

TRANSCRIPT_YORKSHIREGREEN_ISH2_SESSION5_25052023

02:27

Good morning, everybody. Now it's now 10 o'clock and time for this hearing to resume. Before we go any further, can I just confirm that everybody in the room can hear me clearly? Excellent. And also just to confirm with Miss Evans that we have the live stream and recording up and running. Thank you very much. Welcome back to this issue specific hearing to on Greenbelt environmental effects and construction matters in relation to the applicant application made by national grid electricity transmission limited for the Yorkshire Green Project. This is day two of issue specific hearing too. And we have the morning available although we don't currently anticipate needing to use all of it. My name is Jessica Powis. I'm the Lead member of the panel to examine this application. And I'm now going to ask my fellow panel members to introduce themselves.

03:15

Good morning. I'm Annie Coombs. And I'm one of the examining inspectors on this panel. And I've just noticed that I don't think Mr. Jones hasn't got any sound at the moment. So I'm I was going to pass over to Mr. Jones.

03:29

But it looks like he's not responding. So he's I think he can see us but not hear us. So we'll introduce him. But I'm assuming the case team helping him in the background to get

03:39

Hello. Everybody can hear me but I've I've got no sound at all. I can't hear a thing. We can just try and rectify my sound.

03:47

I think I know what the problem is. But um, perhaps the case team can help you out in the background. Think it relates to turning off the speakers yesterday in the parallel perhaps you can thank you. Okay, we'll just do a few introductory comments anyway, while we get that one up and running, so he's not going to miss anything critical. We covered housekeeping yesterday. So we're not going to go through any of that. Again, we don't have any new participants. As far as I'm aware. Nothing's changed. We have We know there's a fire alarm test expected at 1pm. We won't still be here at that point. When we adjourned yesterday afternoon. We were partway through item 11 B, three. And when we say well, that's where we will pick up again in a moment. And then we'll move on to biodiversity which was item seven, but was held over and then we will move on to cover cumulative effects under item 12. And then just review where we are before we close this hearing. I can see that Mr. Jones is still slightly struggling to get back in to hearing us. I don't think I think I'll give him a minute because this is traffic and transport is one of his areas. So let's just go Give him a moment.

05:43

Okay, his problems are persisting. Mr. Evans, do you think this prospect of getting it sorted within the next few minutes? Or should we start on biodiversity and then return to traffic and transport? Yeah. Okay, I think for the sake of Wales, everyone's here not wasting any more time will pass over traffic and transport return to it once we've done at least the first part of biodiversity if everybody's

06:04

for our clinic, if I can come in there. Sorry, my son is now on a point of view. The the meeting was switched off. So I do apologize.

06:12

I was hard to explain how to fix that. Without

06:15

I could see you all, but I couldn't hear you. Apologize. No worries.

06:19

I was just we were just about to pass over to you. So if you're not too sweaty, would you be willing to pick up straightaway from them? Yeah, that's

06:25

fine. I think I can cope. I don't know if you said this already. Miss powers. But just before we adjourn, yesterday, we heard submissions from Mr. Fletcher, about Highway Safety at the junction of raw field lane, and the ace 63. So we're just going to turn to Mr. Reynolds of North Yorkshire council to respond to the point that Mr. Fletcher made. And also if you could include reference to the pre application discussions with the applicant, about a change in speed limit on this part of the a 63. So Mr. Reynolds, please.

06:58

Michael Reynolds, North Yorkshire counsel,

07:01

there's quite

07:03

a lot of detail in relation to how you change speed limits. I am raising this with our area office who I think is going to be the people who will have responded previously, but I will have to respond in writing at the next deadline for that.

07:16

Okay, thank you, Mr. Reynolds. Do we have Mr. Roberts here today, as well from

07:21

Mr. Roberts isn't there this morning, so take away on I might be three or four our take away, I can speak to the public rights of way matter.

07:33

Thank you, Mr. Reynolds. If we can make that an action point, please. Thank you. So you're saying also that the see the public rights of way you're not gonna be able to comment on today as well.

07:45

I can comment on the property rights of way. Okay, thank

07:47

you. I'm pre-empting that anyway, we've got a few more questions on 1111 B. Anyway, just before we move off the topic of the speed limits on the A 63 in the vicinity of Rothfield lane and birch lane, was there anything you wish to save Mr. Turney

08:05

bridge attorney for the applicant? Good morning, sir. I just You were referred yesterday in passing, I think, by Mr. Appleton to table 12.5 in the ES so Chapter 12 On traffic and transport. And that's the summary of the engagement with well, it's specifically with Sustrans city of York Council and with North Yorkshire Council, North Yorkshire county council as was on traffic and transport matters. And just on this point, I just wanted to emphasize, it's on page 18 of that chapter. So it's in the same table, page 18. And it just records this, I'll just read it out. So So those in the room have it, there was also discussion on the issues of traffic turning off the a 63 into rockcliffe. Lane, it was agreed that a solution to potential safety implications was required. Initially, it was discussed that a speed limit reduction would be proposed. However, NYCC did not accept this, it was agreed that a left in left out would be more appropriate using the roundabout the to the A 63 A 162 for the construction phase. So that records the position that was agreed with North Yorkshire County Council, as was in May 2022. So that's why I sort of yesterday, I didn't want to dump the council in it. But just to make clear that we were sort of following their advice on on how to approach the the least perceived safety issue at that junction. And from the applicants perspective, we, you know, we agree that's a difficult junction onto a fast a road. But we do consider that the left in left out provision will reduce any or reduce the number of potential conflicts on that junction and we think that's an appropriate solution for the for the issue.

09:59

Okay, Thank you, Mr. Turney. I think we've we've covered that enough. I've just got the last couple of questions on 11 B three. And these will be addressed to the applicant side. First, I'm not sure if that would be you, Mr. Turney, or whether it be Mr. Appleton, if he's there today. Just looking at the issue of the monument B Mr. Fowler actually just looking at the issue of the bell MAVs figure three f two of the construction traffic management plan, which is a PP 099 That provides a proposed construction design and illustrative layout for the battle mountain. When we were on site at the site visit on Tuesday, we heard a lot about the bell mouths and obviously the worst case scenario would be a 39 meter wet but these would all be assessed. It depends on on paraphrasing, but to paraphrase and Mr. Founder, but it depends on the the access requirements and the number of HGVs that are likely to be using the bow max at a number of other considerations. So my question to you is when will the specific design that is

to be used for each of the bow to be identified and what consultation process with both the Highway Authority and local residents will there be in order to reach a final design for the bell mites

11:26

the following Come on. So, we will be doing a detailed design once we appoint a contractor to the works there will be undertaken as designed based on the kind of final design for the overhead line and the substation. And we will then seek to agree and discuss these access designs with the local highways in advance of discharge of requirements.

11:52

Thank you, Mr. Faraj. And in terms of consultation with local residents as well.

12:01

They fall on national grid, believe that set out in the ctmp. But I will just have to confirm. Chris, have you got anything you can cover on that one?

12:15

Sorry, Chris Appleton for the applicant. Yes, the details are set out within the ctmp that we will we will make all reasonable endeavors to to consult with local residents and it will typically be led on from the local highway authority site in terms of their specific requirements and deadlines.

12:32

Okay, thank you, Mr. Robertson. In my last question on this section is sort of similar it's but looking at passing places. So again, question to the applicant, how will the numbering locations or paths and places along the construction routes, in particular the temporary access tracks be be ascertained?

12:54

Stay far after but again will be part of the detailed design once the contractor understands what the road will look like in terms of the visibility up the road and down the road and the amount of traffic that they anticipate to come down the road. So adequate paths in places along based on individual tracks will be done by the contractor the tower detail design.

13:14

Mr. Fowler? I presume that will be based on into visibility between the passing places it would Yeah. Okay. Thank you. Well, I don't have any further questions on 11 B three, unless anybody else.

13:28

Mr. Jones, we have Mr. Stephen submit his hand up on this point.

13:33

Edward Stevenson, I'm looking at the access to the sedang compound at Shipton which if we can get up on the ctmp annex three F one C, please, if we could get that up on the screen, get the plan up on the screen please.

14:03

Is that possible? It's just being done.

14:06

Thank you. This has to do with your point about plus passing places. Mr. Jones. Mike comes on. take on board what Mr. Fowler said that they would have a discussion with the private individuals. What happens if we have a disagreement as to where the passing places go

14:36

when for the applicant to respond to I suppose ultimately it would be a matter of the the applicant the highways in North authority in a local residence trying to make best endeavours but as you said if there's a disagreement, Mr. Foley Mr. Appleton potentially.

14:59

Right which attorney for the applicant on this one? The passing places here, I think, just to be clear, is the concern about passing places within the design of the internal access track.

15:13

Both on the highway and the internal access track

15:16

well, on the highway, there isn't a negotiation with the landowner, it's it's in the highway, on the internal access track, yet, when we come to the detailed design of the road, we would obviously seek to engage with the applicant, ultimately, the order authorizes the applicant to construct the road, or the access route within the order limits. And so ultimately, it's for the applicant to determine, but certainly would seek to engage with them on the detailed design. So I think it's a two different points on the highway. We I don't think we'd anticipate necessarily any consultation, although, obviously, we'd hear what had to be said about it. But when it comes to the design within the land take Yes, we, we would expect to engage on that design, to ensure that, particularly in circumstances as here, where it's proposed that the access would be then shared with the landowner.

16:17

Okay, thank you, Mr. Turney.

16:20

I come back on that, please. Yes,

16:22

thank you. So I'm struggling to see people in the room. So if one of my colleagues could alert me if somebody's got their hand up, that would be most useful. Thank you. That's right,

16:32

I think I'd like to make a formal request regarding my clients of Newton's farm being involved with the positioning of passing places on the highway. Because at the site visit, it was perfectly apparent that

the road is a single track road, going down to the farm. And according to the traffic movements, there are 25,000 traffic movements on that stretch of road, join the continuum join the during the project. My clients have their farm there. And if the construction traffic, if the passing places are not put in, and are not numerous enough to allow my clients to continue to farm as they have been done, how I've been used to doing, then we have an issue.

17:29

Perhaps I can just make it a general point as well. Mr. Jones on this like, last night, we were just talking about access points, generally. And we sort of came up with the, you know, access hotspots term. So, you know, we know and you know that there's some areas where there's going to be tricky access arrangements. And I think this sort of continues on to that. There's also some accesses where it's going to be particularly important to local people that use them, that they're engaged in the process. And I respect exactly what you're saying, Mr. Turney about. You know, it's a highways issue, because it's a highway. But I'm in terms of a process whereby local people, whether it's a parish council, or a local interest group, or a landowner can be engaged, I think it's quite important that that is written down somewhere in CCMP, or whatever, because it's most of the accesses, you're not going to have that sort of problem. So I think, you know, identifying those ones, where there needs to be engagement, and ensuring that that slightly more sort of detailed consultation or informed information takes place would be useful,

18:47

Bridget's only for the applicant. Thank you for that. And I can I take away how we reflect that and where it's reflected. I certainly I just wanted to be clear, absolutely not sort of cutting out the landowners from engagement generally. And I think Mr. Stevenson makes this sort of pragmatic point, which also bears on us delivering the scheme. If, if a farm vehicle is under construction vehicle becomes stuck on the road, then that's a problem for us as much as it's a problem for the farmer. And we want to avoid that. So and this is a road which we, you You went there on Tuesday, I went there six months ago. So it's it's very narrow. And clearly there's going to have to be some careful thought about how those movements are managed. So we'll take that away as to how it would sort of engage there. I just wanted to be clear that I didn't want it to be thought that there's a sort of neighbor neighbor veto over provisions within the public highway. Obviously, it's a highway that is for everyone. We're making use of it and making a different use of it. So we will in some places were going to have to modify the highway.

20:03

And presumably in terms of sorry, Mr. Jones, there's not a question of whether they will be passing places they will be passing places, and they will be at a safe intervals, etc. So I think it's not that question it's as to the location of those is seems to be where the question is here. So it may also help in that in that post hearing. submission, if you're sort of you also pick up what you have already committed to in terms of those minimum commitments on passing places. It does obviously link into the point about access points in this location as well. But that's slightly separate. But I would fully support what Miss Coombs has just said about these kinds of in certain hotspots looking at this in more detail. Actually, Mr. Jones,

20:45

thank you Miss price. And if I could just add to that, I think as an action point to Mr. Stevenson, I think as a starting point for negotiations, so that both the applicant and highway authority are at least informed of what your client would wish to see, in an ideal world, could you provide a plan showing the number and approximate locations of the passing places that your client would prefer to see now that isn't necessarily going to guarantee that that's, that will be what they get, but at least then the Highway Authority and the applicant have have an idea of what they could be working with, to try and satisfy the, you know, your clients concerns. So if I can make that as an action button, you can base it on this plan. It doesn't have to be accurate to the, to the meter, but just really just, you know, an indication of the number and locations of passing places. I think that would that would form a very useful basis for negotiations. So let's see if

21:43

I can do that. Can I do stars that I don't know how this is, whether there's who else who actually has the right of way. So at the moment, my clients are quite happily going down that road whenever they like. And now we're going to have in 2024, National Grid coming down. So it will happen with 25,000 vehicle movements, that there will be a face off who has the right of way.

22:15

That sounds like a legal question. So I shall revert to Mr. Turney on that one.

22:20

Well, rich, certainly for the African. It's it's a public highway, and therefore has to be is the right way. It's for everyone. It's for me, and you and for the landowner. And I understand

22:31

that, yes, but but but but National Grid, you know, are are there and been, are, are being foisted upon my clients use of the road.

22:43

I don't think that's necessarily the way to see it. But it's a it's a lot of my clients it when I can, I can see that it's, I think there's perhaps an alternative way to see it, which is that the farmer at the moment is using the public road network, and he's using it in connection with his business, there will be a change in the use of that road as a result of the project. That's something which we recognize will need to be managed, hence the powers in the order, which allow for both the creation of passing places and in certain locations for traffic management to be put in place. I think it sounds to me as though from what I saw on the site from memory, it's it's an area where we're going to have to give some careful thought to how those vehicle movements are managed. And we're, we're certainly happy to take away the point that that you've made Musqueam switches. It's a it's a difficult location. It's not we're not simply going straight onto a road and mixing with general traffic. And we should give that some careful thought as to how we will engage with the landowner for the management that Oh, ultimately, it is a public highway. So the rules apply the rules of the road apply. And but we know that we need to look at physical provision and possibly in some places traffic management provision to address those particularly sensitive locations.

24:18

When you talk about traffic management in this location, could it involve banksman? For example,

24:24

originally for that, yes, it could, it could. So that's a as you know, it's a fairly standard measure that's used in construction circumstances and it helps to help to manage interactions with other users of the road which could include of course, pedestrians, and equestrian users and so on it and it's not just other vehicle conflict. So in schemes like this, particularly in busy periods of construction, is often in the interests of the contractor to have banksman in place because it helps not just dealing with a pure safety and traffic management issues, but also just in practical terms, having someone on hand to help manage those potential interactions. Thank you. Mr. Jones.

25:13

Okay. Thank you Miss power. So unless there any further comments if we could take the plan down now please as well, thank you. It makes it easier for me to see everyone in the room. That's great. Thanks so much clearer picture of you all now. In which case, I'll move on to 11 B four, which is a couple of points. Firstly, just a query to Mr. Reynolds. In North Yorkshire is Kent Council's local impact report. Rep. 1056. You made reference to the need for deliveries to be sheduled along Rawcliffe lane, am I correct in thinking that was a typo and you actually meant row field Lane instead? Because I note there is a royal Cliff Lane in New York, but it's in a completely different part of York.

25:59

Michael Reynolds NYC Yes, that is a

26:02

thank you. I thought that was the case. I just thought I'd clear that up. In which case question to the applicant? Do you have any comments to make about North Yorkshire Council's comments about the scheduling of deliveries for monk fryston substation outside of peak times? And how would that be controlled in practice?

26:20

We sampled some for the applicants and it's national groups preference at the current time is not to commit to the scheduling of deliveries outside of the peak hours but instead to utilize the appropriate package of mitigation measures, which are set out within the ctmp at section four to minimize any potential traffic and transport impacts during the construction phase. It's noted that concerns have been raised by the local authority with regards to the potential for adverse traffic impacts within paragraph 12.8 of the local impact report as you mentioned, specifically regarding the monk fryston substation area around the a 63 and Rothfield Lane junction site observations which have been conducted by ourselves over the course of the last 12 to 18 months have indicated that the the junction itself does not suffer from significant capacity concerns at the intersection. And we've discussed this with North Yorkshire Council as far back as May of last year at the PA meetings and discussions. We also discussed with them the recorded accident statistics which are released through the police each year. And those those have also revealed that there is only one or has only been one recorded accident at that junction over the last five year period, and that was in 2017 and did not involve HGVs of any nature

it was it was two cars later on which were involved in that accident. So we National Grid A satisfies the appropriate mitigation measure has been proposed. We've discussed this with highway officers at North Yorkshire Council in May of last year. And following a recommendation by ourselves that we would consider the speed limit reduction that was discussed previously, that was rejected by the local highway authority in favor of a left in left out arrangement which would require inbound vehicles to track to the adjacent roundabout with the A 63 and the a 162 to the east, before turning and heading back towards the junction and left turn again and left turning out upon egress. During the various consultation processes, meetings, we've we believe we've agreed this with a local highway health officer. And it's acknowledged that paragraph 7.3 points over the ctmp that the contractors will agree a delivery management system where appropriate, which can be used to ensure the control of delivery material and equipment in line with the construction program and those limit traffic volumes were appropriate within certain thresholds. Thank you.

28:51

Thanks, Could you could you explain what a traffic delivery management system is?

28:58

Certainly a delivery management system would be a specific tailored set of measures that the contractor would agree to in consultation with the the development relevant representation of the local highway authority if necessary, and used to limit things like vehicle movements and times. They would then be recorded upon a system. The data would be made available to both national grid and stakeholders at the Council of necessary and used to monitor and track the effectiveness of the management system that the site

29:33

that it might end up limiting to outside peak times anyway.

29:38

In accordance with the program, it would it would limit the vehicle movements to an appropriate level that would would work in line with the program at a certain point in time as that program progresses. But yes, I mean there's there's potential for it to limit deliveries at certain times. Thank you. Thank you. Sorry, Mr. Jones.

29:55

That's okay, Miss combs. Just before we move off this topic I ought to give in North Yorkshire Council the right to reply if there's anything they wish to say, Mr. Reynolds, I think you've drawn the short straw on this one in the absence of Mr. Roberts, is there anything you wish to say?

30:12

No, not really. I think that the the purpose of this meeting, the purpose of the meeting that we've got scheduled is to go through specific areas. And it'll be picking up there. And we'll we'll make a point of coming back specifically on that. After that, after that meeting, which I think will be deadline five. Okay, thanks.

30:29

Thank you very much, Mr. Reynolds.

30:31

In which case, if there's nothing else to add on monk fryston, then schedule your deliveries, I'll move on to 11 C, which is public rights of way. And this is really just primarily asking for an update. In the latest statement of common ground, it states at the public rights of way management plan. The document is agreed that outline work is required to develop the document as the application progresses. So really, my question is, to North Yorkshire Council, what are your expectations in regard to the PR O W management plan, both during the examination and afterwards? Should the order be made?

31:13

Michael Reynolds, NYC, our public rights of way officers have reviewed the plan and they're happy with the plan as it set out. And generally speaking, there are a few areas of local detail, which we would like to add in an example has been given were in a particularly long footpath, that only part of it would need to be closed rather than closing the whole amount is that sort of detail that we would like to add in? Again, we've proposed a meeting just to discuss this in more in more detail. I think that again, we would have to come back on looking at diaries. I think we're gonna have to come back on deadline five on that, but we're not far apart on that. Generally speaking, the book provisions that are in there are what we would expect to see.

32:01

Just whilst we're on the subject of provisions and I are you content with the provisions for precondition survey and post condition monitoring? That is set out in Section 3.5 and 3.6. Of the latest version of the PRA W management plan. Again, last year, Mr. Reynolds? Yes. There

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was an updated version wasn't referring to

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Yes. As a rep. 2024. Yes, we

32:25

are. We have had instructions on that. Yeah, we are happy with that. Okay.

32:28

Thank you very much. I don't have any further questions on PR O W. I don't know if there's anything the applicant wish to say, on this particular matter.

32:40

Reached and if the applicant? No, we didn't have any comments to make. Thank you.

32:43

Thank you, Mr. Attorney. In which case, unless there are any hands in the room or anybody online, then I think I'm finished with agenda item 11. Construction matters and traffic matters. I'm not seeing any sense. So in which case, our short term to mishpat wishes you to do biovet biodiversity. There

33:07

it is. Thank you very much. Thank you very much. Okay, so yep, we're moving back to item seven on our agenda, as I've mentioned. I hope that they won't we won't be spending a lot of time on biodiversity this morning. But we'll whiz through a few questions we have got Starting with part A which relates to the assessment scope, methodology and assessment of effects. Firstly, just to come to the applicant, we've seen the submissions deadline three. On this matter. Is there any progress with agreements that you'd like to report? Or is the position broadly the same as at deadline three, that's on the assessment of effects and outstanding areas of disagreement.

33:51

Joe Mosley I'm an ecologist with WFP. The applicant who morning on in. We've had recent discussions with North Yorkshire Council and the matters have all been agreed. All biodiversity matters, see all my assessment relating to the assessment scope and methodology.

34:09

Excellent. Thank you very much. I'll come to North Yorkshire council. So I can see that in the deadline three version of the statement of common ground. There were areas of disagreement in relation to sites of importance to nature conservation, and also in relation to habitats and species and they seem to have fallen away and so become agreed in the latest statement, common ground that appears to reflect what we've just been told. Would you like to say anything further on that?

34:38

I think that's the case where I'd like to bring in Julia Casterton, if I may.

34:41

Thank you. Good morning, Miss Casterton.

34:48

Morning, Julia Casterton. North Yorkshire counsel. Yes, I can confirm that in relation to the assessment scope and methodology. Those matters are now agreed.

34:56

Excellent. Thank you. We'll move straight on then. We've got in setting the agenda. Yeah, just about the bat survey report. So the battery survey was submitted deadline to at the point of the deadline three statement of common ground that was still under review by the council's ecology officers. We've also had a deadline three, the Part Two addendum to the ES, which includes an update to chapter eight in relation to bats. Shall I come first to the applicant just to give us an update as to or a summary as to the findings from that part two addendum on bats, please.

35:36

Join Moseley for the applicant. Yes, we've we've discussed the the update and the addendum, with North Yorkshire Council. And that's been agreed as well.

35:45

Okay, thank you very much. Could you confirm that Miss Casterton?

35:51

Guess I can I can confirm that we are now satisfied with the updated bat survey, methodology and assessment.

35:57

Excellent. Thank you. And just coming back to the applicant, then on. We don't have Natural England with us today. But just a couple of matters in relation to your negotiations with them on protected species licensing. So we know from some of the recent submissions that one of the post submission surveys found that there was a bat roost in one tree. And that could be something that would trigger the need for derogation license. But we understand that there has been conversations with Natural England in which they've confirmed that letter of no impediment wouldn't be required. Is that correct?

36:34

Josie for the applicant? Yes, that's correct. We've discussed the roosting question that will be retained. And that's confirmed and will be updated that there's no requirement for us for a letter of no impediment.

36:48

Excellent. And so we haven't had an updated statement of common ground deadline three, but the statement of commonalities hints towards this. So I'm assuming that deadline five when we have the next round of statements of common ground that we will see that reflected in there. Is that correct? Yes, that's

37:01

correct.

37:02

Thank you. Also, note from that deadline three statement of commonality that the applicant had received some comments from Natural England that hadn't yet made it into the statement of common ground. Is there anything? I think that was relating to the Phase One habitat survey that was submitted deadline to and the bat surveys, then? Is there anything else that you need to update us on in terms of natural England's views in their absence today?

37:27

Know that that's, well, the matters have all been agreed. Okay, in regard to that.

37:34

So as far as you're aware, the only thing left outstanding in Natural England is on biodiversity net gain. That's correct. And we can provide some updates on that as well. Thank you. We'll come on to that in a moment. I don't plan spend any more time on the assessment unless anybody else tells me that they want to raise anything we haven't I haven't brought in city of your colleagues. But I'm, as far as I'm aware, there's no disagreement there. And I'm not being indicated that there needs to be any further discussion. Okay. So we'll move on to part B, which related to a point raised by Yorkshire Wildlife Trust in relation to bird divert is so Miss Ellis, are you on the call? I can see your name in the list. Excellent. Thank you for joining us against and thank you for sitting through yesterday waiting patiently for Item seven only for us to kick it into the next day. So thank you very much for coming back this morning. We read your submissions, and that was at deadline one about the use of bird divert is could you just describe what would sort of background for your comments and why you're requesting by divert is in the facilities of the river Wharf and the river cruise,

38:41

please. Yes, Chloe Ellis Yosh Wildlife Trust. And our key concerns are regarding the river use crossing and the potential for bird strike to cause population effects at designated site level. The species potentially impacted will be whooper swans, which are associated with the ooze and the noun Washington's pink footed geese associated with Washington North Norfolk cost these species are known to shortstop in the lower dough and valley and also the lower who's inconsiderable, although varying numbers during the spring migration. These species are also known to fly at lower levels along this river corridor during conditions of poor visibility or darkness. increase in the risk of collisions from from powerlines. At the riverwalk crossing, does cause lots of a concern however, there's still possibility for bird strike to occur on local populations, such as goose thunder Mullard, grey Heron and mute swans. And in given this we just feel that bird divert is over the river crossings would be effective mitigation against these effects and should be fitted during installation. Not after the fact as per the mitigation hierarchy, which seeks to minimize potential effects in the first instance through avoidance and which, you know, we feel like the divers art installation would accord with that.

40:07

Thank you very much. There's a lot in there that we haven't seen in writing before. So it's I'm gonna ask you to take us through a bit of that. It's very helpful. Can we start with the river war? So we've, so we can see that that isn't the sort of area northwest of Tadcaster. In that area, the proposal is for the RE conducting of an existing overhead line. Is your concern about the construction stage or the operation stage firstly, or both in that location, so that means that basically, there's what the the existing pylons would be restrung. They met the pilots themselves, maybe modified, but the lines will be replaced with new lines.

40:47

Yeah, call reality watch Wildlife Trust. I think the riverwalk as far as I'm aware, and if I'm wrong, correct me, but I don't think the riverwalk is actually moving the location of those lines? That's correct. I think it's the it was that it was crossing that but that we're more concerned about. Yeah, obviously, we just we just reraise our concerns for the riverwalk just in general. But it's less of a concern for us considering that it's not actually moving the location.

41:13

Okay. And are you aware of any problems concerning by collisions on that existing line in that location that on the river wharf?

41:20

I'm not not at this point now.

41:23

Okay. And so it's, it's more of a concern when the lines are in situ, rather than when they're being constructed? Or when those pylons might be really strong? It's the actual wind, it's the collisions once the lines are in place. Is that correct? Yeah. Yeah, thank you. That's really clear. And so looking at back to the river ooze, then we've walked along that the bank of the river in that location, so we know exactly where you're talking about in that location is a bit more complicated in terms of what's proposed. So the existing XCP line would be dismantled. So the existing line you can see crossing. And then a new line would be installed in a new position, which is known as the XC line slightly further west along the river. Again, are you aware of any problems with existing at the existing line and any bad collision problems in that low, general location on those?

42:15

Not Not at this not at this point. But we did rears that the applicant may want to check with the Archon illogical club to get that data, but it's not something that we had access to at the point. Okay,

42:29

thank you. And you've mentioned very helpfully, and I may ask you to repeat to restate what you've said earlier. So you talked about whooper swans. And can you tell me which yes, is a European site that you're concerned about? Can you just tell me which one it was again?

42:46

Yes, that the name then the nine washes is how I pronounced that I'm not sure. Yes.

42:51

And that's the NSPA. Is that?

42:55

Yeah. And it's also ramsau? What

42:58

am Ramza okay. And then it was pink footed geese in as a feature of which

43:06

the, the Washington, the North Norfolk cost?

43:10

is SSE. Okay. Okay, and that was that was it? They were the two main features that you were highlighting there in terms of species. Yeah. And those are those are species that obviously at large meant that the bird spectrum then you said they were you told us that they are more prone to like low flying and potentially flying in areas sort of at twilight or dark in darkness, and therefore, that's why you're awkward. Cresting divert, is this okay? And again, is this this is a once they're installed problem, rather than during the construction? I suppose another. One question I have about this is about you talked about the corridors of these two rivers. Roughly how much wider than the actual River? Are you talking about in terms of the corridors that these these species might be flying in? You're able to say roughly, like in meters, or approximately each side of those rivers?

44:12

I wouldn't know. I wouldn't even be able to hazard a guess, to be honest, but But given the natural corridor itself, and the availability for flight paths, yeah, obviously, I don't think it would be that much variance either side, considering you know, what, what's present either side?

44:28

Yeah, the only reason I ask is, again, in that in the EU location, there was also a proposal for a temporary line to be installed whilst one that is being dismantled and the other erected. So the little bit more going on in that area, but that is slightly set away from the to the south of the US. Okay, that's been really helpful to understand. Would you be happy to put that in writing just after the hearings over deadline for Yeah,

44:55

it's details in writing. You to remind when deadline for is the I have to tell you and myself,

45:01

but at the sixth of June, that's June. How was that? Not ingrained on my on my heart? You've talked about you alluded to population level effects. Is there any? What's the basis for that statement?

45:20

Reality arch Wildlife Trust. So the, the, it's difficult to give a number, because when bird strikes occur during these locations, you know, like, the bodies will often be scavenged before that data can be collected. And so it is difficult to put a number on on that kind of thing. And it's difficult to gather apart on that as well, you know, just due to activity around around the site, you know, people might not walk past when better strikes occur.

45:48

Yeah. And are you able to say anything about on just on those two, uz? Features, there's the swans and the geese, you're able to say anything about the status of those populations at the moment? Are they in? I don't I don't have that there. That's fine, red. Sorry. They weren't apologists. So that's fine. I would be asking some of these questions of Natural England if they were here. So that's absolutely fine. Thank you very much for that really useful information. I'm I know, the applicant will want to come back on those points. So I'll allow them an opportunity to do that. Now. Miss Mosley or Mr. Turney, we

46:23

just reached out if you haven't, I'll just say at the outset, before bringing Miss Mosley and just to briefly explain National Grid's position overall on bird diverters. The short point is that it's an issue which has arisen elsewhere. And National Grid does in some locations, install and maintain bird diverters on overhead lines. But it has done so. And it's general approach do so on an evidence basis. So it where there is an identified risk, or where there is evidence of collisions having occurred, that's where it looks to. And I think the key contextual point, which you've already touched on in the exchange is that here, we're talking about the replacement, the use crossing the replacement of an existing line, which has been in situ for for many years. And of course at the wharf, just just the RE conducting of an existing line. And this is not a location in which there is an evidence base for installing that mitigation at present. And therefore in Project terms, we do not consider there's a case for for doing that. And the normal basis, I think I'll bring in was mostly to deal with the the issues about the protected sites. But I think I just wanted to emphasize at the outset on that, that those effects on internationally designated and nationally designated sites for those species that have been referred to have been screened out in this case. And then if it was mostly then wants to take on the sort of the point about the the particular things again, I think with the caveat that she also is not an ornithologist, so I don't think we were we but it's an ecologist so can can deal with assessment records.

48:25

Thank you very much. Miss Mosley, Joe Mosley

48:29

for the applicant. Yeah, just by way of update, our ornithologist has met with the Yorkshire Wildlife Trust to discuss the concerns. Recently again, Mr. tourneys described the low risk situation because of the existing lines that are there, in terms of the effect on designated sites, we've carried out the no significant effects report and the the conclusion of no significant effects on designated sites at that level has been confirmed by Natural England. And in in carrying out the report, we had detailed discussions with Natural England at the start of the process at the scoping and screening stages to agree the zone of influence and the extent of the area that will be looked at and the surveys to inform the the assessment a 20 Kilometer zone of influence was was taken which is standard for a project of this type based on the the upper limits of usual distances that these birds would would forage between roosting and foraging grounds. They would travel and the only site that we we needed to Okay, in terms of risk was the lower Derwent Valley SBA and rams are the sites that the Yorkshire Wildlife trusts are referring to are actually between 138 and 180 kilometers to the south east of the project area. And while it's understood their concerns about birds from those locations, migrating and short stopping in the lower Diamond Valley and the lower ooze the risk of the project causing bird strike due to migration has also been screened out as confirmed by Natural England. The the birds generally when they're migrating will fly at great height well above the pile on route 150 meters plus. And they will generally it's accepted that they will set off in reasonably good weather conditions. So while birds can drop to lower levels in all weather, it would be extremely unlikely that a significant number of birds would do that at those exact points when we're talking about sites that are so far away, and there are multiple different migration routes that they could take. And it would also be extremely difficult to attribute individual birds to those sites given that the birds off white widespread along the east coast. So it Yeah, that the conclusions of the the notes different effects report to stand as confirmed by by Natural England.

51:49

Thank You that You've come to the question I was going to ask next, which was have you had discussions about this particular matter with Natural England? Because I understand that you've covered everything I wanted to come to on that. I just wondered whether or firstly Yorkshire Wildlife Trust. Would you like to come back on anything you've just heard without repeating the main points you've already made?

52:09

No, no, that's fine. Thank

52:10

you. Thank you. Stay with us for a moment, though, as we've come to the council's miss, Mr. Reynolds, is there anything from the council's on this in terms of the ecologists?

52:21

I'm sorry, not unless God wants to say anything?

52:28

No, I just confirmed that we would defer to Natural England in relation to matters on European sites.

52:34

Thank you very much. It sounds like my friends, certainly, as reflected in the statement of common ground is an area where there isn't going to be agreement reached on this. Is that a fair characterization of where things are in terms of the position of natural position of the applicant moving towards your Fish Wildlife trusts?

52:55

Registering for the applicant? I think that's right. What I would emphasize I know it doesn't, it doesn't satisfy at all your wildlife stress position, which is you should do this on a precautionary basis. But I would emphasize that the the National Grid's general guidance will continue to apply. So if evidence did emerge of a problem, it would be dealt with in the normal way that we do for over headline so we're not dismissing the issue was saying that there isn't an evidence base case for sort of preemptively installing bird divers in this instance.

53:26

Could you just or mostly just talk us through the process that so obviously, we've heard from Yorkshire Wildlife Trust, they would rather that happened before as a kind of a preventative rather than waiting until you had evidence and then kicking in with something but perhaps you could explain what would happen if there was evidence to come to if we if we continue as drafted and then the evidence came to light that there was a problem with collisions, what would happen next?

53:51

Do you want to do without your mind? So, so essentially, National Grid's approach is that that bird divert is may be considered as a as a mitigation solution, where there is evidence of collisions having occurred in the first instance, there's consideration of whether the problem can be addressed at source. So, sometimes particular bird collision events arise from particular cropping patterns or through land drainage issues. So there may be circumstances in which the the interaction of the bird population with the overhead lines can be altered. If not, then where there's evidence that instead having consulted with local the local authority, ecologists and the statutory nature conservation consulte in Natural England in this instance, and there's evidence that installing a bird diverter will reduce that risk then that can be retrofitted. Subject to obtaining the any relevant consents that are required. But there is a, there is a physical ability to retrofit but diverted to existing overhead lines.

55:14

Thank you. Can you give any indication of the cost implications of fitting them? Is it relatively minor? Or? You can come back to us in writing if you don't, but I better

55:29

I don't know. But see if there are any on Amazon, but it's not something respectively. We don't. We don't just to be clear, we don't in this examination, say that there's a primitive expense. The one of the points about retrofitting is that you need to have an outage to do that. So it's more the operational impact of doing it rather than the cost of actually supplying a bit of diverter. X. And thank

55:56

you. That's very helpful. And useful to explore it in a bit of detail, because it's if the positions are to remain at odds, by the time the examination places we'll need to come to a view. So Yorkshire Wildlife Trust, Miss Ellis, do you have anything else to add at this stage?

56:20

No, no, that's all. Thank you.

56:21

Thank you. And I can see Miss Mosley you'd like to come in,

56:24

mostly for the applicant? Yeah, I think it's worth just mentioning that the surveys that were carried out to inform the no significant effects report, there were eight months of winter transect surveys, and they recorded very low flight activity. In the survey areas, there were no records of Hooper Swan IV in the overhead or in the associated habitat. And there were only three relatively small numbers of pink footed geese that were recorded flying very high. So the survey results did actually pick up on those species. And that was the situation recorded.

57:14

Thank you very much. Thanks for completing that point. Okay. We'll move on then to hedgerows. And I don't spend a lot of time on this, partly because we spent, we've spent quite a bit of time over the various topics on this already. But I did because we've had another app deadline three, we've had an

addendum to the environmental statement, chapter eight, in relation to hedgerows, which was rep 3010. Could I just ask the applicant to summarize the update in relation to the effects on hedgerows just for the benefit of the parties?

57:47

Yep. Joe, mostly applicant? Yep. So the the addendum that was submitted was just to confirm the outcome of the important hedgerow assessments that were carried out on the hedgerows that were still considered to be potentially important in biodiversity terms at the point of submission. There were nine hedgerows, one of which we had no access to and that seems to be the case for the foreseeable, the others were assessed in the field and were confirmed as not being important under the hetero regulations. So it was just to complete the the, the baseline information on that front and it makes no change to the assessment on hedgerows.

58:32

Thank you. Do any of the council's have anything having seen that deadline three or having heard that that? Basically the conclusion that the outcome of the assessment hasn't changed in light of that additional important hedgerows? hedgerows survey work as to any of the council's wish to come in on this? I'll come to you first Miss Casterton.

58:54

To the Casterton North Yorkshire Council just to confirm that we've discussed the results of the survey with the applicant and are happy that there's been no change to the assessment.

59:04

Thank you. Would Mr. Baldry Do you have anything from the city of York?

59:11

No, there's nothing from us. Thank you.

59:13

As far as you're aware, you're not raising any any issues on hedgerows?

59:17

No, not to my knowledge now.

59:19

Thank you. And do we have Miss Smith from Leeds City? White. Ms. White from Leeds City Council. Nearly now I'm mixing you up with someone else?

59:35

No, I don't have any comment to make on that. Thank

59:37

you. Okay. There's one minor point of clarification. I think I had there's the I think it's para one point 1.4 refers to April 2020. To us wants to check that that was meant to be able to insert 23. You have sorry. One point 1.4. If you have And hardcopy in front of you it refers to. Yes, it says the methodology and results of important history surveys conducted during April 2022. Yes, I can confirm that. In fact, it doesn't mean Correct. Yes. It makes sense when it's read in the context of the rest of the document wants to check. And then of course, we've noted that now we have the hatchery schedule added to the draft DCO. I don't plan to go any further into that now we'll go might come back to it tomorrow when we talking about the draft DCO. Okay. The next item on our agenda under D was the biodiversity mitigation strategy. We've asked him some written Mr. Tony would like to come in.

1:00:44

I'm sorry. I was just going to say rich 20 for the applicant. In going back to that, I just wanted to be clear. Do you need the ecologist available for that? Is there anything that Miss Mosley can assist with now?

1:00:56

Okay, I think it's mainly just to summarize, or to make, maybe you could just cover the reasons why it's been decided to add in that treasure. That's probably the bit and then if we need to talk about the detail of it, it will be a security question. It won't be about the effects. So maybe just to conclude on that maybe you could just summarize why that shedule is being added?

1:01:13

Well, we can we can deal with that tomorrow in terms of why it's in there. Fine. It was just whether there's any technical point. Yeah.

1:01:19

The only final point actually would just be you mentioned the one hedgerow that you couldn't get access to. Is that in terms of the night yeah, the nine and there's one you still couldn't access? Because you just tell us which one that is and whether there's any prospects of getting to that one.

1:01:40

Sorry, I just have to look back through my notes, we that's fine. Guys.

1:01:45

If it helps you can do is do that in writing a deadline for just signed pay, which will be assigned

1:01:50

post existing, we can get that and update it later, either tomorrow or in doubt me. Okay.

1:01:57

Thank you very much. So no, we don't need you to come back tomorrow. miscasting pleased to hear biodiversity mitigation strategies. Yes, we've asked quite a few questions, so I don't plan to talk about it in too much detail. One in within the biodiversity mitigation strategy itself? I think it's para two point 1.4. It states that that strategy is based on the scope of works assessed within Chapter Eight of the IES but

of course, chapter eight is now being supplemented by the addendum at the end and part two. So I'm just wondering whether for kind of completeness, whether actually that that reference should be updated within the within the biodiversity mitigation strategy. So if there's an opportunity to do that, or it may be through an irata, well, maybe well, you decide how you want to best deal with that. Yeah, thank you. We've covered tree and hedgebrook protection matters fair bit under landscaping visual, we don't go. We won't be delving back into that now. But I will just give their councils and any other parties an opportunity to raise any other matters on the biodiversity mitigation. At this stage. I'm getting a head shake from North Yorkshire Council, I'm not seeing any hands up in the virtual room either. So at that point, I'm one that will just then move straight through to biodiversity net gain. And we've noted that this is an area that's not yet agreed with, with North Yorkshire council or city of York, or with Natural England, or with the Environment Agency, although we note that the Environment Agency are essentially referring back to Natural England on this. We know that there's negotiations underway on the draft section 106 agreement to secure biodiversity net gain commitments, we're very clear that you're not required to demonstrate biodiversity net gain in this project, but you're doing it as a commitment sort of above and beyond. But still, if we need to, if we're going to take give weight to that benefit of the project, and we obviously need to see that it's secured. The first step, then I'm just going to ask the applicant because we don't have Natural England here today, just to give us an update as to where you are with Natural England on this because we haven't actually had one since deadline one. So maybe mostly,

1:04:14

mostly for the applicant. Yes, we've had further discussions with Natural England since the statement of common ground and in fact, with all of the stakeholders on the approach to biodiversity net gain, and the means of securing it. And in terms of Natural England and the other consultees, the approach to biodiversity has now been agreed. So we would be updating that at the next statement of common ground. The means of securing it via a section 106 has also been agreed to the appropriate means the technicalities of that agreement are still to be agreed.

1:04:56

That's really clear. Thank you. And so where we had in the deadline one statement of common ground. I know we had some comments from Natural England about certain things they wanted done updating the baseline. And is that all considered to be resolved as in

1:05:11

June, mostly for the applicant? Yes, that's that's resolved. On the understanding of the position of the project at the moment, we need to progress to detailed design to really update.

1:05:23

Thank you. That's very clear.

1:05:30

So the next time we'll have an update from you on that will be I think it's due at deadline five will be as a as an update on in terms of that statement of common ground unless we get anything from Natural England in the intervening period. In terms of then, is there anybody else who's I'm not aware of any

other concerns about the actual assessment of bng? And it's more about the security now securing but those commitments that have been made? I don't think unless the council's want to raise anything there. Is anyone else raising that? No. So then it is just to talk about the way in which that would be secured. And I know we have we have 106 is on our agenda for tomorrow as well. And in terms of the kind of mechanics of securing things. But if you could perhaps just give us an update on the status of negotiations with the various parties on that draft section. We haven't seen it ourselves. But we have seen comments on it from Leeds City Council. So perhaps you could just give us an update on that.

1:06:25

Yet personally, the national grid. So the draft section 106, has been circulated to all the council's leads have come back with comments and we've gone back with our response. And we seem broadly agreed on that now. North Yorkshire council have come back with comments and we've responded to their comments. We've not had their response to know as yet. So that's kind of in progress. And and York City Council have confirmed that they had no comments on the draft. In terms of Natural England, we've discussed the kind of content of the section 106 with them. They were broadly happy with what we said and what we agreed a deadline for they would be able to review a copy. And after that we would have a discussion as to whether they were satisfied with it. And then that should be confirmed or not within the statement of common ground submitted at deadline five.

1:07:24

Excellent. So that means that a deadline for you will put in a copy of the 106 that has been circulated. So we'll have it before us. And that will also give Natural England opportunity to respond that deadline five, yeah. Okay. Thank you very much. Can I just ask Leeds City Council? Can you just confirm that that's a representation of where you are? Miss White?

1:07:45

Yeah, that's correct. So you originally referred to my original submission? I did do a submission this Tuesday, which should be received for deadline for. And then just a few hours following that I received a second version of the section 106. So we've yet to review that and just make sure it encapsulates everything we are agreeing on.

1:08:08

Thank you. So are you saying that you haven't already put something in through our portal? Yes, that's

1:08:14

the first time I should have only probably given that to the applicant. But since I've already set that precedent, I thought I'd copy into my second house as well. Just for clarity, so you could see where we will move into.

1:08:27

Thank you. If you find you have moved again before deadline for which it sounds like you may well have done then please just submit a further submission for deadline for and then we can see the chronology of what's coming in from you. That's fine. Thank you very much. city of York. Does that

represent? Does that characterize your position in terms of having no comments on the draft Mr. Baldry?

1:08:47

Yes, at the moment? We're we're sort of we've got, as leads have sort of latest draft of the 106. And we've got no sort of comments or issues with with it in principle, so yeah.

1:09:02

Thank you. And then North Yorkshire Council. Ms. Castor said maybe it's gonna or is it? Yeah. I, so yeah.

1:09:19

We've, as I'm, as I understand, we've received a recent draft that was circulated to me yesterday, late yesterday by our legal rep. So I've still to review that. So I'm not able to comment on whether we're yet reaching an agreement, but we're certainly looking at those details and passing comments through.

1:09:41

Excellent, thank you. And can I just check with the applicant? And you haven't mentioned the Environment Agency? Is that because of their basically referring to Natural England?

1:09:50

Best making international good? Yes. So they've said that if Natural England and the local authorities are happy, then then they're fairly confident that they'll be happy. But that's Something that can be updated in the statement of common ground or sweat that I've heard.

1:10:03

Thank you. And I don't think we have the Environment Agency with us today. But if we do on the call, then please do feel free to step in now. Oh, Mr. Woodcock, I didn't see you there. You're at the bottom of the alphabetical list. Matthew Wilcock Environment Agency, yes. Just to confirm that is the case. Excellent. Thank you very much. That's helpful to complete that. Okay. I don't think there's any other points that then that I had on my agenda for in terms of biodiversity net gain. And that concludes all of the matters that we wanted to cover under biodiversity unless anybody wishes to raise anything else at this point. Okay. In terms of the rest of the morning, I think what I'm going to suggest is that we're going to, we're going to plow on and try, if it goes takes us beyond where the normal morning break would be, I think we'll try and do that in the interests of then finishing the hearing in a little bit more time. But before we start compulsory acquisition this afternoon, so I'm not seeing anybody objecting to that approach, we're going to move on to cumulative effects. And the reason for putting this on the agenda, we're still seeing the applicants and having a reshuffle of team again, the reason for putting this on our agenda is because we have looked at we've broken down the effects to look at them one by one. And it's easy to sort of compartmentalize them. But clearly, they all come back together again, in certain places. And for certain communities, they would feel more than one effect at any one time. So just want to make sure we don't lose sight of how things come back together again, when you zoom out. So we're looking at this in two ways. The first is to look at the frog in my throat, the best look at how the proposed development might be experienced alongside other planned projects in the area. So that's

the inter project effect. And then secondly, we'll come to look at the intro related effects that we've talked about. And there's been some talk of already. So in terms of the entire project effects, we know that deadline three, the applicant submitted number of documents, which update the cumulative effects assessment that was submitted originally with the application. So we've got the ES addendum part two, and there's section three of that, which relates to the intermediate effects. There's been an update to the long list of other developments, and then there's been an update to the figures that accompany that chapter. We've obviously read all that. Could you briefly Mr. Turn, you're one of your colleagues just explained the updates that have been made in headline terms, you don't need a lot of detail, but just so that everyone understands where we are.

1:12:35

Okay, good morning Rachel's emote from the BSP on behalf the applicant covering cumulative effects. So in summary, since the submission of the IES at DCI, we've kept track of planning applications and EIA screening requests local plan updates, and this is just an update the cumulative effects assessment. And through that process, we've identified six additional potential developments which should be included on the long list which has been updated with screen names in accordance with the methodology in Section 18.4. Es chapter 18. From that two developments are included on the shortlist. So that's a solar farm in the nether Poppleton and a residential development Tadcaster, those both aren't yet planning applications. They're EIA, screening or scoping requests. From that appraisal that all the technical specialists have been involved in, it identifies there is a potential for cumulative landscape and visual effects, just during the construction phase of both Yorkshire green and the solar farm. If those construction phases were to overlap or occur concurrently, the only other update was in the ES made at DCO. We looked at the Lumbee quarry application. And there's revised information that's been submitted quite recently. So we reviewed that information to see if it altered any of the conclusions and the cumulative effects and it didn't alter any of those conclusions.

1:14:06

Thank you. That's a really helpful summary. Also, we note that I think it was a deadline to in responses to some of our written questions that North Yorkshire Council mentioned two other schemes that they thought hadn't been included. But having reviewed that, I can see that they have both been included in one way or another. So that was the I think it was cattle cattle scheme. 4000 houses, but that was already included ID 68 in the long list and scope it out. And then there was one about the change of use of land for a fish farm near the month price and substation. And I can see that you've included that in the baseline is actually it's an existing project that is applying for retrospective planning permission. So as far as I'm aware, those projects have been factored into the assessments that practice right Yeah, right. That's correct. Yes, thank you. Do any of the council's or come to you in turn do any The council's have anything to raise in relation to that additional bit of cumulative scoping that's just taken place with a long listing down to the for the city. The six additional projects the two that have been taken forward to the shortlist, any matters you'd like to raise?

1:15:15

I don't think so. Fiona Elwood is on online you may wish to say

1:15:20

a hand up yet miss out Miss Elwood for North Yorkshire Council.

1:15:28

Good morning, Elwood. North Yorkshire Council just wanted to add a short update on the application at the fish farm. We are adjacent to the monk fryston site in that that has actually now formally been approved. So that was very much. Yeah. Just just this just earlier this month.

1:15:49

That's very helpful. Thank you. Okay, I don't I don't think that means any update needs to be made on the basis that that was included. But that's useful. Again, always useful to know these things. On the so the new ID 135, which is the 500 houses in the Tadcaster area that was brought forward into that one of those two projects that's brought forward into the shortlist. There was a potential for cumulative effects with that project, when combined with the proposed development in relation to soils and agriculture. I think so. Um, could you say a little bit about that, please Miss Dimmick? I think I think it could conclude there would be no change to the overall assessment. But the overall assessments that they were offered would already be a significant cumulative effect on soils agriculture. I suppose the conclusion is that there would be a greater cumulative effect. So I think the figures of the in terms of best and most versatile land mean an increase in the cumulative total from something like 135 hectares 280 acres. So it's the the assessment doesn't conclusions don't change, because it's still significant. But obviously, it's a great add a greater level perhaps,

1:17:01

Rachel doing? Yes, that's correct. The the approach to the cumulative effects on agriculture is they sort of look at the combined total of effect on agricultural the best and most versatile land. So yes, that's correct. They, they'd already concluded it was significant from the assessment in the ES mitad. So it's, I guess, increase the magnitude of effect.

1:17:24

Okay. And we note, obviously, that is that that's a housing scheme. There's a scoping study show, it's not even an application yet. And so the levels of certainty about whether that would ever become a project that would be implemented, we appreciate is still a relatively low stage. The other project is you've already alluded to as a solar PV and battery storage scheme, and Nether Poppleton, which is a screening station and even earlier stage. But you as you've already flagged, there's some potential there for the significant cumulative effects on landscape character during construction and also on in terms of visual effects for users of the public rights of way along the river ooze and across scour for more, if I'm pronouncing that correctly, probably not. We've noticed that's a relatively short period in terms of the construction. So it's up to two years. Have you considered or do you consider the deacons, the existing embedded mitigation would do all that you could do to mitigate the potential for those effects at this at this period point,

1:18:28

right, just to make for the applicant, probably need to go away and check that and just check what the embedded mitigation measures are in those areas. And the detail of the solar farm, obviously, this the solar farm development is EIA screening. So there is limited detail,

1:18:44

but it's it quite close proximity isn't it? overlaps at all that limit, same

1:18:48

with an area of this, I might have to check Mr. Fowler an area of scheme where the the overhead line will be permanently dismantled.

1:18:56

Okay. Thank you. So again, it's about the in the scenario where those two bits of construction were happening at the same time. Yeah. So again, we recognize that this is there may be a low probability of that happening, but it could it's it's a worst case scenario situations. So perhaps you could take that as a way as an action just to have a look at. Yeah, so we understand the effects. But whether there needs to be anything additional in terms of the mitigation or whether you whether and how you consider the existed existing embedded mitigation would like to address these effects. Did any of the counselors want to come in on those two projects? I suppose it would only be and it probably would cover both York. Yes. Gone.

1:19:43

I want to know if anyone wanted to thank you.

1:19:46

Thank you, Michelle. Michelle, Would would you like to come in at all. I can see hands up from the others as well.

1:19:53

I have nothing further to say.

1:19:55

Thank you. Miss White for Leeds City.

1:20:00

Yeah, Louise by at least Council. Can I just check the solar farm you're referring to? Which one is it? And where? Sorry.

1:20:08

So it's Nether Poppleton. So it's within the city of York Council era. Now, in the vicinity of pylon X cp 007. If that means anything to you, it's something that you could what? Why are you raising it?

1:20:24

I only raise it because there is a huge solar farm proposal in Selby, which runs alongside the leaves boundary has that one being considered?

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I'll come to the applicant on that. Thanks.

1:20:37

Rachel didn't recover cover half the applicant need to know the location we had there is from memory, there is a large solar farm application and I think it is in that area on the shortlist. But yeah, I'd need that if he could provide the planning application reference, we could check that.

1:20:55

Perhaps that's something you could just do outside of this meeting. And then you could perhaps just comment on that in your default submissions video. Coming back on the other matters. Thank you. Thanks, Miss White. You still got a hand up? Mr. Ball read did have a hand you?

1:21:17

Yeah, it was it was just to confirm that in relation to the screening opinion at Nether Poppleton. As of yet, we haven't had any thing or, you know, in terms of progressing to a planning application. And just going back to the point that relates of just rest. We forgive me, I don't know what how interrelated it will be to this project. But we have had indication that there may be another N sips scheme in East riding coming forward for a large solar farm that goes down to towards Drax. So whether that is what leads we're referencing.

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Have you had formal notification of that?

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I think it was just indicative sort of from the project leads from the applicant ultimately as to where things were going,

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do you know which can you name which scheme that is?

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I've just had the applicant boom power. East Yorkshire solar farm

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instruction. That's fine. That's enough detail. Perhaps again, the the applicant could just go away and check that's dealt with, I would imagine that it wouldn't have been missed, but unless it's a completely new, thank you very much. The action. The only other aspect about in relation to that solar farm was just about some cumulative noise effect being identified for properties in Nether Poppleton known as New Farm and Woodhouse farm. So that's again, a construction noise effect. Which is one of those I think that could be significant except it's it's it's due to the short temporal considerations is downgraded to not significant. You wait, I don't know what this is going to be for you Mr. Dimmick or not, but in terms of are you able to say anything about the duration of work that brings it back into it in terms of calling it short duration? Do you have any details about

1:23:34

Derrick on wealth? African? I would have to check with our noise specialist. If what yeah, that what the British Standard say about the duration of effects and how that affects significant?

1:23:46

Okay. All right, thank you. I don't think we can go any further on that at the moment. You did also mention Lumbee quarry, and the cumulative impacts on biodiversity and the updates because we've had the data and also takes account that further information that was submitted about the live planning application at Lumbee quarry. You've summarized that update for us. The conclusion in the in that es addendum is that there there's the potential for significant adverse cumulative effects on biodiversity, which relates to the need to remove and then reinstate the boundary planting, which, depending on the sequencing may be put in by Lumbee quarry and then taken out again, while your work so run over the top of it. Does that take account of your response to our examining authorities first questions when we were talking about the coordination and the ability to minimize those effects to bike bike bike sort of cooperation between the two developers?

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Because in that, in that response, you say that there's quite a positive response about the potential to actually reduce or minimize that effect by cooperation, although there's nothing secured

1:25:05

the fall and I forget, we had quite a good positive meeting with lumber quarry. And we kind of shared each other's proposals. And I believe that there's a kind of a solution that we can do to minimize the impacts and have to remove that and replanted. So we should be able to provide a bit more of a detail on that I think when we're currently looking at our proposals and how they can amend their plans or kind of work there that planting around what we need to do with that conservation program. So we should be able to provide a further update on that one.

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Deadline for deadline five,

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I think it'll be dead like five.

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So from what you said, it sounds it sounds more like them changing their plans, rather than you changing yours. By agreement.

1:25:47

Stay following afterward. Yeah. And I think it's the way that the timing works.

1:25:53

Yeah, thank you. Okay. In in that deadline, five updates. please do consider, I will be very helpful, obviously, to hear about how the corporation, what you've agreed, but also how that and whether that

might need to be secured in any way. We mentioned in our I think in our agenda here about the battery storage schemes that monk fryston, we are certain questions, we understand all of the responses from the applicants, which was very helpful. We've seen the site so I don't think we'll go back over the battery storage schemes and less than if the well that's not North Yorkshire council want to raise that, again, in terms of cumulative effects. The position is pretty clear. And then in terms of future updates to the cumulative cumulative effects assessment, obviously, the position could continue to evolve over the rest of the examination, we've got a few more months potentially to run. We would like to continue to have updates, I think the main points at which to do that would be deadline five, and then ultimately a deadline seven deadlines, heavens an important one, because it's the sort of final position that we will need at that point. So if there is any thing that needs to be reported in terms of cumulative effects assessment, then please make sure that our deadlines seven, that is the final point for reporting it. And that allows for any comments to come in and deadline eight if necessary. Okay, so I've got nothing else in terms of the relationship between the proposed development and other projects. But we will just come on to look at the interrelated effects then under Part B. And that is just a really allowing an opportunity to look at the potential for the accumulation or interrelationship of effects on places or communities as we're directed to do in NPS en one, the site visit has really helped us in putting together the puzzle pieces. And I think the only plates we really want to cover now is the traveler site. And here, we just want to make sure that we're giving proper consideration to the potential for interrelated effects. And we're aware of our duties under the Equality Act in this regard. And we've had some useful input from Mr. Carruthers. Mr. Crothers? Are you with us at the moment? I know, You've had some technical problems coming and going over the last day or so. Can see your name in the meeting? Uh huh.

1:28:17

Yes, I have had technical problems.

1:28:19

We've heard you've been dropping in and out. But yeah,

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we've got problems with doing in the middle of nowhere.

1:28:25

Okay. Could we just come to you on yesterday, there was a point we tried to come back to you during the afternoon, but we couldn't get ahold of you at the time, which was just really you mentioned, a comment along the lines of the residence of the traveler site not being too concerned about the noise, the potential for noise, construction noise. Could you just elaborate on that comment for us, please?

1:28:47

Well, basically, they're aware of the fact there's going to be construction noise from the Minecraft Preston site. They work in construction anyway. And all they want to do is be left alone. So they're quite happy for the noise provided that they continue to sit where they are now. They're just in the process of putting all their planning applications back in.

1:29:11

Okay, so that's a resubmission of the proposals that were turned down on, on the enforcement.

1:29:20

What happened with it was we had a very unusual peel, where the inspector said, if you do this, and you do this, and you do this, so we've done everything he told us to do. And it's slightly more unusual than that, because it's also still with high court. Okay. It's one of these complicated gypsies.

1:29:39

Yeah, we, we are aware of that. That is a helpful data, there's potentially a new application, I mean, it. We are, regardless of the planning status of that site, we are clear that there are people living there and therefore and they are people with protected characteristics and therefore we have duties to ensure that the effects have been properly insisted on them so that in many ways the planning planning status is,

1:30:05

well what's happened is Yorkshire green have offered mitigation. And we're in discussion with Yorkshire green on the mitigation. They originally thought that they were full of landowners, there's actually 10. And we're currently working out what they're going to provide, we've asked for access to them, because they've got to go and have electricity. And we'll provide it for the work they're doing. We will ask for them to leave that infrastructure behind. And for the site to take yours over. And we won't then take their money off them. If that makes sense. Yeah, that was fair. And we're waiting for them to come back over that. I think they wanted a couple of 1000 to each pitch to take account down to the pylon movement.

1:30:54

Thank you. And in terms of talking about the mitigation, it's been offered that mainly in relation to construction noise?

1:31:01

Yeah, well, it's construction of vibration. I think dropping cables down and things like that. Now, all that's happening with it is they're moving everything out of the way. And I would guess they're all in apple. I think most of them are in Apple B at the moment. So I'm sure that it will all come out quite happily, but they won't be there when they want to do the work.

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Thank you. I've noticed what you said about the landowners. As far as the book of references concerned, there are still only four listed in there. And

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you I know. Yeah, I've spoken with you about the book. Yeah. And what I've agreed to do is I'm putting all of my comments into one submission for the six for the six. Okay, and that will go in with the planning, the planning applications are in but we'll go with the planning applications. Because effectively, the monk fryston site is just effectively a bigger example of the Gypsy site with more people

and probably more justification as a significant infrastructure project, but it still raises exactly the same Greenbelt issues.

1:32:14

Thank you. Where's the African? Let's come back on that point about mitigation and negotiations.

Thank you,

1:32:22

Reg attorney for the applicant. Just just to clear up a couple of points. In terms of the book of reference, we've checked the land registry position, there are only four registered landowners. But that's not surprising, because the land registry only puts four owners on even if there are other people who own pursuant to a trust arrangement or something like that. So you can only have full legal registered legal owners. Were not aware, in sense that often if there is another interest in the land, it should be registered as a separate interest on the register. And there isn't anything but we've we've we've heard what said we're confident that the book of reference is up to date, by reference to our searches and lamrim recent land registry searches. So we don't think there's a problem with that. In terms of mitigation, which I think is the more important point we like you recognize that we should treat the site as a receptor, notwithstanding the planning status at the moment. It is unlawful in planning terms, but it's treated as we're treating as a receptor. Anyway, as you know, we we had to provide an update to complete that assessment in the ES addendum Ms. Coombs yesterday suggested a site specific approach to reflect I think it would be to reflect the sort of combination and mitigation measures that are already reflected in existing documents in terms of cotpa, etc, but, but tailored to the specific needs of that site. And that we should develop a site specific approach given the particular sensitivities and given the particular nature of the occupation there. We think that's a good idea. And we're just giving some consideration ahead of tomorrow's DCO hearing as to how that should be reflected whether it's on the face of the DCO or in a in another document. But we think that's a good idea. And we're grateful for the suggestion. So essentially, we're looking at the specific mitigation we have engaged with the, with the occupiers through Mr. Carruthers, I should say, and he has been the point of contact and primary point of contact. I think, just in terms of what he said about water and power, we recognize that that's something that the occupiers want, but we're not get ourselves going to be providing a water supply to the site or a new power supply that could be used by the occupiers. So that's not an area which we consider to be mitigation or something that we will If we would provide, obviously, it's up to the occupiers, if they wish to use any compensation to pay for that, then that would be a matter for that for them to settle with the appropriate suppliers, etc. But we're not proposing to do that what what we are proposing to do, obviously, is to work sensitively around the site to deal to when necessary move, whether it's caravans, or whether it's equipment or other items to ensure that we can safely carry out the works and ensure that appropriate temporary mitigation measures are in place. And, as I say, We think that's sensibly can be reflected in sort of a single plan for the site, which means that everyone would know in advance sort of what is going to happen. It's not a it's not a document, which we would be proposing to produce before the end of the examination. It's a document which we would anticipate being worked up prior to the commencement of construction.

1:36:00

That's very helpful. is one of the we talked about sort of the need to be creative, and in looking at the approaches to mitigation in this location is is one of the potential ways of doing that to relocate people within the site. Obviously, we saw that, like, it's 10 main pitches, isn't it that are marked out with caravans several within them. But you said One solution is to end that. And we note, obviously, that at the moment, there's not very much at all in the immediate vicinity of the existing line or whether new line would crossover. But that is an option then to just to shift the pictures around

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a bit, registering for the applicant, yes, on a temporary basis, or indeed, if permanent changes need to be made. But I think it would be a combination of liaising with the occupiers, saying whether things needed to be moved at the time of construction, but also, as Mr. Carruthers said, that there may be a sort of coincidence of, of construction period and people not being outside events not being at the site, what we're not going to commit to give them the type constructor program for this project is constructing at that site at a particular time of the year. But obviously, liaison, coordination, communication and the physical mitigation of construction work, so things which we can deal with in a site specific plan,

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and presumably that there would be some overlap there in terms of that community liaison with what's already committed to in the cicp.

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I think, originally for the applicant. Yes, I think that's absolutely right. And certainly on other projects, where national grid has done this, I know other developers of infrastructure projects have done this, that it's it's more taking the sort of generic points in the CSEP and making them concrete for a particular site. Yeah. So that interested people know, in advance which of those measures are going to be deployed? And in what way?

1:38:04

In some ways, it's not that different to this. It's more focused, site specific measures we were looking at earlier in relation to some of the other access points. So that's very helpful. Mr. Crothers. Is there anything else you'd like to raise at this stage? Because I asked one question in coming back, which is, the fresh application that's currently being made in terms of planning application is that for the same level of occupancy, so up to 27 caravans essentially

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the 27 caravans is a court order. Rather than a planning application, what they're looking for is they're looking for for caravans a site, pitch and a dayroom. I would also point out that a local land charge overrides anything at land registry, and there are 10 applications by the 10 individuals. Now, I also believe that it would be right if Yorkshire green of producing sites, Pacific agreements for other sites and the site specific agreements should be concluded prior to construction. prior to construction and other people, they should do exactly the same for us.

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Thank you. I certainly prior to construction is what we've talked about already. It's just that we it couldn't be done prior to consent,

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bridges, anything that began Yes, it's it's prior to construction that would do that. But but just to be clear, for Mr. Crothers, we're talking about something that we would do for this site, but not for others. So it's a special provision for this site, as opposed to excluding you'd suggest to any suggestion that we're excluding them from what would otherwise be mitigation. So we're making particular provision in light of miscreants comments yesterday about thinking specifically about this site. And I think we've recognized the the benefits of of doing that. Just just on the question of the land charges, we can obviously check irrelevant registers, but so that it doesn't become an issue for the examination. Just to emphasize that we've we've we have asked Mr. Crothers for all those details. And if he can supply those to us, then then obviously we can deal with it. Today, we have not been able to obtain those details.

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Mr. Crabb is

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that we were waiting for this and waiting to be told what to do. I'd had discussions with Yorkshire green about the site as effectively identified that they're more than happy with the development to take place. And they're quite happy to work with them provided that disruption isn't catastrophic.

1:40:36

Yeah. Understood, which we don't expect. Which Yes, thank you. Any further points for you, Mr. Crothers? Thank you. Thank you very much for your input. North Yorkshire Council. Just quickly check with you, Mr. Reynolds. If there's anything the council would like to pick up on this? No, I don't believe so. Thank you. And then just to my panel, colleagues, whether there's anything else on the cumulative effects of this site.

1:41:02

And that's fine for me. Nothing for me either.

1:41:05

Thank you very much. Okay. In that case, I think we are ready to move on from item 12. And just to I will quickly pass over then to Mr. Jones while you're on the screen just on item 13.

1:41:19

Thank you, Miss Paris. Item 13 is a checkpoint for us to review actions and issues arising from today's discussion. And also yesterday's discussion, we've been taking note of the action points as we have gone through the hearing both today and yesterday. In the interest of time, I will not go through them in detail. But just to note that we will write them up and publish them on the Yorkshire green page of the national infrastructure website, as soon as practicable after today. And we would hope that that would be by the early part of next week. Just bear in mind, there is a bank holiday on Monday. There have

also been a number of issues discussed today and yesterday that we will return to in is h three, which starts at 10am on Friday, in terms of which is tomorrow, obviously in terms of how they those matters might be secured in the draft development consent order. We have been keeping a note of those and we will endeavor to pick them up as part of Friday's agenda. written summaries of submissions put already today from all parties are requested by deadline for which is Tuesday the sixth of June. So just a reminder to everybody who's made oral submissions either yesterday or today. There's nothing else to add on that. I'll now turn back to miss Pallas.

1:42:35

Thank you. And just to say that we've when that action list comes out, we found it very helpful for the last few submissions when we've had the submissions from the applicant in response to each of those specific specific actions. It's been very helpful to have that as a table.

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Okay, Mr. Tony, would you like to come in before we clarify,

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registering for the applicant, I just want to say that we were we're just a bit concerned. But I think we've we've got the actions ourselves as well. But I think if we get your action list next week, and there's an expectation things we turned around by default that we haven't anticipated for default, then we may be under pressure, simply because there will be less than a week because of the bank holiday. And it's half terms. So I think we're probably going to be short staffed in reality. So I just I just give that warning about to manage expectations. But we've got our own list, I think where we've said we'll do things by default already, we will be doing them by default. And if there are other things that come out from your actions, we might have to ask for D five, that's fine, I

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think you'll be delighted to hear that we are so on top of our own action list, they hopefully will come actually come out today. So by the end of today, they should be out and I appreciate you're in the position of having lots of actions that that directed your way. So yeah, for everyone's sake, we'll try and get that one out today. We'll try and get the CA one out as soon as possible. Hopefully before the end of the week can't commit to the DCO one though being out in time. Okay. Thank you. So then we're just going to move on to check that we haven't got any final outstanding matters that need to be covered today. So we've we've have covered an awful lot yesterday and this morning. But if anybody else would like to raise any final matters before we close this hearing, then this is the opportunity. And I'm not seeing any hands raised so we will go straight on and just want to thank everybody for all of your time. Those who have been in the room and those who've been with us virtually for the last day and a half has been extremely helpful to us. This afternoon, we will hold a compulsory acquisition hearing one starting at 2pm Back in this room, and then tomorrow at 10am. We'll move on to the issue specific hearing three on the draft development consent order. So the time is 1142 and issue specific. Hearing two is now closed. Thank you