues. And I don't feel

20:52

we can make a good attempt at trying to cover most of the issues. But there's always a possibility of some sort of issue that we would want to reserve the right to revisit. And that's just a functionality you can put octaves in, you can put penalties in the very low frequency noise is notoriously difficult

21:11

to quantify and specify and we can sure give you examples of cases where where best endeavours have shown that there has been a problem where one was not considered they should be. I'd also like to point out so at this moment, we don't have the full details. In any case of the exact planting equipment, we're just setting some sort of criteria. So we are again, trying to do some degree of crystal ball gazing and and then we'll make our best endeavours to set a noise management plan. This is fit for purpose as possible, I think is unreasonable. So I get back to the point that a single noise management plan can possibly be fit for purpose 30 years

21:52

and some Mr. tedra GIF, a noise management plan. And as you say, covering a span of 30 years would not be fit for purpose. What would your proposed solution be? What would you be looking for a plan that last five years and subject to review? Or what would you suggest is a way forward? So as I said, I haven't had the chance to explore this with the applicant. But that is a possibility, a review or refresh of that plan to set of time periods? Or as I think I suggested, there could be key equipment, should it be changed or operator change that could also trigger a refresh. The intent isn't to micromanage such a site. I'm sure the applicants got better things to do. And so of I would be looking when something could potentially substantially change or an issue arises, Sir, give us that flexibility to tackle that matter. And that could be through equipment identification, changing operator or fixed timeframe as a seam stick to get to be accurate and yourself, sir. Okay, thank you very much.

23:06

Mr. Jobs. Mr. Farmer, you're I understand the position that there are no forecast changes, there are no likely changes and that there are control documents within the decio to ensure that change, no in effect doesn't happen. And perhaps this is something that you could comment on, or maybe take away and discuss further.

23:28

But do you have any comments at this time? if I may. So I would just like to highlight that the way in which the noise management plan would work is that it sets the robust levels are to be achieved at the

sensitive receptors in relation to the proposed development. And therefore any changes of equipment at the end connector where that to occur would still need to meet those levels. So we're not crystal ball gazing and saying this is the level that needs to be achieved by this piece of equipment, we are using an objective test. So this is the level that needs to be achieved at this particular receptor. And therefore that's entirely appropriate to set the position. My question for Winchester city council would be that if we're complying with the robust levels that have been assessed now and found to be appropriate, do they consider in the event the surrounding environment changes, it would be appropriate to stop the use of this national infrastructure to address any receptors that come closer to and are therefore more effective than those that are in place today. And this really just goes to the heart of my points on agents of change, which is what this is seeking to address. We have identified that the levels to be achieved will be appropriate at the sensitive receptors. We've done a lot of assessment work to character identify this. And we've done a lot of work in terms of identifying how the interconnector can be designed to achieve the levels. That's clearly an appropriate approach to take for such a development. It would obviously be very difficult for an operator of a national infrastructure project to be in a position where they're no longer able to operate because of changes in the surrounding environment that are completely outside of their control, sir.

24:55

Thank you very much, Mr. Jarvis. Now, Mr. teju john, not

25:00

encouraging you to respond to that, specifically at this time, there's obviously a lot to digest there. But what I would request from you is maybe a post hearing note to be provided at deadline six that just covers this issue and particularly answers that question from Mr. Jarvis in terms of the what would happen scenario, are you accepting of that?

25:27

Yes, sir, that that's absolutely fine. Okay, thank you very much. And Miss Kahuna, see your hand is raised.

25:37

Thank you, sir. Um, I know that we looked at article nine during the IC h one. But I think perhaps it's sensible to say that that Portsmouth is, is does have similar concerns about article nine one B, which is this issue of whether during operation, there should be the same

26:01

the same level of defence available. So we are going to respond in writing but I just thought I'd flag that up. Just to remind you that Portsmouth is also concerned about

26:12

destruction nuisance defence issue. Okay. Can I just confirm on that Winchester have gone as far to suggest the deletion of Article nine? Is it Portsmouth's position that the same would apply? Are you happy with the principles of Article nine just subject to appropriate revisions, please?

26:35

I'll let Miss still deal with that. Course. Hello, Ilerena. Still possible City Council. I'm happy for deletion deletion has, as Phil said there is criteria for best practical defence in Section 80 of the Environmental Protection Act. So therefore, it doesn't feel necessary that they should have

27:00

article nine in the document.

27:05

Okay, thank you very much for that. And any final thoughts from the applicant? on this point, please?

27:14

Just know that I appreciate Portsmouth city council haven't seen the revised wording because it's only been shared with Winchester at this time, but it has deleted the reasonably avoided from operation effectively. So it just applies to construction and maintenance. So that would seem to address the point made by Mr. Cohn. Thank you, sir.

27:31

Thank you very much. There's anyone else wish to make any points on this?

27:38

Okay, nothing heard. Now, we covered actually quite a bit of discussion there about article nine. And, and I believe in terms of the other questions that are on the agenda there that we have answered those. However, I will just ask the applicant one one last time if there is anything left on agenda item six. Oh, that they wish to raise at this time.

28:04

Nothing further.

28:06

Thank you. Does anyone else wish to raise anything?

28:11

Okay, thank you very much. That completes agenda item six. And we'll move on to agenda item seven on socio economic impacts.

28:23

There is only one question under this and it relates to the farlington playing fields. It's in two sections and I'm going to start with addressing it to Portsmouth city council First of all, and ask Portsmouth city council to describe the purpose built drainage system mentioned that it's local impact report at farlington playing fields. If I could have a response to that please.

28:52

Hello sir, those who have been from for city council

28:55

get fines. Suppose there is a drain scene covering the whole field is a grid system with two outfalls one northeast corner one the southeast corner the drains are approximately 78 metres apart across the whole field include the green squares themselves.

29:11

The falls run from the centre to the two corners northeast corner southwest corner to outfalls we just feel the eight week restatement period that's correct in the fair measure place. I was able to restate those drains to a playable surface.

29:28

Okay, could you just elaborate on why that would be in your view, a two shorter timescale to be able to achieve that place. When you lay drainage you get settlement over a number of weeks months, we just don't know the park just in the last top up a year later where they sink and settlement occurs. The ground dries out the drain think of it Yes. He talked about not late to play until your top seven level your trip hazards.

29:55

Okay. And in terms of the drainage system there how long is that

30:00

That actually been in place at FAMU stall in 2013? In 2003, I think.

30:07

Okay, thank you. And one final question on that. Does the drainage system also account for any surface water runoff from the railway line? The railway embankment knows there's nothing there? No.

30:22

Not there. All I know is that going to the

30:25

COVID on the southern railway line?

30:28

Okay. Thank you very much Mr. Stribling now on that and stay on line, because there may be further points. And I'll refer now to the applicant, obviously, hearing the answers that you've had there. Could the applicant clarify the answer to x q one, w 112 12. In relation to any existing subsurface land drainage systems that fall into the playing fields, thus, the submission in response that all existing drainage systems should be identified and plotted, incorporate into new journeys designs, if new journeys required, allow for any damage and restoration of such systems? And if so, what would the projective timescale be for effective restoration?

31:13

Mr. Jarvis?

31:16

If I may, so I'll pass that question to miss Stevenson course. Hi, it's Ursula Stevenson from W. SP. And I am going to answer the question but we've also got Oliver bolts on the call who is a cabling engineer, having more of a construction background and myself and may be able to answer some follow on questions. And we've, I would just like to clarify, we have received Portsmouth City Council have sent us another copy of the drainage plan. So we've now received that which is really useful. And we are we need to undertake reinstatement and that's included as a provision in the cemp.

32:00

It We will also undertake drainage survey prior to construction and post construction to ensure that the drainage has been reinstated.

32:12

And to cover the construction methodology briefly, I mean, the aim would be to not damage the draining drainage to begin with as far as we possibly can. So using protective systems on the land.

32:26

Where we're drainage could well be damaged is where the cable will be installed. And that's because of the groundbreaking work in the framework management plan. for recreational impacts. We've tried to demonstrate how we can route the cable around the edge of the pitchers as far as possible so that they're not directly impacted by that issue, although I appreciate drains are all connected.

32:55

And because of the methodology, the drains would have to be repaired if they were broken in any way on that same day

33:03

before the trenches is back filled as part of that trenching operation.

33:09

And the applicant does acknowledge that reinstatement periods vary. And we have used a nominal period in our framework management plan.

33:22

We also recognise that we need to get specialist advice on this issue. I understand that specialist agronomists look at

33:31

impacts on playing fields but also the the methods and undertakings to reinstate them. It's not a normal landscaping requirement as such.

33:41

And I think the only other points we wanted to make in in our response is that we also recognise that the reinstatement for sport is going to be very different from that for Brent geese who are, you know, needing the fields to forage and reinstatement from sport is entirely a different thing, as the fields need to be played on us. You know, Dave mentioned that there was

34:04

settlement may affect playing surfaces and things like that.

34:08

And we are we are actually speaking to Dave, tomorrow we've set up a meeting to go through the various mitigation proposed and framework management plan. So you know, we can talk with Portsmouth to see which mitigations we've proposed are acceptable and which they feel wouldn't work and if they have any other mitigation that they would like to suggest.

34:36

Thank you very much Miss Stevenson. One quick question on that, in relation to the settlement. In your view and experience, how would settlement likely affect the drainage and what provisions are there within the framework management plan to to account or mitigate against settlement in the future once reinstatement has been completed?

35:01

I'm going to pass part of that question to Oliver bolts around settlement and drainage. I would say that the framework management plan doesn't cover the detail of reinstatement. As I said, that's a sort of specialist area that we need. We know we need to seek advice on and any contractor would also do the same working in this kind of construction. And so yeah, it more proposes what types of mitigation could be acceptable. And really is that as a platform for discussion with stakeholders. And so it doesn't go into the level of detail other than to say that specialists reinstatement would be needed. Oliver, do you want to add anything on

35:46

drainage and settlement?

35:49

For us, Sheila? Yes, sir. Yes, indeed.

35:56

I knew that Mr. belch

36:03

we may have lost him.

36:08

We can always take that point away. If we can't

36:13

get all of the back.

36:16

Yes. So I'd say that if Mr. Bolch.

36:20

I'm assuming he can't hear us. But if you can maybe put that down as a post hearing note. That would require some comments about that. At deadline six. And I will just go back to Mr. Stribling, as there any comments that you'd like to make, sir? And what you've just heard from the applicant? Not really No, there's no concrete proof or anything. They don't need to be specific contracts. Well, sound of it. So I think we've done that and got some firm guidelines, how they're gonna do it. We can go from there, I think. Okay. Thank you very much. Is there anyone else misko I see your hand is raised. Thank you, sir. It may be an obvious point. But given that we are not clear about

37:08

what can be done about reinstatement in these circumstances, that will have a knock on effect in terms of the the long term impact of the construction of the of the cabling here. So

37:24

it, we will have to discuss this. But But I'm just flagging that up as an issue, because at the moment that the assumptions are relatively minimal in terms of impact here, but it may be that they are far longer than expected.

37:40

Of course, and one recommendation Not that I wish to influence what meetings what discussions take place outside of the hearing. But it may be useful if

37:52

in respect of playing fields and surfaces, if Portsmouth could make their assumptions as to how long reinstatement would take, and then see if there's some common ground or position to be reached between them and the applicant as to how long playing pitchers would actually be out of action.

38:10

Trust that's understandable, but last comments over to the to the applicant, Miss Stevenson in the first instance.

38:17

And yeah, the only thing I would add is,

38:21

as part of our mitigation, we've already looked at avoiding playing fields in the first instance. So managing to reduce the number of playing fields impacted by the order limits as the first port of call,

obviously recognising the difficulties with reinstatement. So that, you know, we're affecting as few pitches as possible through other things like design of temporary works, etc.

38:50

In the first instance, so you know, that reinstatement is it is a last resort as such. Okay. Thank you very much. Now, I've just noticed that Mr. bouches, that quiver. So there, sir. I am indeed Sorry about that. Not a problem at all. You may or may not be aware. But in your absence, we agreed that a post hearing note to be provided at deadline six was to cover settlement and land drainage would be preferential. But is there anything that you'd like to say, at this time? Are you happy to just leave that to being in writing? I'm happy sir, nothing to add. Thank you. Thank you very much. Miss Kahuna, see your hand is raised. Thank you, sir. There is of course another point here, which is that if there is going to be an impact on timescales that will also affect potentially affect the HRA assessments.

39:50

And are we further back to the applicant who'd like to feel that one? I can take that so I would just highlight that in Miss Davis.

40:00

response she did confirm that reinstatement for Brancusi is very different for reinstatement for persons and reinstatement. It's such that it can be foraging would still be taken in time. There's no knock on impact for the HRA, sir. And I would just also like to add that in the background, we have been speaking to an agronomist, and we I believe will be looking to undertake some very minor discrete surveys to further inform the conditions of the turf at farlington playing fields in other areas so that we can provide a more realistic estimate of the reinstatement timescales, acknowledging that it's a point of disagreement at the moment that we'd like to narrow and hopefully agree on a petition with Portsmouth city council as to likely timings impacts and mitigation, sir. Thank you. Thank you very much. That's, that's good to know that that's been looked into, unless anyone else has any further points to raise on that at this time.

40:54

Nothing heard. I believe we have finished agenda item seven. And I would therefore hand over to my colleague, Mr. Man for agenda item eight. Thank you.

41:07

Thank you, Mr. Wallace. And thank everybody for their contributions today.

41:13

Before I close to hearing today, does anybody have a burning question that relates to the content of the hearing? Or what we've heard today?

41:23

I see no signs. So could I ask Mr. Roscoe to recap and compare notes on today's post hearing actions and notes?

41:32

Thank you. Right, what I'll do, I'll take them in the order of the agenda as I did yesterday, I'll work through action points and post hearing notes. Now identify the post hearing notes as I work through. The first item then went under agenda item two, and that concern the representation from Stephen Morgan MP, and it was just that the applicant to provide any response that wish to add deadline six. We then went to agenda item three be concerning the marine statement of common ground. Mr. Hudson advise that a further statement of Common Ground would be provided a deadline six after the draft watermark had been removed, and after a signature had been received from jncc. In terms of that continuing agenda item.

42:23

In terms of the onshore statement of common ground, Mr. Ellis said that an update would be provided to that deadline six, including reference to the Milton common sink.

42:36

then went on to agenda item three, C. And Mr. Hudson agreed to provide a full set of

42:47

conservation objectives and attributes were available relating to those matters included in the report, and that would be done as an electronic Appendix to the report

43:00

that would actually be accompanied by a replacement report because it was said by Mr. Hobson that there was section 10 numbering issues, and that covered those basic points. And now turn to agenda item four E and the second bullet point. And this concerns the two additional viewpoints suggested by the South downs National Park.

43:23

There's Bowden agreed to provide a deadline six photographs of those additional viewpoints, but also confirmed that they would not include visual visualisations.

43:36

I now turn to bullet point three and agenda item four, he this concerned tower cranes there was a request of his budget at South downs national park for the National Parks position in writing on their position on crane movement.

43:58

And also from the applicant on that there was a an offer of picked a confirmation of the position on overnight parking and the controls relating to overnight parking in the camp.

44:14

That was from Mr. Jarvis. And also those are post hearing notes then which could actually include that point now on where is the crane movement covered in the Lv I A. So that post hearing note could cover where crane movement is covered in the Lv AIA and also the applicant's position on overnight parking

in relation to the camp. If I may, sir, sorry. So the jobs are either traditional overnight parking in the camp, but that is already confirmed. I think the point that we were going to concern is the tradition with regards to tower cranes and that they can't be used to address that point. So thank you very much for that clarification.

44:56

And now then turn to bullet point.

45:00

For in respect of that agenda item. And Mr. Jarvis, you were going to check on the lighting position in terms of the LRS, whether it was the same as the telecom building,

45:14

and that was to come back at and also look at coverage of that in the requirements.

45:22

And now move on then to agenda item four F. And the second bullet point in respect of that agenda item, that refers to planting sizes. And Miss Bowden from the applicant, advise that a revision would be provided at deadline six, to align the document with the outline planting strategy, and requirements seven, in terms of an increase in flexibility,

45:51

as well on that point.

45:55

There's Bowden then offered or advised that revised indicative landscape mitigation plans would be provided at deadline six, including on the western northern side of the converter station. And also reference was made to softer planting and rounded edges.

46:16

Sir, can I just just add that the revision in relation to the plant sizes will be appendix 15.7. Thank you, sir. Thank you. I had actually noted that but hadn't actually that actually mentioned it in speaking. But thank you for that clarification.

46:32

I now turn then to agenda item four H and the first bullet point.

46:40

This concerned principles seven, and Mr. Hughes of the south as National Park agreed to come back at deadline six with whether or not the park agreed to that particular matter.

46:56

I now turn to agenda item five. There were a number of points raised under this section. But it appeared to me to conclude with a post hearing note from the applicant, which pulls together the details of the

outstanding points. The progress made towards their conclusion and the confidence on the ability to reach a conclusion. That was a discussion that was had with Mr. Hudson. And that summer at that draws together the various items that had been offered during that particular agenda item. Just wanted to confirm Mr. meyen. Is that your istat understanding of agenda item five as well.

47:46

Yes, Mr. Roscoe, I think that covers it my perspective. Thank you.

47:51

I then go to agenda item six item six k bullet point one, not related to noise impact and reference was made to them being the works being great the 22 metres from the order limits boundary. There was a point of clarification offered from Mr. Farmer, in terms of the fact that vibration would be covered in the same way as noise would do, as he had explained for noise that was offered a deadline six.

48:21

Now go on to the fourth bullet point under agenda item six K, which is where a post hearing note was requested of Hampshire County Council. I think it was requested of Mr. guymer.

48:35

And it's concerned how a permit scheme could respond to specific nighttime working circumstances. And the example was given of the Southampton to London pipeline project. And that was offered at that was requested at deadline six.

48:55

Now turn to still under agenda item six, but six. Oh, and a further post hearing note was requested of Winchester city council concerning the issues and the responses that they had given drawing those together in respect of that specific agenda item, which is six oh, and particularly including Mr. Jarvis's point concerning agents of change, and that was requested of Mr. Goodrich of Winchester City Council.

49:29

On then two agenda items seven. This is the matter that we've just dealt with following the loss of Mr. Boucher for a period of time.

49:39

A post hearing note was requested concerning settlement in relation to land drainage issues, and that was requested of the applicant through Mr. Butch.

49:51

Those are all the actions and post hearing notes that I had recorded.

49:59

Are there any

50:00

Points comments that anybody wishes to raise on those or indeed any additional points that they might believe that I've missed.

50:08

anything from anybody on that?

50:12

Okay, nothing heard. Thank you very much, Mr. Mr.

50:17

Mr. Roscoe. Thank you very much for that.

50:20

So we move on to agenda item nine, which is the close of the hearing. Please remember that the next formal deadline on the examination timetable is deadline six, which is the 23rd of December 2020. parties that have spoken today should ensure that any written summaries of your oral submissions reach the examining authority by that date.

50:44

examination timetable also shows tomorrow and Thursday as reserved days for this week's this issue specific hearings. As these have been completed these days are no longer required.

50:56

Thank you, everybody, for your contributions today. And I hope you all manage a few days off over the holiday period and have a very Happy Christmas. This issue specific hearing is now closed.