

TEXT_ISH4_Session2_A47Blofield_09112021

00:04

Hello, it's 355 the hearing is resumed. Can I just check that everybody can see and hear me? Okay. Yes, I can see and hear you. Thank you. So moving on to the next bullet point, which was population human health, which was including the proposed cycletrack footpath provision and effects of footpaths. So I've already addressed some inconsistencies between the DCO the rights and access plans in the master plan. In respect to footpaths, I don't intend to do that again here. But I just have a question. Would the location of the proposed block valve compound would that affects the permissive footpath bridleway which travels through this part of Lynwood community woodland in any way to the applicant?

01:06

Good afternoon partnership on behalf of the applicants? No, it's not, it would not directly impact

01:13

because the footpath is walk to the side of metal.

01:16

Yes, you can see in the existing conditions, there is actually a track where the tractors have access to fields goes down, and the path is just to the side of that.

01:30

Okay, thank you. I've already asked written questions about the matter of a central crossing as part of the scheme and I've addressed this at previous hearings also, and therefore do not intend to go into great detail on this again, it's a matter which I will need to reach conclusion on in my recommendation report on the basis of the evidence provided, however, I do have some further questions. So this is a question for the applicants. So the applicants identify as a residual moderate adverse effect and thus in EIA, terms of significant one, on use as a footpath burning on FP three due to severance caused by the proposed a 47. This is notwithstanding that in response to my first written questions, at one point 13.8 B. The applicant suggested the severance effect would be mitigated. So as far as I understand it, it wouldn't be mitigated. Following on from that the national networks National Policy Statement app for example, paragraph 5.216 states that were development but worse than accessibility, such impacts will be mitigated so far as reasonably possible. And following on from this, there is very strong expectation that impacts on accessibility for non motorised users should be mitigated over 3.3 of the NN. PS similarly expects applicants avoid or mitigate environmental and social impacts. So can the applicant please comment? And just provide further justification on how the policy requirements will be met? If a significant adverse effects would remain?

03:40

Yes, Mark Murphy on behalf of the applicant. I think for a full answer, we would take this way and respond in writing. But to briefly summarise, I would refer back to our previous responses that were reasonably possible. And we have as we previously discussed, or looked at alternatives on the passes

and what have you. And it's a combination of environmental constraints, safety concerns and what have you, but to give a full answer, we will respond in writing.

04:15

Okay, particularly where it says there was a strong expectation that impacts on accessibility for non motorised users should be mitigated.

04:26

Yes, we have included extensive cycle path cycle tracks and footpaths Have you seen in the drawings, but we'll come back to the rating.

04:40

Okay. So the applicant states that cycle tracks will be predominantly 2.5 metres in width as a minimum. For example, that was in response to by sex on my second written questions Is is this? Is this secured anywhere? And if not, should it be?

05:12

Because really, because there's no detailed design effectively to be approved, because because of requirement three I'm just wondering how this how this would be secured? And how can I be certain that they would be to the half metres in width predominantly.

05:37

Thank you so Richard Guyatt t WVD. Again, so I think I probably need to have a think about this and run this through. In a clearly we've, we've said what we have we are public body, one would assume that we would do what we're going to say. And no doubt, Norfolk and others are listening intently. And we'll deal with the point, we also have to, of course, comply with the guidance, which has been referred to by ourselves and others previously, and that sets out the standards, it does seem to me so that the requirement three, plus, everything else that sits behind it in terms of the guidance we have to follow should give you a reasonable amount of certainty, I can appreciate so that you might want. Also, you might want us to explain that in writing. I think it'd be good for us to put it down in writing and see if we see any holes. We'll flag them to you. But I think it will be very hard for us not to do it is the short answer. But I appreciate we need to explain that in more detail to you.

06:48

Right, okay. Okay.

06:52

So just another thought as well. Of course, another way we could deal with it don't think it's a good way to deal with it. But clearly the standard of common ground with Norfolk cover the point as well. Again, public pronouncement by us to that effect. It's, it's, it's a pretty good indicator, frankly, given our status that what we're saying will happen will happen. But if you don't mind, so I think it's probably something you know, we just we take the point and we understand it and we will see if we can reassure

07:24

you. Okay, thank you. So, next question. The applicant identifies opportunities for walking and cycling to a call from North Birmingham at Annex A of rec 160 as part of the justification for not providing a footway, or cycle link to the existing footway along the 847 in the facility of the Windell. If one of my colleagues could just bring up the sheet six of the rights away and access plans please.

08:21

And if you could just move into the Yeah, way or where the cursor is. Yeah. Okay. Just pull pull the pull it into the centre. Yeah. Okay. Thank you. So just a question. Were late so the applicants promoting travelling along by bicycle along the cycle track. So point su eight how, how does cyclists safely travel from point su eight to the B, one 140, and then head north as you're promoting an alternative cycling route to Akel. Given there's no cycle path that runs to the B, one 114, north of the overbridge.

09:30

I essentially I'm past the applicant and from that point, we are suggesting that the psyche split joined the carriageway from SU eight and joined the BLM 40 going north and the BLM 40 up to green lane.

09:48

Right. Yeah, some portion. Okay. And so a number of representations have highlighted that That's potentially 1400 or so, HGV movements, which may go on this part of the road, I guess, if it's, if they're then heading east Woods towards Great Yarmouth. So between the overbridge say that stretch, which has no cycle lane heading north onto the be one more 40? Would doesn't there's a fact there will effectively be no segregation between cycle cyclists. Traffic which might include numerous HGVs is

10:49

so greatly from traffic, but it's understood that the company traffic, we'd come to the southern side of the BLM 40 and join the a 47 to go west. And then on its return, it would be you have to come to the 1140 junction from the 847. And beyond the I say the the southern side goat heading south and say I guess it'd be one way at least

11:20

that could be an interface. But I suppose at the moment, it's a route. That is it an existing route that's available to cyclists

11:39

issue we've got is the section from SU eight. I think as we explained in one of the responses at the whole cottages, that pinch point is just too narrow to create.

11:53

Yeah, sorry, I'm not talking about the whole cottages, or the moment I'm talking about, okay, the cycle track stops at SU eight, but you're promoting cyclists to go from that point. And then onto the beat 140 and head north. My question is, how do they if there's HGVs, or whatever, travelling along this route? How, how safe is it for cyclists? Given that there's no, that'd be that'd be using the same road effectively as, say, an ATV, which was coming from the west, and then comes up north and then goes over the overbridge? Or alternatively from the south, over the overage. Heading east valley a 47.

12:53

Yeah, no, I understand your point. And I think I may have to take that way. So look at whether there needs to be an extension of that route to join the North South Bend over 40. Just north of whether the arrows pointing to d3. Well, I think when you take that link to that.

13:11

Okay, because on the other one, but Oh 60 It suggests of that, on that plan that having say that. And I know that this is this is the this is the formal plan. And that isn't necessarily. But it seems to suggest that, you know, the cycle route would be extended all the way to the B one all the way effectively segregating cyclists from traffic heading onto and off of the overage.

13:48

Yeah, and I'm just looking at that for myself. Now. I think the best thing to do is take that way and review the annex and that plan. So make sure to be consistent. Okay.

14:06

Thank you. And secondly in ref 5.2 of the applicants hearing summary. PAGE 85 states as you just as we were just talking about. Due to the pinch points, the whole corsages, there'll be insufficient width to provide a footway stroke cycle track of the required standard to link North Birmingham with the footway in the vicinity of the window, which shuttles then towards Akel along the A 47.

14:47

Is would that be the case for just the footway also, or is it specifically with regard to a shared use cycle track?

14:54

It would be so substandard for footway. And how I would have to refer back to the intersections that we redo to look at that section. But it's essentially where in that section we've got to provide segregation. Because 75% of our road desegregation is up to a metre and a half. And we've got the noise barrier at the back jisa visibility from that window. So reduce the noise barrier, we have to put a VRS in front of it, and due to the visibility from the window that has to be set back. So essentially, as pedestrians or cyclists are walking through from this area that essentially away from the dual carriageway alongside the laybuy. They are then directed straight towards the a 47. I think taken on boards of the previous points and perhaps this one as well about the previous ones are about the cyclists is the perception of safety in with with driving essentially people towards the 47 at a pinch point, which is already too narrow.

16:00

I just wondered whether the pinch point was too narrow for like a shared cycletrack footway, or whether a footway, could be narrower, and therefore might not be affected by the pinch.

16:11

Believe it was too narrow for for that way as well. But we can take that away and confirm the exact dimensions.

16:21

Okay, thank you. I think that'd be useful. Then, the final point on this, for me was that the outcome provided a response in documents, rep, five dash 0152, lingwood and Burling and parish councils post hearing submission, which was rep four dash 059. However, the response appears to only cover half of the submission. And is it possible for the applicant to provide a response to the other half?

17:06

So I wish point, I just got the document which point we do. So we've missed.

17:10

So in rep four dash 059. Yeah. Yeah. So there's, there's effectively two documents involved. So there's maybe three pages of one document at a level then a letter, which follows it? Yeah. So it's a second part, which doesn't appear to have been responded to.

17:39

I have to take that away in check. Yeah, of course, if we've missed a section will respond to that.

17:45

So I think in your response really cover the first there's effectively two representations combined into one document. So the first which appears to have been responded to.

18:03

Okay, we certainly intend to respond to based on them who,

18:07

I think there's a page there's a blank page between them, so maybe you just didn't see it. So thank you. Yeah. Thank you. Does anybody have any comments on the points that we've just we should just be raised. If you say the plan down now please, thank you.

18:38

Okay, I can see no raised hands. So on that basis, we're going to move on to the ecology, including protected species surveys. So going back to this point regarding some types of species surveys, including for Greg crested newts, which has not been completed due to COVID-19 subsequent survey timing implications the applicants states and its hearing summary which is rep four dash 051 that further surveys will be undertaken April stripe spring 2022. Does this mean that the survey results could be available to the Secretary of State during the decision period?

19:31

Mark Murphy today on behalf of Applicant, I apologise. But would you be able to remind me of the programme for the decision making.

19:41

So, once the examination closes, there's three months in which I have to write my recommendation and submit it to the Secretary of State who then also has to Three months, I believe, in which to make a decision?

20:06

I would say it's unlikely it would be a bit difficult to commit to that. But certainly we can commit to, if any information is available and appropriate, we can send it over.

20:17

Okay, because her effectively the decision period would start beginning of April when the surveys would commence.

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And yeah, the factors of access and weather, and all these kinds of things, and then they'll sort of Port writing after the surveys have been undertaken. But certainly we could we could put together a brief note or something I'll take that way with with our clients.

20:46

Okay, thank you. Then, could my colleagues bring up sheet two of the plans, please, which is a PDP dash 012?

21:21

So sheets, overhead row plans doesn't show the red line boundary or order limits. So can this be added? And can it be confirmed whether there are any any implications for Hydros? In doing so?

21:39

And this can be added? Yes. So what was the second part of the question?

21:43

So once the red light boundary is added, are there any implications of any headrow has been missed off here, apparently, which may be affected by not identifying the red line boundary.

21:55

All the hedgerows are included. And it's indicated whether or not to be impacted? And not not agnostic, not the information would not change if the red line boundary was added to this

22:06

point. Right. Okay. Come out and be updated for the next deadline, please. Thank you. Moving on, then. So the landscape proposals include the translocation of some important hedgerows. This is shown on the master plan. And mentioned in b two of the Riak. I'm just wondering where where is translocation of hedgerows, which is likely to be a sensitive operation? Where's that covered within the outline landscape and ecology management plan? That Appendix B of the environmental management plan.

22:49

So that's not specifically mentioned and the landscaping ecology management plan. We previously discussed this point. And that this is just an outline stage. And that detail that level of detail in the management plan will be provided at the next stage.

23:04

Yeah, so we did, I never discussed that. And within the outline, management plan, you talk about planting, you talk about all sorts of things, but I'm just talking about protection, etc. But nothing in there that I can see which might specifically encapsulate a sensitive operations such as translocation of hedgerows of important hedgerows.

23:33

We can certainly take that away and form up any language but there is a commitment within the reaction within the master plan that we will be translocating those important hedgerows so the activity itself is certainly our commitment. But we can review that language and make sure it's included.

23:53

Thank you. There's also sort of references or requirements in the outline, landscape and ecology management plan, which not correct. The requirement numbers are incorrect.

24:08

Apologies, we'll review them.

24:11

And then finally on this topic, I asked him questions of Natural England in my second round written questions. But I did not receive a response. I was hoping they'd be here today is Applicant to regular contact with Natural England. Perhaps with regard to the statement common ground. I was wondering whether it could be their questions can be addressed through that.

24:42

And we are still waiting for our response from Natural England. We did have discussions with them with regard to licencing and review of the HRT but since we haven't had a recent update to the statement of common ground Right,

25:02

okay. Okay, thank you for that. If you could take down the plan, please.

25:16

Thank you.

25:17

Okay, so that was all I had on ecology. Does any does anybody else has any comments on ecology before I move on?

25:33

Okay, because they know has been raised. So I shall move on to cultural heritage

25:44

just to discuss settings of listed buildings, and impacts on those settings I just firstly wanted to try that as well to understand the extent of what the applicant considers to be the setting of the Church of St. Andrews and the Church of St.

26:12

Peter's. So I'm hoping Mr. Bennett is still with us. I think he's probably the person to talk to that. But apologies if he's not, here he is. Thank you, Mr.

26:33

Paul Bennett, for the applicant. Sorry about that my camera wasn't working. So my understanding of the setting of the church standards and the Church of St. Peter's miss I can get to the relevant parts of those documents. In general, or in specific, is there anything like I'm

26:55

really, really looking to see whether So, so the agricultural fields, to the south of the existing a four to seven, I'd like to understand, in your view, to what extent they contribute to the wider setting of those buildings.

27:16

Okay, so those are rural parishes. And you understand, so the way in which we approach a setting, primarily is to see how it affects how we understand and experience that asset. And by we, I do mean everybody, and to greater or less extensive knowledge and assume assumed knowledge. And obviously, that's a very broad church on the pond. Now we could, and sometimes do start with the entire observable universe, and work down in terms of setting which is not actually facetious. That is, the nice guys is it sort of is important for religious, some setups of this, but we've no indication of that here. And so the primary way that you experience or the a person generally throughout time will experience these churches is as a rural parish church. And that means a couple of things are very important, like the visibility of the spider that's that's why the spies are there has to be visible within their parish to be eye catchers. So you would know where to go, you would have an excuse for missing church. And that is the surrounding landscape is something you pass through as you approach that church. And when you stand within the church yards, to a greater or lesser extent, you have views of that landscape. Now I have to refresh myself on which ones are St. Andrews, which was St. Peter's, because those are very common.

28:55

Sometimes uses the listed grade one listed church.

29:00

I see Yeah. Yeah.

29:03

The tablet rather than is a tower, I think rather than spire

29:06

Yeah. I think about the fields the same purpose, except you can get a person up there. And that that context of understand that it is a rural parish, what goes into your understanding of how it functions and who the people using it were and how they would conceptualise the inside of that space as well as the outside. And so it's quite common today to have quite grand stone structures in rural settlements. Certainly since the middle of the 19th century, unfit for rural settlements to be seen as being something that is it's something that in the late 20th century is being something is aspirational and starting to get more exclusive, but in the context that the past contacts that that is very much the reverse. And so, you would understand that in terms of This being a rural setting that the the fields there are the layout, they are certainly for a few 100 years, maybe 150 to 200 years, that this is an agricultural farming landscape of a certain scale. And that that would lend itself to a certain scale of parishioner. And the landscape around it, the buildings around it, in their settlements might have been a slightly lower scale, despite having no archaeological evidence of that, or mapping evidence of that to show you know, what kind of materials there are built up in such. And so that is one of the indexes. And now it's not a huge factor in terms of how you experienced those and what's more of a factor is probably the the experience of rural quiet, and the soundscape and such of that rural setting, but the visual quality of the field boundaries of the use of the land is is an important index that keeps you into that gives you I mean,

31:06

okay, so so the the fields to the south, the undeveloped the fields, to the south of the existing eight foot so they they contribute to the rural setting of the of the church.

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In a general sense, yes. They are part of the general landscape that you move through as you approach the church.

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Yeah. So therefore, it's setting.

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Yes.

31:34

Okay, so and you get views of the church spire from the wider the church tower from the wider landscape. So when I did my other companies I was there. For example, I walked around Birmingham, sorry, around Lynwood community woodland and down the permissive footpath by the way to Lynwood road, and which is to the south of the field to the south of the 847. And I could look back and I can see, both obviously, both churches in the same bureaucracy despite the tower of St. Andrews, and I could see St. Peter's also. So it so from that point, they kind of the fields, the open fields create a setting which beyond you see the tower protruding through the woodland, the trees whatsoever?

32:34

intermittently? Yes, yeah. Yeah. Same path. Yeah.

32:37

Yeah. So what I'm trying to understand is, whilst the road is moving to the south, so you're taking traffic from the existing 847 you're creating, you're building a much larger or much wider road system on these agricultural fields, which contribute to the setting of particularly St. Andrew's church, I'd say with it's you know, quite visible tower. So and you obviously will get faster moving vehicles. So the tranquillity would it really would it diminish? To material extent?

33:33

If I'm sorry, hold on, if the applicant, I don't believe so. But I believe that the the distance that it is at, and the number of different approaches that you can take to St Andrews as well. Now, it is worth noting that yes, there is there is a footpath there, but mostly would approach on road, certainly throughout history, and the scale of the intrusion into those areas, it was something that I did consider as part of the assessing effects, but the distance at which that is the effect of which it is on someone who is approaching and seeing these things, they will still see it, it is still visible there. In terms of appreciating the the quiet, yes, that is diminished to an extent. But it is at a distance where it is something you would pass through and you would still have a very significant chunk of that rural context before you got to the church itself to, you know, on that particular path. And in fact, in order to understand that and have that indexed and vary for you, in addition, it's it's perhaps not as important in terms of the hierarchy of where it sits there. We'll have a look at that. The approach to the church and the visibility of it is important. There's the village the visibility of the That's just kind of a binary thing. Is it visible or not? Does can it be seen and experienced in that sense. And in terms of where that where the road is going, there's not going to be a position where the road is now going to block the view that used to have where you associate so, so current view is now no longer possible you're on a road, you can't really see things from the existing road. Now you're going so perhaps maybe in terms of your three dimensional coordinates, there might be some some technical blockages, but in terms of the experience, of a person moving through the landscape, that that is an altar to material extent. But that in itself takes a kind of second fiddle, and it's very difficult to rank these things, specifically, but that takes a kind of second fiddle to how you're experiencing that church, and then the rural setting of it when you're very close to it. And you often you can see these things, especially when you go into the wash and wetlands, that you can see this thing for miles away. And that, again, very important, but are you experiencing that church, then to the extent that you're experiencing that church is diminished, you're experiencing it as part of the like, wider historic landscape at that point. And so those sorts of small changes might be part of the Start landscaping exam, which we have assessed as part of the state landscape. Assessment then found no significant effects. And so as you rightly point out, it is part of the mosaic of experience. I'm getting a little bit lyrical here, but it's it is a small a small part of it, that is not being materially affected, and we'll still be that that part of the setting will still be there to be appreciated and be understood.

36:54

Right. But by introducing a dual carriageway into fields, open fields, which contribute to the setting of this list of building does that not have some kind of harmful impact? Which, and even with landscaping? Can that you know, does that would that adequately mitigate any harm? I think I'm struggling to our by introducing a dual carriageway into fields which, which contribute to the setting and less than the significance of the list building, how that can be a neutral effect, or eventually they're positive or

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because the effects are so small, and you need to remember that the so when you're thinking about where these fields sit in terms of that parish, if I can just get the parish boundaries up now that the fields immediately to the north are mostly within North burning and parish in terms of St. Andrew. So it's not, it's its primary concern and Saturday setting. And so it falls into that category of the wider landscape. You know, it's not it doesn't have a direct contextual link, and it is not it's parish. And so the people moving through that landscape to go to church and enter the people who have that more important Association rather than that, so the passing visitor would be moving towards north bowling and not towards liquid. And so as part of that, that general wider landscape, then you're looking at something that extends for as far as you can see in all directions. And so the, the relative importance of that setting or the part of the rural setting that those fields particularly make up isn't a significant one. And those associations, contacts and settings generally are preserved.

39:18

Okay, but even a slight level of harm can be, you know, when we're looking at the framework or the NPS, you know, we have to distinguish between even slight harm can be less as is that sort of that sort of sensual, which will then need to be outweighed by the public benefits. I'm sorry, go ahead. Yeah. So I suppose if the fields contribute to the setting of this, this is building a new put in a dual carriageway. No matter how much landscaping you add I'll try and understand how that cannot be any negative effects on the siting of

40:05

disability. And I take the point is a very fine point and like the, the impact on the judgement of bullying, and that we went through with my colleague, Chris Bennett, from South Norfolk and broadened is a fine point. And I would point you to the statement of common ground that we have with them, where they do note that in reference to earlier cases, that are put forward through planning and gone through planning examinations, that because that setting is still available to be experienced, that it doesn't remove that element of the setting to an appreciable extent that there is no harm because that setting is still there. To give you an example, say reductio ad absurdum, perhaps the tibia an example, if you were to go to say high road, I'm just looking at the map now, which is off to the east, PCs, that you could put your character way across there now, that is not to subdue, measure this excuse me of

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measure. instance that is commercial half two kilometres away, it varies. But to say that if you expanded up it's still a setting the setting like like I said, you start with the entire observable universe, the setting doesn't stop at any arbitrary place, it doesn't get stronger because you're closer as well. Crucially,

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it does get more important because you're closer it often does. But those parts of that setting need to be weighed very carefully, and the you know, the overall contribution that that that particular part of that particular part of that setting, how does that contribute to the significance of the asset and in turn, what is the impact on that contribution?

42:23

So, I think the light from so from that permissive footpath bridleway roughly halfway long it you get clear views across the field, and that of the church and looking at owls, barn and owls house also, you know, your acknowledge in your, in the last chapter that there would be development within the setting of of these listed buildings. I think if it would really, it would be helpful for me, perhaps to get to have a photo. So a photo montage of halfway along the bridleway looking towards the church before a once the development is built. And the same with regard to owls cottard owls, barn owls, house owls barn from along, I think it's called the year at boat 11 public right away, where you get a clear view across the field again to to these lists of buildings. Just saw that I couldn't stand what what the change is going to be. Is that Is that something you've you previously considered? Or have you ever walked along? Have you walked along the footpath the bridle way? And me? Yeah,

43:56

yeah, yeah. I helped find about i Sorry, helped look for a small girls dog. We've got a bit lost on that on that, by the way. But in terms of have we looked at before the first question is, can we do that and I'd have to pass you back to Mr. Murphy and there's a wider project decisions. It's not something that we in cultural heritage generally do as it's the expertise of the landscape of visual team to commission that work, although we do advise on viewpoints if necessary, and in this case, we did have our I did have discussions with Historic England and with a with the caps are the local authority about whether they wanted certain viewpoints and certain things as photo montage locations. And we essentially came to the conclusion that they didn't really need them to access so that there was an extent of some meetings that were called off because of the pandemic that we planned to go on site and have a look at these things together. But in terms of these sites, it wasn't considered, or this project, it wasn't considered essential that that'd be replaced with a photo montage.

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So from what from what I saw the like the key view towards the great one, this building is from that premise, the footpath and the key view towards owls barn. And House owls, Bob is effectively from the footpath along the field opposite those buildings also direct him back towards them. So

45:49

sorry, so Paul Bennett, I keep forgetting to tell Paul. And if the applicant, I would disagree that their key views their nice views, their possible views. But the key views for example, to St. Andrews, are from the road immediately south of it. And on your way through lingered as you get that, and I would say probably one of the most key views is from the current green and pond in the centre of language, it's not in the assessment, because it's not part of the scheme. It's not being affected,

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but lingual central North burning liquid liquid.

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Yeah. And likewise, the the most important view, or the key view of or towards the church in North Birmingham would be from the road through North Birmingham. And so these it's it's gets a bit more difficult because churches aren't so aren't orientated towards a key view or a wonky view that wouldn't at least West. And so the key view of a barn, the key view of the house sales barn, is again from the place that people would primarily be accessing it from. And so that being the key view to it, but even then, as a private home, the key view is not to that private home, the key view is from that private home. If you haven't, if you're outside of the context of say, a stately home, or some sort of country estate where you've got like a manage manage landscape that gives you a framed view of that that place. It's not to say that it's not a factor in the setting, that the view of it is not a factor in the setting. And being able to see it is not a factor in that setting. It is not key to how that was designed and concern conceived of and how it's what its primary function is. And so I would even say that for a house that those sorts of key views it depends on the house. But those sorts of key views become diminishingly, you know, less important or dimensional important because of who lives there, what they're doing and how they're experiencing their house. And what that house is made for

48:08

you. In terms of the house the elves barn, you appreciate it setting from the footpath to the south, looking across the field, seeing the house seeing the large poplar trees along the the allotments for me a backdrop, I mean, this isn't this all part of the setting of this of these buildings.

48:35

It's all part of it. But how important and to reiterate the point, it's a nice view isn't necessarily a key view. Right. Sorry, my computer's just undergoing weird things. But am I still can you still hear us?

48:47

Yes, like so they. But in terms of like any any degree of harm, has to be weighed against public benefits. Even if it's minute, because it's still it's still still a harm. So what I'm asking is, if you're building a dual carriageway through some fields, which are forming the settling of a list of built further grade rollers in the building I'm not fully understanding how that can result in some harm in even even if it's a small vessels. Well.

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I think we're in we're into a question of scale. And the difference between as as

49:43

Mr. Bennett from the local authority had difficulty with the the issue of the existence of the philosophical minutiae of harm and whether that is harm less substantial harm or harm per year. pbf and and the various guides now I'm going to try and find a reference that Mr. Bennett actually referred to in formulating the statement of common ground we have about that. Which was the judgement of the planning, inspector that because I believe it was blofield. Church is one of the churches of blofield. I think it's an Andrew Winston Peter, I'd have to I'd have to go back and check that, that there was a

development proposed straight in front. And that development was consented. And on the basis that although the determination of harm there was at the local authority was saying that there was there was less than substantial harm, because yes, the setting was still available. But it had been eroded in a particular direction. And this being much more clear. You know, it is directly in in the island directly off the road. And the inspector came to the conclusion that because you one could one could still appreciate and experience the setting in other locations, that it wasn't harm, that there was no harm. Now, obviously, different people come to different conclusions. But going off of that is, is what is what is bought, we've based, you know, agreements and stigmas a common ground on.

51:40

Right, so in terms of like, photo montage is potentially from these two points that I've suggested. Is that something that's feasible? within the timeframe of the examination?

51:54

I would have to call you back to my colleagues, maybe Mr.

51:57

Murphy could answer

52:00

my feet on behalf of the applicant? I'm afraid that would be unlikely, we would need to take that away. But it's quite the few factors to consider for photo montage is, so I need to go back to my colleagues. But

52:15

which ones are the factors?

52:19

The Sort is to do with the conditions? Yeah, we know we have five photos taken in summer and winter, in terms of the views, but I would I have not spent I'm not a landscape architect. We would also need to know, availability and that type of thing. So but I would say it's unlikely.

52:42

Okay, so just so I'm clear, it's so the applicant considers there's absolutely no harm from putting this dual carriageway in into the setting of a grade one, this is a building. And it doesn't need to be weighed against public benefits, because there's there's just no harm.

53:02

So I see Mr. Murphy and I have both popped up. I should probably defer to Mr. Murphy. Oh, it seems to me so that we we know where you're coming from, we probably need to go back and have a look at the ESC what we said, see if we can augment it to see if we can assist you. I'm not overly sure if we can do a lot more for you today. So because obviously it's a bit sort of with respect to last minute, and like notice how you know, I think we're doing the best we can for you, sir, in the circumstances. Point for you, sir. We need to deal with it. We need to go out and have a look at it. And and also, of course, you

know, it isn't really fun for my colleagues at Sweco to be able to say if they can do the photo montage is not there. No, there are other considerations, and client instructions, etc, as well. Yeah, I think we've got the points there. And I knew I'd have to deal with it.

54:04

Okay, and some of the passages necessarily raised this as a concern. But, you know, it's something that I'm gonna have to consider carefully as part of my recommendation

54:15

report, and so you're clearly exercised by it. So now we hear that. Okay.

54:24

Fine, in that case. I just have one further. One last question before I move to the next agenda item that is just to do with lighting columns. So there's numerous references throughout the ies and elsewhere that the lighting columns will be removed some lights and columns will be removed along with existing 847. Is that the case? And if so, is it secured anywhere?

55:04

I am Sophie May behalf of the applicant, I'd actually have to take that way and double check. I don't know that is secured such. But I have to make check the reference to that.

55:15

Okay, I can tell you where it's it's referencing the lighting assessment. Seven point 10.77 point 11.9. It's reference of page 139 of the applicants response to first written questions. It's on page eight of appendix 7.6, which says like to be removed in terms of the representative viewpoints. So I say

55:44

from a practical point of view, and the light thick the existing lighting is at the on the existing Oh 47. At the junction, the staggered junction with a B 1140. That junction itself has been completed refigured. Therefore,

55:58

I think it was I think it's more to the lighting, which is closest Portfolium. So there's lighting, which extends to North Burlingham. And that was, there's references to that being removed as part of the scheme and only focus on the junctions and extra lighting. which runs along the way four to seven would be would be removed. I'm just wondering whether that is is the case? And if so, where is it secured?

56:28

I think I would have said that way. Unless the guy's

56:36

got WVD excusing upon I think I have no illumination to add here. Sir, we'll have to look at it. Okay, as before, if we said we do it, then I expect I will find a way to show you that we will do it, but noted. And we'll we'll we'll come back to you. Okay,

56:58

thank you very much. So they wrote the questions I had on all the various matters topics. Would anyone like to comment? On any anything? We've missed the Hawker.

57:13

Thank you. So Richard Hawker Winston Valley Alliance, this may be a bit out of sequence and if it is to, to slap me down straight height, but it's regarding the effect on public transport. I noticed in response to my original relevant representation, the applicant said there was just not Though not related to new passenger rail facilities in the local area. But bearing in mind that government's wish to encourage modal shift. And another comment from the applicant that there are no proposed alterations to rail public transport services nor thus, therefore any impact or judge to be insignificant, has the can the applicant show any form of assessment of the effect this road will have or might have on the use of public transport? It's it's quite clear that it's doing improve the the road user experience increasing speed and reduce congestion, which doesn't necessarily help us journeys very much more than it does to car journeys. So has there been an assessment being done of by how much use of public transport might decrease as a result of this improved road? Thank you.

58:50

Thank you, Mr. Hawker. Without the light too. Respond to that. Mr. Guyatt

59:00

Sir, I think it's something we'll have to reflect on come back in writing ISIS, Becht, that the answer will lie in that. There probably isn't because we don't have to, as far as I'm aware. You know, so we are promoting, scheming, free, we say is in line with government policy, including raise etc. And it stands on its own two feet in that respect. And I'm not aware that we've looked at this, I'm not aware that we would have to look at this, but that's my initial thoughts. I think I need to take it away and, you know, grateful to Mr. Hawker for raising it and, you know, we'll let you and through you or let him know.

59:44

Okay, thank you. Councillor Davis?

59:50

Yeah, just to add to that, so just to point out that various representations have been made about related to that central crossing from birding into linkwood. Linkwood railway railway station is used by people to the north of the deal day 147. And that that crossing point was identified as key to accessing the railway station. So that's perhaps something to look at in terms of impact on public transport.

1:00:22

Thank you, Councillor Davis was actually able to respond to that.

1:00:33

I'm grateful to Councillor Davis for saying what he did. So I think it's probably a collective response is needed. You know, we make the point that we'll deal with it. Things don't we haven't already. When we come back, sir. Okay, thank you.

1:00:49

Right. In that case, I'll move on to agenda item seven, which is review of issues and actions arising as a previous set in the other hearing, I aim to publish all the action points from this hearing, and no doubt, the applicant has made note of these as well. So moving on to agenda,

1:01:16

so just, I was just gonna say I'm sure we have, I'm sure we have several notes of it. I wasn't sure if you wanted to go through them together. Now. I'm happy to either do that or not, frankly.

1:01:27

But while I was perhaps, yeah, I was going to make a list. And then if you want to add to that, as you see,

1:01:37

please use my headphones. No, that's absolutely fine. Yes. Okay.

1:01:42

So moving on spending the matters. Are there any other matters related to the DCO, or environmental matters, which haven't been covered? Anybody wishes to raise? Apart from the change of name? Mr. Guyatt

1:02:02

I'm sorry, I was pre-emptive. In my my hand raising that's exactly what I wanted to do. And, you know, at 5pm On the day of hearings, I finally managed to find the the raise hand function, so I thought I'd show off my skills. That was exactly what I did it for. So just to mention the change of name. It'll be quiet in case anyone else wants to raise anything else?

1:02:32

Okay, I'm saying that we're the know the hands raised. So yeah, Mr. Guyatt, if you want to, I have read the permission.

1:02:46

Thank you, sir. Yeah, please, Richard Guyatt WVD. So for those listening, who may not have seen that the letter I wrote my client, Ritchie yesterday, pointing out that back in September, the applicant hit the two highways and getting Company Limited, changed its name, I think on the eighth of September, to national highways limited. Clearly, so there's several ways we could approach this, what I believe must happen. But I wanted to alert you to it anyway, is that the next iteration of the draft developed consent order. Nice, small change in the definitions so that the undertaker is referred to as national highways limited. Just to clarify, just to assure everyone, what hasn't changed is the applicant mat is quite clear

from the company registration number which remains the same it is simply that it is no longer highways England Company Limited but is national highways limited. So my proposal to you in my letter was that we would take as lighter touch as we can, ideally, going no further than the DCO and explanatory memorandum. On the basis that I'd hoped that my letter or some other way I could provide the notification would allow you and anyone else looking in at the application to effectively understand that I reading can still means the same person. And it's just the name that has changed. One can imagine so that we really don't want to change absolutely every reference diaries England, which will be quite a task. And also I would suggest probably wouldn't benefit anyone, because it would probably lead to more confusion. I think my initial

1:04:39

thoughts are just that. And I guess, unless you hear anything else from me,

1:04:50

probably proceed on that basis. I'm grateful. So we did have a bit of a debate about the funding statement and statement of reasons. And I hadn't quite confused it'll make myself so I think it probably can be restricted to the two documents I mentioned. But if I decide otherwise, obviously, so I'll let you know, as much as anything. So I just wanted to make sure that it was on the record that we will be changing the the applicants name and that there's nothing in it other than the applicant has changed its name.

1:05:23

Okay, thank you.

1:05:24

Thank you, sir. Grateful.

1:05:26

Okay, so I'll now move on to agenda item nine, which is close to the hearing. Just want to thank you all very much for your participation in the hearing today. It's been extremely helpful and useful for me. A digital recording of the proceedings will be made available as soon as possible on the project page of the national infrastructure website. In addition, I request the submitted writing the points that you have made here today for publication on the website. The deadline for these is deadline seven which is Thursday, the 18th of November. The time is now one minute past five. I confirm this issue specific hearing into the D DCO. And environmental matters for the 47 blofield North burning and project is now closed. Thank you