

TEXT_ISH2_Day2_Session2_A47NorthTud_05112021

00:05

Welcome backs 1140. And this issue specific hearing is resumed just before we go back to the agenda against the party. But can I just confirm that the live stream and the recording of everything has commenced?

00:20

The recording started Mr. Hunter, and I'm just waiting on confirmation for the live stream. Just bear with me. Yeah, that's running.

00:30

That's great. Thanks, Mr. Parker. Appreciate that. Thank you. Okay, if we can move on to Item eight on the agenda, which is a landscape and visual effects. And what I have done under the agenda, if you've got in front of you is this a series of bullet points there, which I think will be helpful to sort of go through, what I'm not thinking is that we'll go through each one. In turn, I'm thinking perhaps if we're going to go back to the applicant, it might well be that when you sort of address me, we can sort of you be able to sort of work through those in terms of your presentation to me if you like. But just to sort of run through those, it's really just an outline of the approach. And the landscape matters. And the mitigation proposed the effect of the relevance on trees and hedgerows, the consider the impact on identified receptors, including the twin Valley, helpful there to sort of understand how receptors were identified. And then mitigation measures as well. And also, what I'd like to just do is, it will be helpful to me to sort of get some context for the proposed structures and how they've been designed in the local context as well, and how their their effect local land form and making sure slopes and embankments have not been designed to be overly long and have been kept low within the landscape. And this probably goes back to the discussions we had yesterday morning with regards to design, and the road to good design, which talks about the ends of the document being reflecting in its design, the beauty of the natural built in historic environment. So this is where that sort of the natural environment so I could go to the applicant that would be that would be helpful.

02:14

So Michael fry for the applicant, you may well hear from Mr. Arthur again, on your design questions, but in the interim, may introduce Mr. John Meehan, to address you on landscapes.

02:29

Good morning, sir. Join me in for the applicant.

02:33

Good morning.

02:35

And just to reiterate, Mr. Fry's comments that I would defer to Mr. Arthur on on sub structures and design there, although I can contribute from a from a landscape and visual,

02:46

yes, really, if I clarify that it's not necessarily the structures themselves, it's how the landscape assessment and or how the work that you have done is fed into that design process to ensure that that minimise mitigated, and I think references made to the V Low within the landscape and that side of things, so it's not, it's not the structures per se, it's that landscape. They're sitting within the landscape, if that makes sense.

03:11

Yes. Okay. I mean, there is a, there is a written response, if one of my colleagues can get that to hand on the the Eastern footbridge, which I think might be useful to frame that discussion. But Sal, and so I'll proceed with the first bullet point, if that's okay. Yeah, so the general outline. Okay, so the applicant carried out a landscaping visual impact assessment of the proposed scheme, I can refer you to chapter seven of the environmental impact assessment, which is a PP dash 046. And in particular, I mean, all appendices are important there, but two components of that, that that give detail to the landscape visual assessment, Appendix 7.3, which is a PP dash 091. Let's say that's the landscape character assessment, and that, that gives greater detail and is presented in the chapter which is sort of a form of summary of that assessment, and appendix 7.4 Regarding visual receptors, that's a p P dash 09. So as I say, all the appendices are important, but those two are crucial to the detail of the assessment that's provided presented in chapter seven. The assessment followed best practice guidance, primarily dnr b la 107, which is specific to highways, assessment of effects due to highway schemes. However, the guidelines for landscaping visual impact assessment third edition produced by the landscape Institute former backbones the methodology on this particular assessment also, in addition to desk based studies, site surveys were carried out by myself and my colleagues and the landscape team. These were carried out from publicly accessible locations and no notable limitations to the LDA were identified due to that standard approach. With regard to consultation, the key element being agreement, viewpoint locations as part of the visual assessment specifically, my understanding is that it is agreed that the applicant engaged fully with host authorities on those locations. With regards to the assessment and to sort of flag up some key areas, I suppose I refer specifically to Section seven point 10 of chapter seven a PP Dash and 046. It's corrected, and assessment findings of notes prior to consideration of the mitigation proposals are, and again, this will understand your point I'm sort of blurring between the different bullet points here. So with regard to landscape character, significant effects at construction and opening year, were identified on landscape character area a five which is the updated landscape, and LC a D to Western green tributary farmland. So that was, prior to that consideration of mitigation. Significant visual effects were also identified on some residential and recreational represent receptors in proximity to the proposed scheme. And I suppose just to draw on that, again, I say, you know, I would refer you to appendix 7.3. And the approach taken to landscape character assessment. It you know, each each schemes different we approached landscape as landscape character being the backbone of the landscape assessment, we approach each assessment differently. And in this instance, it was considered that the published local character assessments by the host authorities were a sufficient detail that they provided the basis upon which are the baseline

upon which we assessed effects of the scheme. So when I refer to La LCA five opportunities, that's a locally identified character area and in the published character assessment, so as I should reference the specific so that's Breckland and LCA de to the Western green tributary farmland apologies that's broadland abroad land character area. And so that that formed the basis upon which we assess the effects of the proposed scheme.

07:28

There are obviously there are other characterise identified within the study area, but those were the two that we we considered to be experiencing significant effects prior to the establishment and mitigation. With regard to landscaping visual mitigation. This has been developed in response to the findings of the assessment and in conjunction with the design team and other environmental consultants on the project team such that there are components of embedded landscaping visual mitigation within the scheme design. This is set out in paragraph seven, point 9.3 of chapter seven, a PP. 046, which identifies the design sought to minimise direct impact on trees and woodlands through avoidance where possible, especially mature or veteran specimen trees aren't roadsides minimise the landscape effect and visibility of the main infrastructure by limiting the elevation of new infrastructure and earthworks within this low lying landscape and by providing adequate screen planting. And on that point, Mr. Arthur, I'm sure will be able to elaborate further and maintain the distinction between the trunk road network and the underlying rural landscape by ensuring the elements of the proposed scheme away from the main trunk roads are detailed in a way which is appropriate to the local vernacular and rural character and are distinct from the treatment of the a four seven corridor. Again, Mr. Arthur be able to potentially assist if required on that. The environmental master plan has been produced by the landscape team. So the environmental master plan being document our EP three dash 016 And this had been produced by the landscape team and has sought to combine all environmental mitigation which primarily comprises landscape visual, ecological, acoustic and hydrological inputs amongst amongst others, so referring to paragraph 7.9, point four of chapter seven and a PP dash 046 which states that mitigation aims to also achieved the following which are relevant to this discussion, protection and enhancement of the landscape character and sense of place or *genus loci* by firstly retaining away from the main trunk road carriageways, the pervading sense of an under lying peaceful rural landscape. Creation of new areas of tree and woodland planting to compensate for losses. Integrate the proposed scheme infrastructure through appropriate use of planting to contribute to visual screening. reinforce the existing linear and geometric character with Woodland planting where this is consistent with the surroundings reinforce existing field boundaries with individual trees and hedgerows where the field pattern is a notable component of the landscape and retaining or replacing and reinforcing existing vegetation where this contributes to the distinctive qualities of the landscape as well and finally selecting plant and grass species appropriate to low quality to maintain consistency with the appearance of the area. Now there, there are other points as they're on the role of the environmental mass funds such as acknowledgement of the landscape setting of certain cultural heritage assets, such as St Andrew's church humming him and St Peter's Church. And the alignment offences from noise bonds and noise fences but but primarily the points have given relate to landscape assessment. Following the establishment of proposed environmental mitigation at year 15 as a standard consideration, year 1515 years post opening of the proposed scheme, it is assessed by the applicant that there would be no significant landscape effects due to the scheme albeit with a residual slight adverse overall effect on landscape character, a small number of residual significant visual effects have

been identified. However, best efforts have been made to mitigate those effects as far as is reasonably possible. And in the context of the overall scheme these are considered to be to comprise a small number of significant visual effects.

11:38

Regarding delivery, the formal delivery of the mitigation proposed, and all the mitigation commitments are recorded in table 3.1. The record of environmental actions and commitments are the react as it's referred to in the environmental management plan, and that is a PP dash 143. Furthermore, a landscape and ecological management plan known as the lamp will also be produced by the appointed landscape architects, the applicant, and ecologist prior to construction. The lamp will describe the proposed management and monitoring of the landscape and ecological mitigation and compensation features of the scheme. Delivery of these commitments including consulting the relevant local planning and highway authorities is secured by requirements for an environmental management plan and five landscaping of the DD CO and that's a PP dash 017. So, that was the first that was a response to the first bullet point and I did obviously touch slightly on the toad Valley. And I mean, one point to make regarding specific effects on existing trees and hedgerows is I would refer refer you to appendix 7.6 The Alberta cultural assessment which is a p P dash 094. And also the response the applicants given to relevant relevant representation are dash 037 Dots 21 in which the approach taken to further cultural work is carried out so, cars sell out which is action LV three in the record of environmental actions commitments the Riak requires a principal contractor to engage in our vertical arboricultural consultants to complete an arboricultural method statement or the ANS as its referred to the Method Statement shall include but will not be limited to the following trim protection measures in compliance with Bs 5837. During the construction phase maintenance monitoring requirements of the tree protection measures sheduled trees to be removed and based on the end that will be based on the detailed environmental master plan the and also as appendix 7.7 as referred to proof previously, tree root protection zones will be defined and a contingency plan in the event of an incident such as chemical spillage. And again just to reiterate, delivery of this commitment is secured through the DDC Oh requirement for Environmental Management.

14:38

Thank you very much for that meeting. Just if I could just well it on trees. One thing I do know is that in their local impact report, Norfolk County Council made a couple of comments with regards to a number of comments actually, with regards to the removal of trees with some potentially being veteran and from from They're on assessments of the ABA cultural impact survey, that some of the stem diameters may indicate that there may be. I know that there was a response provided I don't think it quite picked up on on that aspect of things. So it's just wondering if there's a comment. I did pick up yesterday from the discussions that there are steps of common ground being prepared. And it may well be really fun as part of that, but I'll leave that with you.

15:29

Yes, sir. So join me in for the applicant, I would defer to the statements of common ground. And if the we will review that response if it's considered as an admission, and it didn't fully answer the question, but what yeah, we will respond in writing on that point.

15:44

That's great. Thank you very much.

15:46

I mean, there's just to confirm as well, actually. The the response was given no veteran trees have been identified by the the agriculturalists, appointed by the applicant to assess the trees on the scheme.

16:00

That's yeah, I get that. That's, that's fine. I think it's just the county council raised bed. Others may fall into that category, but but that's fine. Thank you for that clarification. Mr. So hoping to have got a hand up from Mr. Taylor, I think yes. Mr. Taylor.

16:20

Yes. Thank you, Robin Taylor, South Norfolk and broadland Council's apologies. I've had terrible internet problems this morning. And I've come back, but I've got sound, but I haven't got a camera working. So I decided to leave the I just wanted to say that we provide the comment based on the submitted arboricultural information. And we and we were we noted that there were no veteran trees identified. But I think if I note that the county council have racist query on that, but I think we were relatively content provided that there are no veteran trees identified. But if that changes, then I think we would, we would probably want just to review any new information on that and and update our comments. So I'm happy to leave it stand from our point of view, but leave it to between county council and the applicant, particularly if that changes, it might be that we we need to take a view on on if something has been identified. Thank you.

17:22

Thank you, Mr. Taylor. And that that's helpful. Thank you. To what I saw Mr. Author pop up? Yes, they are. I'm guessing you may want to come back in regards to the points I was seeking on design and landscaping that side of things.

17:41

Yes, good. That's good afternoon, Sir, by the offer on behalf of the applicant, it would just be to direct you to some of the document references for information on those requests are contained so so that the first port of call would be the the scheme design report documents 7.3, which is application reference a pp 142. Within Section six, it covers all of the structures and the the options identification process that was followed on 6.9 is in specific relation to the eastern footbridge. So in addition to that, I would refer you to examiner's examining authorities fostering questions to which applicant responded document 9.6 which is our EP 2014. And specifically to questions 10.05 and 10.06 10.06 includes a requirement of the tree those are the final detailed design and supporting landscape mitigation planting will be confirmed in consultation with the relevant planning authority and pursuing the requirement fully detailed design and requirement five landscaping of the DDC to RDP 1004 In addition to that, the environmental Master Plan refer to submitted a deadline three which is RFP three dash 016. And specifically sheet 14 of 14 outlines the proposals and the vicinity of the the Eastern footbridge what I will touch on from that from a design development point of view. So as we touched on during the design

section, yesterday morning, there is an existing crossing that is not fit for modern standards on the day 47 On the approach to the eastern roundabout that the scheme proposes to remove the applicant reviewed the possibility of providing a structure at that existing location, but it was not possible to achieve the required head drums for the middling category at that point. Therefore, the applicant then looked at a suitable location to provide that facility that would still serve Eastern unlinked with Lauriston. Hence why we ended up with a solution. At that point proposed. The applicant undertook an assessment of an underpass in two forms One was straight on the past the other curve that was linked to Eastern under the 47 and connected to Church Lane. And one was art and underpass with a switchback design, the first underpass option, we couldn't get to work from a level perspective. So that was discounted. And the second one only worked with fairly significant switch bikes, which would have been a deterrent to use for for cycles and such like so taking into account the required degree the ins and standards in accordance with the new UK dmr. So that led to the development of the overbit solution and this area that has obviously been designed in accordance with the relevant standards and guidelines and engagement with the local highway authority and Eastern polish. And in that regard. So hopefully that provides enough information to answer your question.

20:47

That goes thank you that that's useful. Thank you very much. Thank you, sir. I have a couple more questions, but they move on to slightly different matters. So just before I, I sort of bring us up to lately, just see if there's any other comments or questions from from anybody else at this stage? Oh. misquoted I thought I heard you there.

21:26

Sorry. So I am meant to say to one of my team that I was not going to ask them to put their hand up, but I accidentally pressed the unmute. button instead, I'm sorry, I'm I just want to we do have an a number of points three particular points to make about matters relating to impact on hedges and trees. And two points in relation to impact of the scheme upon identify receptors but but because we've taken these sorts of slightly out of order or covered some things together, I'm I'm not quite sure way you might want us to come in on that.

22:07

I'm happy for you to come in now. It helps me sort of other questions relate to cumulative impacts in bits and pieces around that. So it would seem logical that your questions and comments might well fit fit now, to be honest.

22:19

Yeah, that's helpful. Thank you then. So in that case, then can I can I start by dealing with the question of the impact on trees and hedgerows? And what I'm going to draw attention to are what we see as a number of errors that have arisen in the applicants arboricultural impact assessment, the result of which has been, as we understand it, to exclude quite a significant length of headrow from their assessment. And for that purpose, you'll need to add a pp 094, which is the agricultural impact assessment. And I'm afraid it's just a little bit of a we're going to do some of our own archaeology on this end of this document. Do you have that sir?

23:19

I do. Yes. Right. Okay.

23:21

So just by way of starting point, the arboricultural impact assessment, as you'll be aware, is subject or to a number of appendices. Included amongst which are appendix three, these are all internal to the documents, so we don't need to open a new document, Appendix three, which is a tree survey schedule, Appendix seven, which sets out impacts by tree by reference to tree numbers, and appendix two, which is the plan the trees plan within dia. Now, we're going to start off with the plan. The plan that I'm going to ask you to go to is plan four of seven, which is at page 26 of the PDF, which identifies those hedges and trees that are in proximity to very Hall estate.

24:23

And, sir, just, you've got that great. By the way, other context, in this report, you'll be aware that trees are given the suffix T groups of trees are given the suffix G and hedgerows are given the suffix H. Well, they're supposed to be the first error that we've identified is that there are a number of what are in reality hedges, which have on this plan, been marked as G and I'll come on in a second to Explain how we know their hedges. But on this plan, you can see. So if you look at the field where Mary wood is. And if you look at the apex of that field, you'll see there a hatch area marked g 159. So G would suggest that's a group of trees. You will then if you if you look along the east side, a very Lane

25:36

channel come on summary. Actually, if you look first of all on the key side of Marywood field, you'll see a Hedmark g 159.

25:56

Sorry, I'm sorry, she 158 is the is the hedges is the hedge again. Sorry, that's my incorrect numbers. And then there's also g 167. We need to look at which is a long lead. It is along the east side. Very late. So actually, where we do remember where we looked at g 159. Sir, it's just to the left of that you'll also see G 167. It's, it's under quite a lot of sorts of hatching and things.

26:34

Yeah, I've got that now. Yes. Yeah.

26:36

Okay. So all marked on this plan as being G for group of trees now. And there are two reasons we know that they're in fact hedgerows. One of those is obviously personal knowledge of the site. But But actually, it's also set out in the applicants own material. So if you go to appendix three, sir. So following on from the plans I'm afraid of not marked down page reference here. So if you just bear with me

27:20

actually, sir, I'm concerned that maybe I should have given you one other sorry if I just take some instructions second, give me.

28:12

Alright, so I thought maybe I'm just looking again, I thought I'd given you an incorrect reference. So just to be clear, the three hedgerows we've got G 158, which we looked at, that's the one that's on the east side of the Marywood field. Okay. We've got G 189. That's the one I gave, I gave you the wrong reference for G 189, which is on the west side of theories lay. So if you look on this plan, sort of where the southern dumbbell is indicated. And you see that if you look at about five o'clock, if you imagine the clock base, if you come at five o'clock on the on the dumbbell, you'll see G 189.

28:56

Just bear with me, it's just zooming in. So

28:59

yeah, sorry. It's quite, it's quite as confused plan.

29:06

1589 Yeah. Okay. Thank you. Yeah.

29:09

Yeah. And then we've got one G 167, which I think I gave that's 100 Give us well, that's the one that's just on the apex of, or just just on the apex of the Marywood field.

29:25

Yeah, thank you. Okay. So

29:27

there are three Petros now, if you look in Appendix three, and you might probably the easiest way to do this service via a control find search, but you you won't be able to put in g 158 g 189 g 167. What you'll need to do is put in H 167.

29:53

So if you are certainly if I search H 167. So what comes up is page 82 Page 50 Two of the is inserting the pagination page 52 at page 82 of the PDF. Do you have that?

30:17

I do now. Yes. So it's page 82 of the Yeah, yeah.

30:20

Yeah, that's right. Now, you'll see here, if you're looking in the reference column on the left hand side that you've got G and H. So the G and H numbers that they there's no G and no h as the same number. So you don't have for example, G 158, and H 158. They're either letter G or H. So so. So in those circumstances, you'll see that these have been in the table correctly recorded his hedges, calling us to say with our own personal understanding of what they are, but on the plan they've been shown as groups of trees.

31:11

Okay, yeah, I can see what you're what you're referring me to yet. Thank you.

31:14

Okay. So now, but when where the next error comes in? If you go back to the plan, which was on page 26 of the PDF. You're you'll you'll see on the on the in relation to those hedgerows that I identified that there's cross hatching along portions of their accent. And what that means is that they're to be partially removed.

31:58

Okay, yeah, got that.

32:00

Yeah. Now, then, if you go to appendix seven, sir. And I'm sorry, I say there is a bit of archaeology for this.

32:11

So that was appendix seven, did you say? Yeah.

32:14

And that is, again, if you just do the control, fine. That's probably the easiest way to do it. So if you start with your will be 8158. You'll see that it says hedge row mix, see three unaffected retain and protect? Can you see that? If you do the same exercise for H 167. That's on the next page.

32:50

What's the internal page number just so that I've got the right to make sure that

32:54

this Court doesn't have an internal page, EDF page number is 141 40. PDF.

33:01

Okay. Yes, I'm on there now on the right spot. Yeah.

33:05

Yeah. And then if you for each 167, which is on page one for one of the PDF, you'll see the same message HydroMax see three unaffected, and then you'll get a patent of this h 189, which is on the next page 142 as a PDF. It's exactly the same message.

33:35

So having been showing, you have a thank you. So having shown on the plans as being on as being partially removed, they're then listed in this documents as being unaffected. And if one goes back, we sort of had a look at this. And if one goes back to the executive summary right at the beginning of the document, and that's PDF page. One of so PDF page seven, page one of the document, it notes on that final paragraph on that page, that 42 hedgerows will require partial removal. And then if one looks

at page it's page 12 of the PDF. It's table three at the top. You'll see their tables, table headings, tree features requiring partial removal. And then there's hedgerows and you'll see they're in the category. See it says 41 total. See Appendix seven, and there's obviously 42 hedgerows to be removed overall. It appears that the hedgerows that are shown for partial removal on the plan got shown as unaffected in the appendix seven, have a yes in appendix in Appendix seven, they have been omitted effectively from the assessment. And we've done, we've scaled those hedgerows off the drawings very approximately. And we're talking about something in the order of 150 metres of hedgerow which appeared to have been just omitted from the assessment. And so that that obviously gives rise to some concern, particularly because we have only looked at page four of seven and the hedgerows that are of interest in the facility of of bury all so so that that that's the first point flag in relation to the emission of hedgerows. In relation to trees, there are two there's, well, there's one three that I want to identify for you. And I think so we can do it from the same plan. Let's just check back to page 26 of the PDF again. Sorry, it's slow because it's larger. It's it's, it's the page down I think 27. Jaws my computer just travelling very slowly on this because of the size of the plan.

36:51

Sorry. Oh, yes. Yes, this is a school setting. So I couldn't sorry. It's because of my computer. So so if you just go down if you're in the Marywood field.

37:11

Yes, yeah.

37:12

Yeah. And if you look, you will recall yesterday we were looking at the hedge row along well, footpath three years. Do you remember that too? Yeah. So that there's a tree recorded there. Ti P two, eight. That's not the tree I'm talking about just to be absolutely clear about this, but the western end of where that hedgerow is but slightly to the north of it in the corner of the field effectively, there is a beech tree that has been omitted. And it's our understanding and this this perhaps is where little confusion came in between ourselves and Mr. Arthur yesterday when we mentioned the loss of a tree. With the construction of the second grade cycleway, Mr. Arthur mentioned that there was no intention to move the hedgerows in that area. There is in fact a tree in that corner of beech tree that hasn't been identified that we understand to be writing basically right in the middle of the footway or part cycleway, when, where that will be will, it will, in our view, necessitate removal of that tree that haven't been identified.

38:32

And then lastly, began using the exactly the same part of the plan zone, this is actually another missing hedge. And you'll see he won six, four marked along there along that Southern along with the footpath three years. And then if you look just immediately to the right of that, you'll see there's no hatching and there's just an orange line. And in fact, sir, there is there, a hedgerow along that southern boundary, and no doubt, we will see that on your ASR. And it's also identified on the hedge plan that's included in the heritage management plan, which we don't need to go to, but I'll just give you the reference. Do note, sir. It's ACM zero 3.3. At page 84, and it's document read 1048. It's referred to as hedge h1 Six on that plan, and it's a hedge row that's about one and a half metres thick. And so that that also seems to have been omitted. So those are emissions that we've identified. And in relation to that, and

presumably any emissions that are there are fed through into the assessments. So so that I can leave then hedges. And if you're happy, I'll just go on to the impact of the scheme upon identify receptors. And the two points that I'd like to make that

40:21

Yeah, that's fine. Thank you for that.

40:23

Thank you. So, there are two points that I want to make. One relates to the impact of the scheme on an identified receptor, and in particular, an assessment that we would like you to consider when you go on your a company site visit. And the second relates to what we think is a failure properly to identify a landscape resource upon which the impact is to be assessed. So I'll deal with that first point. First, this relates to the applicant's assessment of visual perception identified as p 12. And for the purposes of this, you will need the LBI Lantian visually facts figures so it's ies figures 7.1716 which are rep 2012.

41:26

And ravensara. At the other document so that you will need up is AP oh nine two, which is the IES appendix dealing with rich with visual receptors.

42:03

Sorry, can I just check that first reference? You get me? What was that one?

42:07

The first reference is rep 2012. It's the should be EAS figures. 7.2 7.6.

42:15

That's fine. Thanks. Right. Okay.

42:19

So looking at looking first, at that figures, you want page 11 of 12 which is finger 7.5 visual receptors. And the receptor that I'm asking you to look at is the one that's lettered p 12. Which is you'll see it sort of broadly located on the north northwest corner of the Warren plantation.

42:55

Okay, just bear with me. It's just slow everything up. Right. Here we go. Right. Okay. Yeah. Thank you. I'm there. Now. Point.

43:00

Yeah. So you will see there. P 12. That is that is the east west. footpath that runs to the south, very all on the south side of the river Todd. And I understand from Mr. Manual that that is a very well used footpath. And it was part of a series of footpaths that were intended to connect the villages. And you will see that it does run from honom. Up through to on icmart Business East tunnel. That's correct. Yeah. So if that's the footpath we're talking about. And you'll see that P 12. Has three green boxes, which

denotes non significant impacts. Now, if you insert go to a PP 092 being the assessment document. And if within that, you go please to page 22, sorry, page 24 of the PDF, it's page 22, internal pagination.

44:16

You'll see there the line entry for p 12. And you'll see that it's described as a medium sensitivity to receptor along about naught point six kilometres of which are affected. And you'll see no mitigation required because it says during construction, there will be no views from this footpath due to intervening street screening. Year one of Operation there'll be no change to the view and year 15 There will be no change in the view and consequently it said that there is a neutral or not significant impact. So that is an assessment with which Mr. Mendell cannot agree. And once you particularly on your site visit to go and See that they're willing to fat be a clear view of particularly the compounds during construction. And so so that's really set the context of that, that you you will have a look at on your ASI and reach your own view as to whether that assessment is accurate.

45:20

Okay, thank you. Yeah. Can I start? Can I just ask anywhere on that footpath? Is there a particular point on that footpath? Or is that the whole length of the footpath that that point is being made?

45:36

Yeah, I'm told that scenario for about 100 yards. Not sure there's a new money. Yeah, I'm also advised by Mr. Mandel that he considers it's likely that you'll be able to see the south dumbbell during operation at that time as well. So, so it does go into both the construction and operation phase assessment. Okay. So obviously, Mr. Manoj will be on the accompanied site visit and so we'll make sure that he you can appreciate exactly what he means when when we come to you can point that out to you on that part of the site visit.

46:12

Thank you.

46:15

So thank you for that. So then, that brings me on to my second final point, which is about failure properly, we say to identify these states as a landscape receptor that ought to be or landscape of source, the effects on which ought to have been considered in in isolation. And so I just want to start with the policy context for this. In terms of what the NN NPS says 5.149 notes obviously that projects have to be designed, carefully taking account of the potential impact on landscape, etc, etc. And then there are policies relating to both designated and on designated landscapes. Now, areas designated for their national landscape quality are specifically identified within the NNPS as we familiar to you, and they are the subjects of specific restrictive policies. We acknowledge that the IHG a designation and the inheritance tax act designation is not one of those identified national landscape designations. And so those areas, those policies don't strictly apply. And we accept that that is a matter of fact. But what I do suggest is that the existence of those policies does give some indication of the weight that's to be given to impacts where there is a nationally significant component to any landscape quality or landscape, or the quality of any landscape assets, as we, as we say is the situation here. I'll come on to explain that a bit more in a moment. So paragraph 5.156, of the NPS then deals with developments in other areas, ie

not in nationally, not in the natural landscape designations identified in that document. And It notes the existence of course of landscapes that are highly valued locally. And they make the point that those effects on those landscapes should not in and of themselves be used to refuse development. But the plain implication is that weight should be attributed to them. Now, it might serve be said that in this particular Lance, this particular case, the landscape sort of falls between two policy storms. It's not nationally designated as in it's not in an AONB and Eric, outstanding natural beauty, it's not in a national park. If frankly, it wouldn't be a sufficient scale course apart from anything else, but it is more than locally valued, having been recognised as having outstanding interest at a national level, and I'll come back to that in a minute. But the key points from our perspective is that will be important for the Secretary of State to have taken into account and afforded appropriate weight to the impacts upon the state and landscape that has been designated. Now, just on that falling between two stools point, sir, obviously, what you do also have is the important and relevant consideration of the National Planning Policy Framework, which you're well familiar with, sir is paragraph 174. A of that recognises the need to protect value lands escapes in a manner commensurate with their statutory status or identified quality in the development plan. And we have previously flagged to the applicant, in this case, the points about highly valued landscape and valued landscaping, and we haven't yet heard what they've got say about either of those, I'll just throw that down as a marker. So then in terms of the actual landscape interest of this particular site, so I'll refer you, I'm going to look at your very briefly at some of the documents that were mentioned this morning, but which obviously we didn't, didn't end up going into personally for obvious reasons. The first of those is the Papadum report, which is the 2001 Report. That led to the initial designation of the state, and that is ACM zero 3.2. And it's document rep 1047.

51:10

And, of particular interest, and providing the nice summaries for the so that I can be as brief as possible is paragraph 5.2 of that. Where it says, I'm sorry, I don't have page reference, because I've got the quote down on my notes. But what it says is, it's

51:34

up to me anyway, that's really

51:35

helpful. Thank you. So so you'll see that it says, it's clear from the above description, and it refers to the preceding paragraph that very epitomises the landscape of the area. It's significant. It stems from the following factors, it possesses all of the key features of the CAE character area. It is not a normal agricultural estate, but just been formed out of an area of land associated with formal vicarage losses of a smaller almost miniature scale, which gives the landscape an added attractiveness. It's remarkably complete in landscape terms having been effectively unchanged over the last century. And then it describes the principal landscape features and says there's sufficient historical information to be able properly to record the development of the landscape in a manner which would provide a good basis for future management. We then sir, go on to the heritage management plan, which is at rep 1048.

52:41

And in particular, so I'm going to, I'm just going to start by asking you to go to chapter two of that. Just be clear, this is volume one. So if you look, if you go to chapter two of that clatters at page 14 of the

PDF, and you'll see it's headed heritage appraisal and classification of landscape features. And just notice having placed these dates in its landscape and economic context, the chapter seeks to identify what makes the state of national heritage interest when the heritage interest of the state has been established the elements of the landscape, which contrary to its scenic value are identified, and there's then this appraisal of heritage value. And it's in particular the first four bullet points that are of interest. And again, it repeats the points that were in the pocket report about epitomising The traditional landscape, talking about the smaller intimate scale, which gives you an added attractiveness and being largely unchanged, along with the principal landscape features. If we then move on to chapter three, that's on page 16 of the document. You'll see that this describes the aims and overall objectives of the management plan. And it says that the aims and objectives do not necessarily reflect for Ross Ori chapter, it states that the aims and overall objectives and the management plan it indicates the balance to be struck between its commercial management and the conservation objectives, which will be a requirement of its national heritage interest. So again, this national heritage interest that we're describing, and then it sets out the aims annual notoriously aim, one to protect, conserve, and where appropriate, enhance the Heritage Area of the variable state, as shown on finger one, and then it describes how that might be done. And in particular, so I'd like to draw attention to 3.1 point two which is relevant in this context of the US is hot on the landscape resource seeks to avoid the destruction. He said the plan for crude sudden or fundamental changes in land use vegetation cover and buildings, and seeks to avoid the destruction or degradation of the estates, their textures and natural and tradition or features. So that's quite an important aim. And obviously, then it's got various objectives carrying on over the page. And we're nearly there with this particular documents. But if you can hear me, we'd go to page 19 of this document, which is chapter four. And then it describes that sets out the description and management of the Heritage landscape features, and then several pages that follow setting out what those features are, and they include the buildings, but also they include the garden in the ornamental landscape. And importantly, for the purposes of the impact of the steam, they also include the agricultural landscape, to the northern side of the hall, as well as the field boundaries, and the woodlands. So those that's really important, obviously, to understand in the context of the impacts of this project will be happening. So so that's the heritage management plan. And obviously, I commend the entirety of it too. But that's the key features for present purposes. I then just want lastly on documents to go to on documents about the interest of the state just to go to the natural England's formal assessment undertaken in 2011, which is read 1051. And that's a was appendix six. To Mr. Mental statement. Now, there's background, I'll let you get that up, so forth first why?

57:06

Yeah, I've got them now. Thank you.

57:07

Thank you. So the background to the matter is set out in section one, I think noted that HMRC requested Natural England to advise on whether the line qualified as being outstanding Sydney core historical scientific interest under Section 31 will be of the 1984 acts, and then to remake recommend the measures that should be taken for the maintenance, preservation and repair of the property in the provision of public access. There are various people consulted, as you'll see there. And then the assessment is set out in three point in section three. And in particular, we're interested in Section 3.3 On page seven, which is the assessment of quality. And what it says there as it talks about the coffin

report, and it says the following is a summary of the conclusion of these assessments, which will confirm as accurate during the site visit of January 2011. And it talks about first of all the landscape as a resource, and it peaks the points that we've already seen from the report. But it adds a very significant point at 3.3. Point four, it says this, it says the landscape is incapable of substitutability, ie the replacement of features lost with an acceptable and appropriate substitute that provides the same benefits. So it's saying this landscape cannot be replaced. You could give a substitute for the word substitutability. It is irreplaceable. That's very important in the context of the impacts of this project upon it. Then has description of the cultural aspects and it talks about the intact landscape of small fields and woods dating from the early and mid 19th century. And it talks about some of the historical associations. It goes on to talk about the buildings on the aesthetic appeal the condition and it concludes overall that the claim land that is the land within the boundary of these days identified on here in the heritage management plan is of outstanding scenic and historic interest.

59:34

So then, that brings me to what now How have the app how's the applicant assessed the impact on the landscape and what they've done. We'll need to go first of all to the last visual chapter of the environmental statement, which is a PP 046

1:00:08

And if you go to table 7.1, which is page nine of the PDF, you will see that it identifies topics that were scoped out. So I'm just opening this up. Table 7.1 summary of proposed scope, landscape effects, and then it says is the project likely to affect designated landscapes, statutory or local designation? No. And it scopes it therefore, scopes out consideration of the project on particular designated landscapes now. So I've accepted that in an NPS policy terms. This is not a designated landscape. But plainly it is a landscape that does have a statutory designation relating to its outstanding significant interest. And so there has been no assessment on the estate itself. And so we say that is a significant admission, having regard to the fact that this has been identified and confirmed by Natural England as having this national level interest. And I took you to the references in the documents that confirm that it was a nationally significant interest. Now, it does, of course, in this documents, consider LCA, a five character area of the rivet sub character, which does of course, include the state. And its right to say that it describes that particular character area, high sensitivity, and the overall results of that assessment, looking at the characters a whole set out in the appendix that deals with landscape receptors, and that's a PP o nine, one, we don't actually, we don't need to go to that and don't think at the moment. But what we do need to do is go back to the fingers, which you'll recall, so hopefully, you may still have those up. Incredibly, they seem to have disappeared from my computer in the two seconds that we weren't looking out for them. But what you want sir, is figure it's figure 7.5 7.3? Give me so if you didn't get that enough, please?

1:02:59

Pause I think it's on page nine. Yes, who else? It's bigger said it's page seven for PDF. Do you have that? Have that? Yep. Yeah. So you'll see there, the character area and five, and you'll see the scale of it. It's obviously a very large area. And so so the reason why we say that looking at effects on the landscape character area at that much greater level, at the, at that lautet character level, isn't the right approach in terms of the estate and couldn't possibly add accurately look at the impacts the landscape

impacts off the project is because the effects will be much less pronounced on us than they were over that larger area than they would be on it on a smaller scale landscape. And so and so noting your sports theme class over the last day or so I'm going to give you an analogy with a with a football analogy. So let's say we've got a project that's taking an acre of land, it's going to take the whole thing you've got if you've got a football pitch or football pitch is about two acres. So if you've got one football pitch and you take an acre out of it, you're taking half of it that's going to be a significant effects. And if you've got a training complex with 10 pitches, taking half a pitch might not actually really matter because you've still got nine pitches to play on and that that could be fine. It's it's not likely to be significant in the same way. And then if we throw in the national interest, but I'm gonna stick to the footballing analogy. If you then talk about taking half of Anfield or you could assert whichever hallowed ground was your own preference. If you were taking half a pitch at Anfield, that's an even more significant effect, because then you've got the history associated with that particular football pitch you, you couldn't just say, well, there are loads of pictures in Liverpool, taking half of this particular pictures and fine, it doesn't work like that. So applying that then to the state. What you've got here is your own field. This is a very special, nationally significant outstanding scenic estate. It's got heritage interest. It's got scenic interest and Natural England site outstanding. And so I remind you of the point we made in our relevant representations there are less than 300 fewer forget me there are fewer than 350 states or properties with this designation in this country. That's how rare this is. So when we were talking earlier on when Mr. Bennett was talking about this isn't rare. It is one of a few of them 350 properties with this designation in this country. And I'll suggest that that is special and it is rare. And if deserves to pick the impact on it deserves to be looked at in its own right. And in failing to do that. The applicant has significantly in our view, underplayed and under assess the landscape impact of its proposal said that that is everything that I don't have to say on that particular topic. And I'm done on that stage generally.

1:06:47

Thank you for those submissions, Miss cotton. And I'll be careful how I point my glass next time, just to the thing else revealed. So thank you for that. And perhaps if I could just go. I can see Mr. Burch, you have your hand up. But I'd just like to go back to the applicant at this stage before I come to you. And I'm guessing it'll be Mr. Arthur, if there's anything in particular that you want to guess I appreciate those. There was a reasonable amount there. But I think there's there's issues around the accuracy of the the arboricultural impact assessment or some questions and queries around there. And then the the wider points made in terms of the the impacts that were identified.

1:07:26

Thank you, sir. Barry Arthur on behalf of the applicant. I'll pick up points one and two that Miss cotton raised there and then I'll pass over to join me into to pick up with regard to the landscape assessment. And then I'm believe Michael fry mate may also confirm a position towards towards answer. So just in regards to the first point, I believe I confirmed yesterday that we are aware of a couple of arrows and the arboreal cultural assessment and we are intending to do some revision to that, we will pick up the points marked on coordination between the drawing and the table as part of that process. So what I will also point out is though, that within the the sheet set that was referenced by Miss cotton, the the actual drawing key does show that the red Hutchings relate to groups or hedgerows to be removed, I would then also direct the examiner to the environmental master plan, rev two, which is our EP 3016. And that demonstrates that the existing vegetation, solid vegetation to be retained, don't berries land, as shown

on that plan. With regards to the point made around the enhanced foot, we I concede that the drawing does not show the hedge door to the east side of the connection to datum road. But the applicants intent is not to construct the foot wave to remove the existing hedge. So the permissive path at the moment runs to the left of the hedge and the applicants intention is to construct along the similar line and the widening included into the field is not to remove the existing hedgerows or trees in that area. So I think I can find that in my responses yesterday as well. The second point I'll touch on very briefly as in response to the comment made about the landscape visual receptor looking north to towards the compounds from hocking FP forward and fp three which are to the south of berry Hall estate. I think as I touched on yesterday saw that the the applicants intention with regards to the components would be that they will be suitably screened accordingly under the material storage areas would play that that screening as well. So again that that's what I'm sure you will see when you're on your your company site visit and I can confirm that the applicant has been on site and undertaking the surveys and in fact, we were down there just a few weeks ago in like very location. I'll pass on to my colleague, John me, if that's okay, so thank you

1:09:56

okay. Thank you, sir. Yes, so and specifically on the landscape points, and I see quite a bit of information there. And I think we have to be careful to not blur the lines between heritage and landscape here. And obviously my colleague, Paul, Paul Bennett, set out quite clearly his views on variable and the heritage status. And so from a landscape point of view, the the applicant has responded already, on this point, as set out in RR 06 1.2, R, Dash 06 1.6 and RR 06 1.7 of the applicants responses to relevant representations and that's our EP one dash 013. The applicant reviewed the very whole estate Ita 1984 designation and heritage management plan and concluded that while they will be contained some additional information on the estate to that consider during the assessment this would not affect the conclusions within the option studies and in ies, chapter six and seven. But But taking that down into a little bit more detail, and Miss cotton did refer to the sort of landscape character assessment. And I think I made this point earlier about the the detail provided in the appendices and specifically landscape character appendix 7.3, which is a PP dash 091. And it's, I mean, it's a point Mr. Cotton made that did not just pull it up. It's the it's an A refer you to paragraph one, point 3.5 of that document, which is page 10 of the set out the bottom of the page. And, you know, local value was, you know, identified there. So, you know, as stated in that paragraph, the area doesn't associate with any overarching landscape designations, and the applicant stands by that statement. However, there are key views of historic features such as churches and bridging points which indicate value within the LCA. And just to clarify, cherry This is referring to LCA, a five the character area which the majority of berries, this whole estate falls into. And that concludes overall, this part of the LCA is of medium landscape value. Now, and would like to reiterate, before responding to some of the other points that, you know, the significant effect was identified, construction and year, one eye opening year prior to the establishment of mitigation. Now, I think perhaps the analogy given about football pitches, isn't necessarily helpful in this context, because this is how it landscape character assessment is considered. And I think the applicant considers that the scale at which we considered the landscape ie taking the published local character area, LCA five, which doesn't mention Barry's whole Estates at any point, even despite falling within it. And you know, that that character assessment is back is appropriate as a baseline to, to assess that. And so, you know, however, they, despite the published character assessment, not acknowledging or not referencing various whole, and I'm not sure why that is. And,

you know, it doesn't mean that we didn't consider that doesn't mean that we didn't visit that the senator, the footpaths in that area, and and haven't given it you regard when developing the environmental master plan. And so I suppose the players make that making is referring back to that character assessment and the fact that the applicant has given you regard to that to that to that landscape. If the answer is the point satisfactorily, do you sir?

1:14:07

Okay. No, that's helpful to hear your position on that. So yeah, that's fine. Thank you.

1:14:18

Sir Michael Bryan for the applicant. So I'm not sure how much assistance you need in respect to this inheritance tax designation point. And I thought I'd make some brief comments, and it may be something that you return to in your next set of written questions if you do need further assistance from my Leonard friend, or I, but just to lay down an initial marker, the pop them report, which you were taken to so I'm not sure of the provenance of that report and how it was commissioned. But that fed into Natural England's advice to HM Treasury, as to whether to make a tax designation, not a planning designation. And on that basis, hm, Treasury made a tax designation, in respect of this scheme today, and Natural England have expressed no concerns, as one might expect, given the national importance, which has been described in the submissions made this morning to you this afternoon to you, sir, you would have expected Natural England to have raised a real hue and cry about this, but but they haven't. And as I understand it, that's the same position with the local authorities in respect of this tax designation. Further to that, the examination has no detail at all. So as to the the 2011, Natural England assessment as to the specialism of the author, as I understand that report, it is entirely based on the the reports which were fed into it and the site visit, we're not we have no information as to what the specialism of, I think as Mrs. Wilson was. My final comment is that so far as I'm aware, and I'm sure I will be corrected by my lead friend, if I'm wrong, this inheritance designation is not publicly accessible as adult human, which which I'd suggest gives gives rise to the private importance of the tax designation as opposed to the public importance of the designation, what I'm able says it's certainly not turned up in a normal search in in planning terms. That that's what I propose to say. Now, sir, said if there is anything else, I'm very happy to to provide further submissions in writing or answer any particular questions on this issue. So

1:16:42

thank you very much. Just while I have you, in terms of the applicant, I think one thing I would say is that it would be really helpful if those locations that have been referred to by by Miss clutton could be included on the DSA. I'm not sure whether those are specifically highlighted. But if that could be picked up to make sure that when we do the MSA, we're visiting those points, and then that location of the footpath as well with regards to the trees and the hedgerows that we discussed. So if that could just be made. sure that happens. That would be definitely really helpful for that purpose. misquoted if I could come back to you.

1:17:24

So Rebecca clutton for Mr. vennel. So yes, I all I just wanted to address you on very briefly was the relevance of the tax designation as my Leonard friend obviously seeking to combine it's being a private

interest matter. And and as he says, it will be helpful for you to have written submissions on this, then then, of course, we can do that in due course. But what I did just want to outline to you is the reason why we say it is also public interest. So as I'm sure you'll be well aware, any consideration that relates to the use of land is capable of being a material consideration as a matter of law. And the designation under the inheritance tax act is a designation that is based on the condition and use of land, and therefore is inherently capable of being a satisfying test for being a material consideration planning terms. And once the designation is one that confers a private benefit, a loss which isn't relevant to planning, but of course, obviously is relevant to compulsory acquisition. It is a designation that's made in the public interest. And the public interest is in preserving the integrity of these assets for the benefit of the nation. And so that that is set out in a memorandum produced by the Treasury. That's called capital taxation and the national heritage and then that is that identifies that public interest element of the designation, the Treasury would not be giving people tax breaks, if it didn't consider that it was in the nation's interest for those tax rates to be given them they're given precisely because they wish to preserve in private hands, but with access to the public and you'll recall in for Mr. Metal statement, fact that access has to be provided as a condition of his conditional exemption. That is why it's conditional. In those circumstances, please provide that brake is provided in order to ensure that they are that these assets are maintained in private hands but for the benefit of the nation. And it is, I admit, not something that one comes across that often I in my professional career. I've only come across it on one prior occasion, promoting a project for national grid where we came across this designation on in relation to something that was also sheduled monument, or so it does vary occasionally crop up. And but usually, it's, there's a comparable planning designation that covers the whole thing anyway. And in this case, obviously, we're in a slightly unusual situation of having a planning a recognised planning designation in relation to the hall and the curtilage structures in the Ice House, but not in relation to the wider estate of the nose part of the setting. So so that that is really just an outline of why it is a public interest matter and not just a private matter.

1:20:41

Thank you. That's, that's, that's helpful on that. And I suspect that it may be something that I might want to reflect on it and come back in questions. But Mr. Fraser, anything else you wanted to to add?

1:20:53

Microphone? No, sir. No, not really, I thought that might be your pride, but only to say that we the applicant, except that it is, of course, a relevant consideration. And you have had length this morning and explanation of the assessment that the applicant has carried out in respect of the variable of states.

1:21:13

Thank you for that. Thank you. Mr. Burch. Thank you. So you have to enter quite early into that discussion. So thank you for your patience, if I could if I could come to you.

1:21:24

Thank you, sir. Charles Burch for quantum Axel slab? Yes, I, the one good thing about a virtual hearing is that your arm doesn't get as tight as it would if I tried to beat the technology and put my hand up sooner and hold it up that long. Is now a reasonable time, because we've jumped around perfectly

reasonably insensibly is now a reasonable time to be looking at the adequacy of proposed mitigation with a little bit of impact on receptors or have I missed the boat or my current job?

1:21:56

I was I have a note on my agenda, actually. Because you raise these the other day. So no, this is absolutely fine.

1:22:03

Would you prefer that I leave it has raised the other day? Or shall I elaborate without going into my new detail?

1:22:11

I leave it in tell it if you feel that what you've said is sufficient. Or if you feel there's a few additional bits given what you've heard, that we've been discussing at this session, I'm happy to sort of provide some some sort of minor additions if you felt that were helpful.

1:22:24

Thank you, sir, the risk of prolonging this unconscious from this morning's discussion that the applicant states their requirements to minimise earthworks and mitigate the impact with screening. Also, in addition, it's their assessment that the 15 years stage after completion, there'll be no significant adverse impact. We have been in discussion with the applicant for quite a long time on mitigation. Although, and we've tried, and they've tried and we haven't been able to reach an accommodation yet. But we do hope that discussions will continue as we expect them to the scheme scheme does introduce a significant Road, about 150 metres north into the estate for between a kilometre on the western side of awning church, and about another 500 Plus metres on the eastern side back towards the east and roundabout, which I'm not going to talk about because we've we've set that to one side not been able to reach a sensible accommodation on that. But we were more concerned about where the the main receptor is, which is whole farm and points points west of there towards wood lane. We are very conscious that the applicant is bound by process and certain standards. But we are also very conscious as a result of those standards, where they've measured their proposals for an embankment against what they ought reasonably to do. They're not really intending to try to mitigate the impact of the skiing on our landowners interests. And so we seem to have a bit of a difference of opinion as to whether it's reasonable to mitigate further or not, and I wonder whether your input will be able to help. We've presented visual evidence that rep 3030 to 036. There's a few yes, you're trying to find those are full scale drawings. Now. The Africans observation perfectly reasonably is that this is an has an exaggerated vertical scale. So it makes everything look more dramatic than It's probably wood on the ground. The applicant did do some very long views, which Mr. Arthur will say are entirely at scale and therefore much more representative. The trouble is there is such a limited vertical scale that it's very hard to really see where the areas of exposure will be. And so we've tried to do this to understand where a little bit of extra work or input would help and where actually the issue is much greater and, and we'd like to sit and talk about about that. Not listening, notwithstanding any visualisation, what both sets of drawings show is that the view towards the woodland junction is reasonably well screened. Because the dumbbell northern dumbbell is at a low level. The main carriage way, between the dumbbell roundabout is much higher, that will be open to view, the road will continue to be open to view

until after the whole farm underpass. Because the road stays high and rises above and towards the underpass. After that the road will settle down into about at one metre cutting, which means that any assistance from earthworks has a greater impact. And so the impact reduces to an extent as the road approaches whole farm just north of polygon village. And but then because it's so close to whole farm, the applicants noise readings as already said they've already said that. Well, not only will it become increasingly visible because it's simply so close, and the land around whole farm drops down towards the the road line. But actually a noise term, they've already said there's going to be a major adverse impact, which the the mitigation there is the low noise surface. And rather than trying to do something a little bit more, more physical, as the land goes away past whole farm, then it rises up again, it's very open to view there and it rises up again towards the river tad embankment. So we've suggested there, it'd be sensible and practical actually to extend the bond further, further east not terribly far just to the north side of an attenuation lagoon.

1:27:26

The so the owners have basically requested an increased embankment height, they're very willing to make available extra land extra footprint for that purpose within the redline. They've also offered some of their own suitable material because they built it around store recently, and there's a lot of super suitable embankment material sitting at whole farms that are offered that to contribute to the to the requirements. And we're rather hoping that as the applicant receives the ground level, ground investigation, report results, they'll be able to better understand what material they might have. And we're very much hoping that they will work with us to see whether we can mitigate further. I'm a little bit tempted to wade into the discussion about Anfield, which I thought was very good, I enjoyed that. But I'm not going to because it sounds at Heritage is going to be a significant discussion, off screen in written. And I just hope that if there is a massive comparison about Barry Hall against the Eastern estate, we will just have the ability to come back and point out one or two things. But at this stage, all we're trying to do is manage the scheme that we have. We don't want it to become any bigger, or more more awful. If we can continue to continue to work with the applicant to mitigate then we'll be very pleased to do so. And I think that's probably all for now. Thank you very much,

1:29:09

sir. Thank you respect. That's helpful. Thank you. Mr. arpha.

1:29:18

Good afternoon, sir, by the offer on behalf of the applicant. I just like to echo Mr. Boucher his comments that we are indeed working with Eastern states as we are working with many landowners collaboratively. Eastern estates have obviously submitted information to the examiner quality art deadline three which are RDP three dash zero to nine which concludes your written responses and supplemental information RDP 30303203 For the latter are sections which the have been submitted by the interested parties. Design team, I believe the art hub have not shown As as Mr botch confirmed that our natural skill and do include are one in five exaggeration on the vertical scale, so what you see is disproportionately skewed so the the applicant has provided a series of cross sections as we are requested by the eastern states previously which are delivered that natural skill. No, because of the viewpoints requested by the interested party the the obviously are over quite a length from the the receptor points the identified so it's very difficult to to demonstrate them graphically on our PDF, for

example, without splitting up the sections to more detailed viewpoints and an overall larger scale to give the whole the whole point what I will commit to sending those in digital format over to the interested party directly via email so that they can give them to their their consultant team to look at them and AutoCAD format, which will allow them to produce their own scale PDFs if required or follow up questioning. As much as Mr. botch posted, commented, We have provided these are the one in 15 year viewpoint. Now, obviously the the applicant has to take into account the the assessment methodology for the provision of mitigation measures, or we could be challenged on the over provision if there was not an assessment need, which I'm sure you would you would fully understand. In this situation. The last point that there Mr. butcheries, their own screening around the detention basin. We've previously explained this to the the parties involved that as the the 47 is approaching that over time, obviously it is rising up to achieve the relevant clearance over the river Todd Todd structure saw and the basin is situated down on the ground as it slopes down towards the river Todd to provide our screening bond around that location, which could require a significant height of provision and a fairly structural solution. It's not something that can be achieved with the small amount of topsoil material that has been stored at the back of Eastern estates as a result of the recent development. And it's not something ultimately that is required from the receptor methodology assessment contained within the environmental statement. So therefore, our position on that particular location is it would be if the landowner wish to provide something that would be of their own means in that location. So it would be quite a civil engineering undertaken to provide the embankment in that location that they are requesting are more than happy to provide far more responses to the interested parties, recent submissions and we'll commit the sections that were previously provided to the examining authority as well. So thank you.

1:32:31

Thank you. I think that's a helpful offer to to pass on to the consultants or tapings for miss me.

1:32:39

Yeah, I mean it. I mean, join me in for the applicant. Apologies. If it's likely that yeah, sorry, I can't really add anything too much to what Mr. Arthur, presented on behalf of the applicant only. Just to follow on from Mr. birches comments regarding the assessment and the year 15. The applicant stands by that assessment. And I do refer to receptor r 31. Whole Farm, which is within appendix 7.4 A p P dash 092. And I think it's worth reiterating the assessment that year 15. And year 15 is important because that's the design year for for landscaping visual mitigation. That's the point at which it reaches a reasonable level of maturity such that it would either provide a screen or integrate sufficiently within the landscape. And that that assessment from whole farm states that year 15 of operation, the proximity the proposed scheme would give rise to some visual change. However, the main line of vehicles would be set at a lower level than the receptor, which would retain views over the scheme to the opposite side of the shallow toward Valley, it would have used heavily filtered by boundary vegetation and mitigation plans and beside the proposed scheme would have mature to an extent that it would provide a screen there is sufficient depth of planting proposed beside the proposed scheme such that there will be no notable seasonal differences in visual effects, ie when trees are not in leaf during winter months. So just wanted to reiterate that by following that and and standards, Mr. Burch have referred to the formalities of assessment, and I don't want to get too bound in that. But but really, you know, and Mr. Mr. Arthur, refer to the sections that have been produced and considered as with every bit of the mitigation that the environmental mitigation that the applicants proposed significant detail, very significant considerations

been given. And in this instance, that a suitable set of proposals have been presented on sheets, nine and 10 of the master plan, which is our EP three dash 016 Thank you, sir.

1:34:53

Thank you for that, Miss mean, Miss Mr. Burch. Thank you Sir

1:35:00

Charles but 400 Axle slab? Yes, it the, I suppose the point coming out of Mr. Mintz comment is that we're dealing with a comparison of where we are now. And where we will be, and I can accept that they, the applicant has to have a view, take a view on the 15 year post completion work, and that's fine. I have no issue with that. But this is a bigger road. And it's an awful lot closer to receptors. And not only that, relatively quiet, open countryside, but also five houses at all farm and the farm buildings and whatever they turn into, because they're all entirely appropriate for alternative uses. And I think the sensible thing is just to say, well, we can have a look at that when when you do your accompanies site visit. So I think I think to say that the word be limited impact of moving the road that close that far into the into the property, it feels as if this is perhaps being compared on a measure that isn't one I can easily sort of recognise. There was one other point that Mr. Arthur kindly raised, which was the the scale of operation it might be to particularly singling out that Todd, the view down towards the river Todd. And actually, that's a point I thought about raising and didn't. But if we do have further discussions about what other works may be appropriate or maybe required, and if the applicant decides not to quite do as much as the owner might wish for. It wouldn't be unreasonable for the owner to ask that any planting be delayed after the completion of the scheme so they can undertake some of their own works, and I wondered whether we could incorporate that somewhere in discussions. Thank you.

1:37:07

Thank you, Mr. Arthur.

1:37:11

Good afternoon, sir. But on behalf of the applicant to two parts, firstly, answer Mr. botches last comment, obviously, that the applicant is continuing to engage with with Mr. Bachchan and Eastern estate representatives accordingly, and we can discuss that during the the meetings that we have, in fact, there was a meeting discussed about being set up just this morning, and we can discuss that with the district, valuer and how we proceed, whether it's through our A heads of terms or through the valuation discussion. So the second point I'd just like to pick up on is that we have provided responses to this in our last written responses, which is document 9.8, that applicants response to the written reps and is our EP three, zero to two. And within that section 15 covers representations made by holding an actus Sol scub. Hope I got that right. I should they go barracks at the can speak Swedish, but that wasn't section 2.2 covers the embankment and screening. So polygraph two and three within the tabular format that's been provided by the applicant. So covers our responses on that matter. Thank you.

1:38:18

Thank you for that. Mr. John is still up is that leftover?

1:38:25

That was left over. So thank you. Thank

1:38:26

you. Okay, well, from a from a landscape perspective, I think there's just one other question that I have just for the applicant. And that's just to do with cumulative side of things. And it was really just to confirm what cumulative assessment was undertaken as part of the scheme in particular, with regards to the discussion we had yesterday about the northwestern link.

1:38:58

So I'm not sure where that's something that just the median can can just address or direct me to where that is.

1:39:09

Yes, yes. I can confirm that. Sorry, it's chapter that the cumulative assessment is chapter. Sorry, don't have to hand.

1:39:25

It 15

1:39:27

Chapter 15. Sorry. Thank you, Mike. I think this might be one to perhaps respond in writing to if that's possible. And if there's a specific element to your question, is it just around around the cumulative? It's specifically on the northwestern link,

1:39:44

no. assessments in particular now, I'm happy that we can deal with that as a written submission at a later point, if that's okay, that's an easy way to do it. So yes,

1:39:57

ma'am, I'll defer to Mr. Arthur on Have

1:40:01

you sorted so badly off on behalf of the applicant? I think we confirmed yesterday during the dialogue on the ecology section that we will be providing an update to the cumulative chapter as part of a process. And that will include the assessment. That's

1:40:15

been Okay, thank you for those that that concludes my questions with regards to landscape before I move off this Can I just confirm that everybody who wanted to say anything has had the chance to raise their issues Mr. HawKer.

1:40:50

Richard Hawker Wensum Valley Alliance and President Hawker and I know that one high sensitivity viewpoint regarding landscape is what I take to be effectively on the footpath number seven hot cream which goes over a bridge over the river Todd

1:41:21

just pull up to the appropriate a PP dash Oh, four six. And that was on page pagination 14. fact it's a big department some accreditation 18 I really prefer to and that is viewpoint reference three.

1:42:04

My point is really, I'm unsure how I've seen the the landscape plans that the applicant has provided, it's very difficult to read them on screen. And I can only print to a4 size which doesn't give as much detail as possible. But But I would like to know from the applicant, how much they feel that any mitigation can actually disguise the the impact of this road, especially when the the viewpoint is a public footpath it's a bridge over the turf. So it's it has a reasonably high level, I don't see how the mitigation and planting that's been provided can ever really reduce that impact from the sensitivity being high to any lower Thank you. Good. Yes. Thank you.

1:43:16

Thank you. Yeah, no, I think I understand I understand your question. That's fine. If I could bring the applicant in at this stage.

1:43:23

Yes, thank you, gentlemen, on behalf of the applicant if you just give me one sec. I think I know the location if you can just if that's okay, if I can just get my documents together. And I think it's in the vicinity of showing time. So few points three find apologies just refer back to that assessment politics stuff, I've got quite a few documents open the views are in paper form. I am looking for a p p 093. And it would be the document I wanted to refer to as the assessment in so the text I'm wanting to refer to as the assessment of the point three within a PP dash 093 And I want to get the accurate Master Plan page as well.

1:44:55

Okay, it's something we could pick up in writing, but I'm just wondering whether it's

1:44:59

Yeah, I mean, I think we can do that. I mean, I think it's reasonably straightforward. I mean, I think

1:45:03

that's maybe yeah, there's an answer we can give now might be easier to Mr. Hawk than done. Yeah, waiting and whatever that might be.

1:45:12

Thank you. So yes, so jumping in steps can I am I would refer Mr. Hawker to the tax given in a PP dash 093 and viewpoint three assessment. However, to bring it out of that formality. I'd also probably refer to the master plan sheet sheets, I think, the appropriate sheets four and five in that location. And the

extensive planting that is proposed on the southern side of the scheme, including some thick embankments that primarily are noise screens, but do supplement the screening provided there. So, just to confirm that the applicant has considered receptors in and around the touch switches that the footpath that crosses there and has made best efforts with the you know, the with the mitigation proposed to screen screen the screen this scheme in that location. Thank you, sir.

1:46:16

Okay, thank you for that. Mr. Hawk, your hand is still up, is that still left up? Or is that a further point?

1:46:25

It is absolutely. Richard Hawker from offering is there any way that more detail can be given of the bond proposed? Because on the sheet you mentioned, as I as I said earlier, the detail is fairly scant. And at least some sort of cross sections, drawings, if they're available, or is that can be created would be helpful here. As I say that this this road is extremely near to the river. The the bridge and attractive bridge over the river could be a very, very popular place for people to walk. And it can be potentially very badly affected by this road. I'd like to detail how you intend to mitigate debt and I don't think there's enough on that master plan sheets.

1:47:29

Okay. Thank you. Mr. Yeah. Can I can see your your question your issue. I think Mr. Arthur could probably do two things as best probably point you to the direction of where there is additional information, but again, it may be that this is a written Further information can be provided in a written form at a later stage but Mr. Arthur ONET steal your thunder baps.

1:47:54

Thoughts Foster, Madonna this week, apologists are powerful on behalf of the applicant. I would direct Mr. Hawker and in the situation to document 2.2 which is a general arrangement plans on the EPP 005 And specifically direct them to sheet six and sheet seven, which show the screening bond that runs along that location. So that would be set as far as a false cotton bond off the edge of the mainline. So we will be generating that bond allocation. And then obviously, the landscape planting that sits on top of that is shown in the environmental master plan. So thank you.

1:48:36

Thank you for that, Mr. Athens. Mr. Volker?

1:48:40

Thank you, sir. Richard Hawker from offering just one very small point, I keep forgetting this looking at those plans. There is a against the side of the road to indicate an embankment or cutting. There is a triangle symbol with little stork on the apex. Can you tell me? Which end of that triangle is the higher end? And which is the cut end? If you're like? I can't find any any reference to that. I know I've been told it before. I can't find any reference on the sheets, nor can I trawling the internet.

1:49:21

Mr. Arthur, perhaps you can you can definitively answer that question.

1:49:26

Thank you. So I've been out for on behalf of the applicant. What Mr. Hawker is referring to there is what's what's known as tadpoles which reflect that therefore gradient on the proposed engineering John's where the tadpole has the head shall we say that the fatter end head towards the road that signifies that the road is an embankment and vice versa where it would be pointing away from the road that would signify that the road is cutting.

1:49:52

Thank you, sir. Thank you very much.

1:49:56

Thank you for that. That's helpful. Okay. Thanks. Well, I am not seeing any further questions in relation to, to landscape. So thank you for that I'd now like to do is move on to the just the remaining few items on the agenda item 10 review of issues and actions arising, I think there's been a reasonable amount, but I'm guessing the applicant has got a detail of what needs to be provided for the various sort of bits and will actually notice Mr. Frey,

1:50:27

Microsoft Apple Maps? Absolutely. So we've taken a detailed note, and we have a note of what we have promised to the examination. We'll provide that as soon as we can, and certainly respect the deadline for

1:50:36

x. And that's great. And then just made the point in terms of a save, is it making sure that those points that referred to the locations were picked up to include those on the DSA sheduled for the site visit? Thank you for

1:50:48

that. Yes, absolutely.

1:50:51

Okay, if I can move on to item 11, which is any other matters? Is there anything else at this stage? Anybody would like to raise or say or is not, is not covered? Okay, I'm not up sorry, Mr. Hawker.

1:51:13

Richard Hawker from Hawk ring. Just a quick one. I had to leave the meeting early yesterday. Can I assume that the population and human health issue or agenda item was covered? It was yes. I would like to speak to Mr. What's the recording

1:51:33

will be up. And I suspect if it's not already, it'll be early part of next week. I suspect. By all means watch that. And if there are any issues that that weren't necessarily raised, pop those in the next deadline in writing, and then we can pick them up that way.

1:51:51

Thank you very much.

1:51:56

Okay, thank you for that. Well, if there are no other matters, then that's great. Thank you. So that just leads me on to the final item, which is just close today's hearing. So again, thank you very much for your participation, both yesterday and today. I appreciate it's been a long day yesterday and a long session today. But it's certainly very useful to me and an extremely helpful as well and exploring the issue. So thank you for that. As I just mentioned, there will be digital recording of today's hearings and yesterday's as well, that will be met as soon as soon as possible. And that beyond the national infrastructure website. And like I said, In addition, if you a request that you submit in writing the points that you've made here today, so you can get those on the website. And the deadline for that is deadline for which is the 12th of November. So the time is now 138. And I declared the second issue specific hearing for the proposed A47 North Tuddenham to Easton project is now closed. Thank you very much for your time and good afternoon. Thank you