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Wed, 8/18 6:20PM • 1:36:32

00:06

Welcome back, everybody.

00:08

Time is now 4:21pm. And I'm resuming session two of the first issue specific hearing. Can the case team please confirm that everyone who wishes to be here has joined back? I understand. Mr. basford and Mr. Hume have left the building. But can I just confirm that everybody else who had left the meeting has been able to join back? Yes, I would please No, President. Thank you very much. I will hand over to Mr. Parkin for agenda item for assessment of alternatives.

00:45

Thank you, Mr. High. For this agenda item, there are a few questions for the applicants of the Bedford Borough Council, and historic England. Unfortunately, historic England not able to be with us today. And we will therefore be seeking their responses through our written questions which we will highlight in our post hearing Action List. However, if I could ask the applicant and Bedford Borough Council, perhaps to join me in this virtual room by switching on your cameras. Thank you. Okay, so everyone is going to be excellent. Okay, this item, the assessment of alternatives concerns the proposed Black Cat junction. And I just like to provide a little bit of context to this before beginning the questions, and the proposed Black Cat junction would require the removal of the grade two listed Brook cottages currently positioned to the north of the Black Cat roundabout on the western side of the a one. This would cause permanent and substantial harm to a designated heritage assets. with reference to the infrastructure planning environmental impact assessment regulations 2017. Environmental statement the proposed development is required to include a description of the reasonable alternative study by the applicants which are relevant to the proposed developments and its specific characteristics, and an indication of the main reasons for the option chosen taking into account the effects of the developments on the environments. Looking at the examination library, there are two documents in particular ap 247, the black cat junction design options and ap 072 assessment alternatives of the applicants environmental statements, which contain and contain information on the process and the reasons for the design and location of the blackcap junction of the proposed development. Questions that follow concern these matters. And we are particularly interested to understand how the iterative process to the junction design has resulted in the requirement to demolish the grade two listed building and weather circumstances in the area have changed since the commencement of the option selection process, such as would be likely to have affected the outcome of that process. So, turning specifically back to the agenda now and item for a I the blackcap Junction options selection process. The overview of the approach adopted for the assessment of alternatives and the consideration given to the historic environment. Perhaps I could come to the applicants and ask them to give me give us give us an

overview of the approach adopted for the assessment of alternatives. We know for instance, that the protection of historic environment is not one of your scheme objectives. And we are particularly interested to know what consideration is given to the historic environment and the assessment of the alternatives. Perhaps if you could set out the approach to the entire scheme first in broad high level terms, and then we can subsequently delve into the black cat junctions specifically. Is that going to be used at it?

04:28

Sorry, yes, Scotland is for highways England. I lost Mr. I lost Mr. Daugherty to cover this and detail after making the broad summary points by way of overview of the assessment alternatives in a general sense. In short, the position is sort of that we've taken a thorough and comprehensive approach to option identification in line with our project control framework PCF, which you'll have seen reference to in the documentation and transports analysis, guidance, the approach as you recognize, etc In chapter three of the ies, document app 072 and the black cat junction design options report, app 247, which touches on the issue of heritage impacts, perhaps to give a general overview of the approach to alternatives I can ask Mr. Doherty to take you through the the overall process has been followed please.

05:33

Thank you, Mr. Lynas. Yes, Ted Daugherty representing the applicant. In terms of the high level assessment of the scheme. The development and assessment of the scheme, as Mr. Lyon has said was undertaken in accordance with the house England's project control framework that included PTF stage one option identification, PCF, stage two, option selection, and PCF. Stage three preliminary design. The details of the option identification and selection process undertaken are provided in chapter three, the environmental statement, that's the assessment of alternatives, that's app 72. A comprehensive identification assessment process through PCF stage one, identified initial options. In 2014, then there was an option develop development and shortlisting process currently taken between 2015 2016 and then where there was a combined in a non statutory consultation in 2017, and then a preferred route announcement in 2019. Now in terms of the historic environment, this was a component of the option identification and selection process were with the environmental impacts being qualitatively qualitatively assessed against transport analysis guidance tag. However, this assessment was high level and due to the lack of detail. At that stage, it was not possible to analyze whether the options would impact book cottages, or could be amended to avoid book cottages event impacted. From a strategic perspective for offline jewelery, with great separation of the existing black hat roundabout, and great separation of the existing cash and debit junction was completely concluded to be the best performing option for a number of reasons including its fit with government policy, its impact on problems and issues affecting the existing port to eight. And it's greater likelihood of public acceptability. So in addition to the route assessment, a number of options for blackcat Junction were identified and considered, again, details of which are included in the environmental statement chapter three at 72. So the culmination of that assessment, which took account of a number of criteria include including environment safety, constructability, and accessibility, three offline options, which we refer to as the orange, pink and purple was identified as the best performing route options, as they would meet meet the majority of the scheme objectives, and would provide the most significant benefit with the lowest potential environmental impact. These resources are not yet and

08:36

we're talking here about the black cat junction design, not the other routes. Okay. Fine.

08:45

I think the key outcome from that assessment was the those three options, identified the tie in to the existing road network at the western end at the location of the existing blackcat Junction. So that resulted in the need for development of an assessment of improvements to the existing blackcat Junction, we were looking to provide a grade separated junction. And three options were determined as the preferred solutions that were taken forward through to statutory consultation, and they were referred to as options a, option B and option C. So between the non statutory consultation and the preferred route announcement, the orange option and option junction option C, were identified as the preferred options to be taken forward through to preliminary design. All three options that are identified as statutory, non statutory consultation, identified that there was fortune a there was is a likely impact on the setting of book cottages, and options B and C would have potentially impact and require the removal of book cottages. So we further undertook a review of those three options post statutory consultation in further detail. And we determined that all three options effectively resulted in the need for the demolition or would have impacted directly on and require the removal of book cottages. Following that assessment, we then did it and undertook an assessment to consider whether there was a junction option for black hair that would deliver the objectives of the scheme, but maintain blackout junction in place. That assessment culminated in the production of what we refer to as junction option C plus. And that is explained in more detail in the junction options design report. And that I think, clearly shows that the option C plus was a much more complex junction, it led to significant additional infrastructure, it was questionable whether it will achieve the scheme objectives, in particular, with regard to resilience, capacity and safety. And we basically determined prior to preferred route announcement that option C plus was unbeatable, based primarily primarily on the overall significant impact it had within the area and not meeting the required scheme objectives. I think it's probably I'll leave it there.

12:02

Thank you, that's helpful. Just just going going a step back from option C plus, which was the design option you looked at, to try and find something that would not result in the demolition of the cottages. And I understand what you've seen it I've seen from the application information, that the types of information that you've that you've considered enriching that, and obviously, that there was a public non statutory consultation that was undertaken. And you looked at the scheme objectives as well. And obviously, there were perhaps another a number of other factors as well. What I'm just interested in is these different factors and how and how you weighed these two, how you care, you considered these in deciding the proposed design and its location. You know, what was one aspect particularly important to you? Or why was that? Or was it just how did you approach it,

13:08

I think in terms of the location of the junction, without significantly increasing the scope of the scheme, the location of the existing blackcat Junction was determined that the most appropriate location for improvement that was based on in particular the, the interface between and intersection of both the a4

to existing four to one and the eight one, so the primary objective of the scheme is to deliver free flow links for both of those for the new dual carriageway, and for the a one, there is little scope, certainly for the a four to one approach to the junction to significantly modify the alignment on that approach, in terms of the horizontal alignment, that would have negated the need for demolition of the book cottages that was our view. You also notice in your agenda, you raised the point about whether we considered relocating the junction to the further east to the east of the existing junction, and that was a consideration. And we we did look into that. But basically, we determined that by moving the junction to the east, there was a much greater impact on the existing floodplain of the river group gray tubes that would have resulted in the need for increased compensation, flood compensation and additional land take. There was associated issues with existing properties both North and South of the junction in particular. To the south is an existing residential property Green Acres, and to the north. There were some existing businesses and we were the opinion That the realignment of the a one to facilitate moving the junction to the east would have resulted in the demolition of those those those premises. In addition to that, further realignment North would have impacted the properties on Great North Road. So there was like a compound impact of that adjustment. There was also there's a high pressure gas main located to the south of blackhat. junction. It's it's a fundamental service, the consequences of impacting that so that main are significant and it was a constraint in terms of developing the design added to the problem realignment, that the a one potentially would have introduced a further crossing of the a one south towards the bends. So as associated further impacts on flooding and compensation of the river gray twos ditional, lanti, it's, you know, that just the compound effects were quite significant. And I would say our determination was that the location of the existing peppered blackhat Junction was the most appropriate location.

16:19

That is helpful. Just in terms of some of the points you raise there, you talked about its potential moving the junction to the east will affect the floodplain of the river, great news. With comp and compensation works, that the landscape would be met was mentioned existing properties. You talked about residential and business properties. And the high pressure gas main, which is to the south of the blackout junction does, it does that. What I'm trying to understand is where this is, you know, for the benefit of people in the room. Well, this sort of information in this process, which is explained in the in the documentation that you submitted with the application.

17:02

I think in the in the main in terms of the assessment of blackcat Junction, we'll be looking at the black cat junction options. I think in terms of the story, just repeat that I hadn't been quite flexible. So that's the black cat junctions design options report at 247. I would suggest that we maybe should provide more detail on the provide a reference to that. That's within the document with specific reference to move into the east. Yeah, can I sorry. Just to clarify, I think we should provide further detail on our assessment of moving the junction to the east. I don't think that that's probably that needs more detail going forward, which I'm more than happy to produce.

17:56

I think that would be really helpful if you could just perhaps go over some of the points that you've made today and come up with a narrative as to as to how you how you considered that that option, and

reached the conclusion that you did, and including how you weighed at different elements of the scheme in terms of costs and benefits. I think that'd be very helpful. Thank you. Sorry, I interrupted you there. Mr. Daugherty, Mr. Lyons to see you. You've you'd like to speak. Sorry.

18:34

Thanks for Scott Lyons for housing, just confirm we will. We will do that. And we will weave in references to the existing documentation. So you can you can see the Florida narrative. That'd be very helpful. Thank

18:45

you. When would that be submitted? Would that be by deadline? One? I think we will endeavour to, to deliver by deadline one.

19:03

Yeah. And I can I just clarify that this is it is more aligned to the relocation of the junction to the ease. In my view, the the assessment of the Black Cat junctions is covered within the black cat junctions options report. 247.

19:20

Yeah, it's the reasonable alternatives that we're looking at, and whether this move in the trench into these was a reasonable alternative.

19:28

Yeah, that's fine. Mr. Parkman. Could I just just to provide clarification on that? I think that there's several points and you've you've already said this, Mr. parkins. I've just I'm just reiterating a point that you've made. There several points that Mr. dority made, which were very helpful. We'd set out almost a list of criteria, or considerations that have that you've taken into account in your assessment of alternatives. And that provided that very helpful. Um, how should I refer to it almost like a almost a checklist of assessment points. And I think that is what in one place would be very helpful to what we're looking for really is, of course, that narrative that both Mr. Park and Mr. Lynas have referred to but, but also a summary. And so, you know, I would, I would reinforce that, that submitted a deadline one, alongside responses to some of the to the written questions related to this matter would be very helpful to set the scene to for some of the responses that come up at in response to written questions.

20:46

Okay. Thank you. Thank you. So is there anything, anything further that you, the applicant would like to say with regard to, to this, this this matter? I mean, there are other aspects of it in the agenda, we may come back into the journey again. But at this stage I You Are you satisfied you you've put over what you need to at this stage?

21:14

As got large posing? And yes, for No, sir. Thank you.

21:18

Thank you very much. At this stage, I was hoping to get the views of historic England and Bedford Borough Council. However, as I say, we mentioned previously talking to Linda unable to be here today, and so perhaps have a concern to Bedford Borough Council, just to get their views on perhaps what we've been discussing, and what Mr. Doherty has been describing, and how and how you what your, what your comments are on the applicants approach to this matter, such as in terms of consultation and the iterative design development process to date. Thank you. Thank you. So I've got two experts that can hopefully help. They're Melanie McLeod from a highways point of view in terms of the highway routing options. And then specifically, I'd like Jacques to talk who is our expert on the listed buildings, on the impacts on book cottages and where we are with that. So perhaps if Melanie can first of all cover the routing options from our point of view, and then I'll let Jack take over from there.

22:24

Thank you, Alice. Oh, sorry. Thank you, Elsa. Bedford Berra supported the the orange route and and junction options See, from a strategic transport point of view as the best option for for achieving the strategic aims really. We didn't take a specific view at preferred route announcement and non state consultation stages on the environmental impacts because they were it we were really choosing a strategic route that met the the the aspirations of the of the the whole area, not just Bedford borough. So I'd really, rather pass that on to to my colleagues in in heritage.

23:22

Thank you. And just just before you pass that on, obviously, the environmental impact assessment process looks at reasonable alternatives. Are you saying that the Bedford didn't really look at look at the aspects of it when you were considering it when you made your decision to support it? Is that is that what we've been saying? Or I'm

23:48

sorry to be unclear. We, we we supported the orange route or not. And junction options see on the basis of what was put before us and didn't suggest any alternatives at that stage.

24:04

for clarification, so this is going back several years into discussion we're not talking about during the current application process. I appreciate Armstrong Thank you. So, Mr. Watkins.

24:20

Good afternoon, sir. Thank you. So from my perspective, from a heritage perspective, the the, as Mr. Dotty has said, the junction design options, obviously, A, B and C all resulted in the demolition of the listed building. And so from that perspective, I suppose the impact on the listed building would be the same. I don't have so the the nonstatutory process consultation process predates my time at the Council and so I don't have a record of any consultation with the council from a heritage perspective in terms of moving the roundabout or the junction to The East Side can't really give you any steer on that, and perhaps the applicant can. But from our perspective, what we've done over the last few years and since I've been involved is alongside historic England look looked at ways in which we could mitigate or reduce the impacts on the heritage asset in other ways, primarily through relocation of the building. And

so if I think we're going to come on to broadcast at a later point in the agenda, and if there's anything you want from me at this stage, please let me know. But yeah,

25:36

thank you, Mr. Watkins. That's helpful. Just just to sort of play this back to you from again, from from what what you and McLeod have said Bedford Borough Council decided to support orange See, option on the basis of its the benefits that it would provide for strategic highway purposes. But you didn't really have a great deal of information to consider in terms of the environmental impacts of it. So you made that decision without without considering environmental impact. Is that Is that a fair summation of what you say?

26:17

Yes, well, so it's difficult to say, again, I wasn't involved in preliminary meetings, if there were any. What I've done is dealt with it really from the start to the point in which we were presented option C as the the only alternative. We were working on this under the assumption that the building would be demolished in any case. So I can't really say that we've agreed from a heritage perspective previously, in principle to its demolition, there may be as you suggest, alternatives, by locating the junction in a different way, which would retain it in place, but I wasn't involved in those conversations at that time. If they indeed took place. And again, I'd refer back to the applicant if they can provide that that'd be helpful.

27:08

Yes, I think it's going to be interesting to see what the applicant can provide in this regard. In terms of that, I just wanted to try and make make clear what I understood what benefits council position was not not necessarily just from a heritage perspective, but as a as a local authority within which the listed building is situated. And so thank you for thank you for thank you for those contributions. Is there anything anything further you wish to add to in relation to this? Are you both satisfied in terms of what you said? Let's start.

27:51

I'm quite happy at this stage. Sir. I believe we will come to further issues with Brock kotzias. As we push on,

27:57

yeah. Okay, thank you. And, Mr. Linus? Is there anything you'd like to say? In response to the local authority?

28:08

Scott liners for highways England? Not specifically, sir. No, thank you. But as far as the broad question of the considerations, including heritage that were taken into account, as far as junction appraisal concerned, just by way of example, table 3.2. And the alternatives, chapter two, the DS, lists, factors that were taken into account when assessing options a to say, including cultural heritage and other matters, such as air quality, and so on. We anticipate that when we answer a deadline, one in the forum, it's been suggested, as I say, we will refer to that as part of the wider narrative that Mr. Doherty has mentioned. But just to confirm that certainly historic environment was considered as the options as

a to see were, were being considered by highways England, amongst other matters alongside the scheme objectives. Yes, now,

29:10

I'm aware of table Three, two, I've looked at it. Obviously, a number of the considerations, there's little difference between the different options there, but yes, okay. Well, we'll wait to see what submitted at a later date. But thank you for that. Mr. Lyons. Okay, I think we've probably done enough on this and say, a number of the questions are overlap to some extent. And so perhaps you may touch on this again, or if you feel we've, we've already covered it, then. At that time, please, by all means, bring that to my attention if you feel it's appropriate. And moving on to the next one. point four a two, which is the alignment with relevant policy documents, particularly the national policy statement national networks, and also the nppf and bethabara. Local plans 2030. I'm inclined in the interest of keeping the time covering as much of the gender as possible that we escaped this. It's an it's a matter that's covered in the examining authorities first written questions, and we do look forward to comprehensive responses to those questions. If nobody has anything particularly pressing to say in that regard, we'll skip over that. Okay, thank you. Again, come to points. Fourth, item for a three generally speaking, as opposed to on with maintaining the alignment of the Awan petitioners existing bycatch function, and returns that further information has to be provided in relation to this by the applicants. I would hope that you when you're submitting that Mr. Linus, that you perhaps would be able to, to cover in a bit more detail. The reasoning behind why the scope of the scheme was it was considered inappropriate to widen the scope of the scheme. to varying degrees you own the a one through this area does have a fairly large kink in it. If you're looking at our general north south routes, and it kinks towards the blackout roundabout at the moment, from from the south of the river grade twos, and then obviously there's there's a less substantial impact, just looking between the blackcats junction and just just a short way to the north south Brook by Brook cottages. So I won when when we looking at when when we expect to receive your response in terms of the base, it will be helpful to to look at the from those perspectives. So you've got a more immediate focus on the area around the blackout junction, in terms of the alignment of the one and also across a more strategic, a much more substantial, look at the root of the a one in that area from perhaps south of the great river gratius. If that would be something that could be picked up, that would be helpful.

32:40

So Scott liners for housing, that's very helpful indication. So we'll take that away. We'll do what we can for deadline, one on that. And to the extent that we need a little bit more time to look at other aspects, we will flag that and the deadline, one response, but we will do the best that we can by deadline one.

33:00

Thank you, that's pretty helpful. I think we can perhaps move on to, again, if nobody's got any particular concerns, given what we've covered so far, for a four and four a five, I think we could perhaps skip over those and move to back to four, B. And this is again, something that may be coming up in the information that the applicant is putting together in relation to this matter. Which is the implications of the closure of blackcat quarry on the assessment of the alternatives and how this was how this was considered. So perhaps if I come to you Mr. Linus or miss dice or if it's more appropriate, just just to sort of explained to us or if it if it's going to be covered in your in your subsequent information

submission, then by all means, just just just say that it's the it's what consideration was the operation and the operation at the time the options were being first considered and the subsequent closure of blackcat quarry when that was had any bearing on the design and options for the proposed junction.

34:19

Scott liner for highways England again, I'll summarize Mr. Doggy can add to it as necessary. In short, sir, the applicant hasn't considered the operation of blackcat quarry and the termination was preferred junction option as designed and assert a scheme based on the restoration of the quarry site being in place. We've been aware of the completion of quarrying activities on the required restoration of the quarry sense that operators planning application was submitted in date housing and was a was a console t. So as a result of that the quarry how influenced the design approaches such as we've considered the restored site to be completed before our start of work, given the restoration has to be completed next year, as I understand that, which is advance of the commencement of the projects. So the approaches assume the restoration in accordance with the planning permission, thus far. A lot of Mr. daaga does anything to add to that?

35:30

Yeah, the only thing I would add, is it. Yeah, totally agree with that. Our position was and as I tried to explain the justification, there was no justification or it was not preferred to move the junction to the east. So that didn't it with the presence of the query didn't influence our sort of alignment and junction design. It does impact construction, because there is a need for ground improvement needed. But it didn't, it didn't influence the design a black cat junction. Okay.

36:10

I appreciate that. This is something that you're going to be coming, drawing more information on. So if that's something that you're going to deal with at this stage, then by all means, say, my question would be if it wasn't considered, because looking at it, you've got a now redundant query, which is going to be restored as a as part of the floodplain of the river gratus. Why it perhaps wasn't considered as, as potential land for this, and the consideration of the route of the a one through this area. If this is something that you're going to be picking up through your submission, that's fine. But that's that's just something, it'd be good to know. there's anything you can say about it at this stage.

36:58

Scott line of housing under just to confirm sorry, it was considered as restored land to the understanding of highways, England was that it was going to be restored in accordance with the requirements of that planning permission. So that formed the context for the assessment that was carried out by highways England, as far as alternative generally will work concerned. So to deal with one of the questions on the agenda, we don't think we need to look at further consideration of alternatives simply because of the restoration. But insofar as you've asked for further information about the concept of moving to the east, we can pick that up as part of the further information. We're submitting a deadline one. Thank you, Miss Elias. I see same size. No,

37:48

I was just looking for clarification. Mr. Parkin from both Mr. Lynas and Mr. Doherty, is she you're saying that in your assessment of alternatives, you had considered the query to be restored? Or you had considered that the the query would be restored, and therefore that land was available to you, but you discounted it on the basis basis of other assessments of other other criteria? That's correct.

38:18

Scott Lyons. Okay. Yes, yes, the assumption was that it was restored. And that was the context within which the reasonable alternatives assessment was carried out, ma'am. Yes.

38:28

So I think that would be very helpful in that that narrative summary sheet of criteria that were considered in the assessment to perhaps include this because this was not clear to us in the review of the application materials.

38:44

Very well, that's helpful mom, Scott line if I reject housing, and that's helpful. Thank you. Thank you. Thank you, Mr. Belkin.

38:50

Thank you. Sorry, thank you, Mr. Lyons. If I could perhaps just turn to Bedford Borough Council, if there's anything that Mr. wran you or any of your colleagues wished, wish to say in respect of this? Mr. Romans, we'll have some background into that, I believe. Okay, thank you, Australians. Yesterday, your hands raised.

39:15

Thank you. Roy Roman, on behalf bessborough Council. And I think it's true to say that we we have been having discussions with highways England, relating to the in terms of the relationship between the operation of backcap quarry and the proposal and I have been working within this area for the last 30 years. So I do have some background and for some time, there was an objection from highways England to the working of the site of that cat quarry. But that was dropped when before we adopted the last local The mineral space local plan 2014. And in fact, and, and I was England therefore didn't object to the planning application for the working and restoration of blackcat quarry. And when the proposals were initially started to come forward in 2015 and 16, looking at route options, I think it was. At that point, I think it'd be true to say that it looks like the quarry would be finished by the time that any works needed to start in terms of this proposal. And, and obviously, that's that has happened. And I would also say that in terms of restoration, the site is proposed to be restored to a lower level, and some of the land will be restored at a lower level, and a lot of the land will be restored to water features. So I just want to make sure that that nobody was getting the impression that the land was being restored to pre existing levels. And therefore, there be no difference in terms of the restored quarry to a previous on words land. So the proposal for the restoration is to a series of lakes, and also to lower the level of land immediately adjacent to them. And w worry, there will be some impact in terms of how anytime will will be expected to fall over the top of that restoration. But that restoration has been known for some time. And I think that right, the beginning of the scheme, I think it was recognized that it was likely that all of

the mineral would have been extracted, therefore not sterilized. And that the restoration scheme would be fairly well advanced by the time any operations needed to start wherever operations they were.

42:13

Thank you, Mr. Romans. That's now that is helpful. Thank you. Mr. Darcy's got his hand raised? And is this is this a thing that that you were aware of Miss Dasi when when you were doing your your your options appraisals? for

42:31

Ted Ted Daugherty representing the applicant, I just wanted to confirm that our assessment and development of the prelim design took full account of the restored site and they include the finish profile of the site. So, we we have included within the details and in our design, the assumed restored site, which includes for the the profile of the ponds and the ground lowering that Mr. Roman's refers to. So that's based on the model that was provided to us by Breeden to the operator of the quarry. So that assessment as both design, the preliminary design of the new dual carriageway, but also the assessment, in particular with regard flood impact assessment, and that's probably something that will come up later.

43:22

Yes, no, absolutely. No, thank you for that. That's true. just just just just for the benefit of the room and myself. The the lakes that are to be created on the quarry site are the are the workings off the query, and they just say it's gonna be filled with water.

43:41

So Ted Daugherty representing the applicant, yeah, just to confirm that, as it is based around the workings of the site, I think there probably was some reprofiling that they undertook, you know, placing unsuitable material that was generated. The ponds and the profiles of those ponds are in line with a plan that was agreed as part of the planning application and approval for the quarry site.

44:14

Okay, thank you. Does anyone anyone else find that they wish to say at this stage in relation to this? I think, given the wide ranging, unhelpful discussions that we've had today, we can probably skip over. Number see until we have sight of perhaps the further information that the applicants proposing to submit again, this number four see is within our written questions. And again, we look forward to having a reading comprehensive responses to all our written questions, including this one. So is that at this stage is there anyone else wants to add anything. Are we? Are we okay?

45:06

Oh, Mr. Owen. Yeah. Could I just briefly say, sir, that the council is generally supportive of the scheme foresee is one of the particular areas of concern that we have. And that will be set out in our representations coming to by the 31st of August. Thank you, Mr. wran. That's, that's helpful. Thank you.

45:29

Okay, I

45:32

think that's, that's correct. The items that I wanted to discuss, seen this, Mr. Heiss appeared on the screen. So I shall hand over to her. And we've had to deal with the next agenda item.

45:47

Just before I move on, it's just worth reassuring Mr. Wrenn. That the reason we you know, the reason we're moving on from foresee is simply because it's been covered quite comprehensively in the written questions. And, and not at all in terms of health priority. So so we're we are expecting good responses in the written questions and just in the interest of time, but move on today. Thank you. That's understood. Yeah. Good. Okay. So I'm going to move on to it's it's four or seven. We have good 14 minutes left till our next break. Move on to agenda item five. Five A is the high pressure pipeline diversion. And I just like to invite both the applicant and colleagues from Central Bedfordshire Council to join me please

46:47

have Mr. Stewart Kemp from Central Bedfordshire Council. Hello to both as a five a one. It'd be just helpful to have an update on the planning application to Central Bedfordshire from Central Bedfordshire Council, the planning application that went in to excavate archaeological remains affected by the pipeline diversion. Now, just to note them as Mr. Lyon is we have seen your update in procedural deadline a submission. But we just wanted to get an update from the local authority. Mr. Camp.

47:22

Thank you, mom. So as far as the local authority are concerned, the planning applications have been approved. There are three separate planning applications covering the political works. One of them relates to the establishment of a compound area, which was given a temporary Planning Commission for nine months expiring on the 31st of January 2022. The second is for a substantial archaeological investigation works, which is linked to that initial compound application. So they are two separate planning applications. And then the third application that the counselors has already determined in regards to your political works is a slightly smaller site filled 34. And I understand those political battles have already been completed.

48:15

Okay, no, that's helpful. And again, without delving into matters of detail, which you could provide in your response to first written questions. Are there any conditions that have significant implications to the N sub examination in both the in all three planning approvals?

48:34

I don't believe there's anything substantial in terms of conditions that would affect the overall process, archaeological representation, Hannah Firth has been in direct conversation with the applicant representatives from a con in regards to our political works and continues that conversation. So as far as we're concerned, there are no major conditions that will affect this examination.

48:57

Okay, turning to Mr. Lynas, we've seen your update and procedural deadline a submission. Did you have anything to add to that

49:05

Scotland's for highways England? No, ma'am. I'm really just to confirm that work started on sites on the 19th of July this year that's programmed to run for 25 weeks. So we anticipate that all site works will be completed subject to the weather, of course, in January, next year,

49:26

next year. Okay. And I think that's a really good segue into five a two which is the timescales it's the timescales for the archeological excavation work, but also all other scenarios that need to be considered in this examination if there are other scenarios that need to be considered in this examination. So I'll hand over to you Mr. Lynas

50:00

No, ma'am thought leaders for highways England. Insofar as you're referring to works beyond the archaeological works, there's no set timescale, as I understand it. For those the timescale I was referring to related to the archaeological works under the under permission that have identified you, yes, it will happen after the archaeological works, obviously subject to the screening process has been described in the application. Yeah, but there's no, there's no Spitz specific time skills beyond those that have identified to you.

50:33

So just in terms of the significant effects that we would need to consider in terms of the actual high pressure pipeline diversion. What would be the timescales for that in terms of the archaeological excavation and its knock on effect.

50:52

Scotland's for highways, England, maybe you'll seen from the screening document, the archaeological effects were the only significant defects that were identified as part of the screening report. So as far as the issue of whether or not this falls in the scope of the of the answer regime is concerned, our position is that once the archaeological works are completed, that screening process removes any likely significant effect that would have triggered the application of the N sub regime. So one doesn't need to concern oneself with other likely nificant effects, who is engaged that threshold?

51:27

So once that threshold, so once the ontological works is complete, which you think is going to be January of next year, then that threshold that would have kicked this into being a Thresh into an inset, is that threshold? That's correct, yes. Okay, that's really helpful. But then that means that until one month before the close of the examination, we will not be able to have confirmation or we will not be able to make that assessment until a month before the close of the examination.

52:02

That's right, ma'am. And we'll obviously Scott Lyons for highways, England will obviously keep the the panel updated, the progress of the works. And in some ways that confirms the rationale for the approach that's been taken until we can and for me that those works have been carried out. That's why we've treated the works in the way we we have. We're hopeful, obviously, that the works can be completed in that timescale, we can give you that information before the closure of the examination, but we just have to we have to wait and update you as as necessary, ma'am.

52:35

Yeah. And I suppose that's the reason why I use the word scenarios is that you did also say that it will be completed in January next year subject to weather conditions. If it is not completed by January next year, then what what are we looking at in terms of scenarios for this examination?

52:56

I think it was not completed by them for the purposes of the examination, then we would it may depend on the nature of the works, but I think our assumption is until they're completed, we would need to treat those as involving a significant effect which triggered the threshold. Therefore, the diversion works would have to be treated as an answer in the manner that's been described in the in the documentation. Okay.

53:32

And I suppose that leads me on to question three, which is, if that is the situation, then we've seen the pipeline statement, we've seen appendix 4.4, which is the screening assessment of the proposed gas pipeline work. Is there any other information that the examination authority would need to rely on to examine the significant effects associated with the pipeline diversion, or what additional information can be expected?

54:02

We don't anticipate you need further information because all of the chapters figures append to see supporting documents have access to likely environmental effects of the scheme, including those associated with the diversion of the pipeline. So we're not anticipating that you would need further information to cover that scenario, because the application documentation prep has been predicated upon the inclusion of the pipeline as an end serpents been assessed accordingly.

54:33

Okay, there are a few further detailed questions and written questions in relation to this with specific reference to NPS sections, National Policy Statement sections, so we'll look forward to that. That response and I won't delve into that any further. Can I just invite central Bedfordshire council back Mr. Kemp, if you if you're satisfied with everything that's come up And if you're satisfied, particularly on the matter that no further information is required to assess adverse effects.

55:12

Yeah, so the council is satisfied with the response that have been provided thus far. I said there's a there remains an ongoing discussion between the archeologists and a con on behalf of the applicant. So at this stage, we have no further representation to make in that regard.

55:27

Okay. Thank you very much. Unless my colleagues have any further question, I think I'm happy to close this agenda item down. Actually, apologies. Just before I do that. Yes, I don't have anything further. Thank you very much. Mr. Parkin. I can hand back to you now.

56:04

Thank you. Sorry. Thank you. So now looking at the agenda, it's item five bee habitat regulations assessments. I wonder if I could ask

56:19

the natural England to natural England part of the the audience today? Yeah.

56:29

Yeah. So naturally inclined to appear, that would be great, as well as the applicants that would be very helpful.

56:38

Thank you.

56:42

So Miscavige felt the natural England, can I perhaps ask you to to explain how the surveys that you've requested in relation to the others ever since. And when Paul Woods special area of conservation, and how will they they will add to our and our understanding of the effects of the proposed developments on the barbie style bats population of that special area of conservation.

57:10

So as set out previously, we're not satisfied that there is sufficient information on which to conclude no likely significant effect. So we have requested that year round surveys are conducted, including some more further cross point surveys along the line, we identified that that booklet noted there was 40 potential cross points, but only a handful had been surveyed. So we would request that either more of those points are surveyed, or the reasons why they were not surveyed. And this would therefore give us a greater understanding of any potential fragmentation that could happen as a result of the scheme between roost sites and foraging sites for the barber style sec. But so we were suggesting that those cross point surveys started imminently. And given that we've only got about another month left of maternity season, and then going forward to do the the winter hibernation season.

58:30

Thank you. So in terms of the surveys, when when would you anticipate them concluding?

58:39

Am I suppose that that's down to the applicant? And we would try to get the full 10 which I believe would be within the six month timeframe? Whether or not they would have the time to assess and comment on said data.

58:58

Yeah, so I mean, the point is, I'm sure you're aware is is obviously the the limited timescales that we're working within. Obviously, the examination is now started and we have six months within which to determine whether to complete the examination. So again, it's a case of is there

59:22

would you

59:24

please welcome to Mr. Linus or Mr. Gleave and in light of in light of what's natural England have said, I wonder if you could perhaps have be able to give us an update on whether or not you intend to undertake the surveys of the barbel stock but that's natural England requested, when they'll be undertaken and again over over which timescale and when they'll be completed.

59:54

Sarah Scott liners for highways England, perhaps before we get onto that specific question about further surveys. Can I ask Mr. Glue just to provide a bit of the background for relating to discussions with natural England so you understand how we've got to this point. And then what we propose to do to make some progress on this, please?

1:00:19

Briefly, Yes, Mr. glia. So I have seen the, the the application information, so I am aware of where we are at the moment. So, perhaps if you could just give us a quick overview, that'd be helpful.

1:00:31

Thank you, sir. Yes, Jamie Gleave highways England. So just to provide the panel with a bit of context. Our view is that based on the data we've we've gathered through surveys, the the evidence that that we've we've gathered so far, in relation to the movement of, of barber style, and that that has been gathered by all the parts is in this data spans almost 20 years of evidence, and none of that evidence, as ever really identified any sort of direct connection or link between the SFC and the land that's associated with the schemes or the limits. to Brian a bit more sort of context, we've been engaging in natural England on the matter of HRA, and specifically this site since undertaking scoping back in mid 2019. We've held we've held a workshop with natural England and local bat groups. workshop was held late, late last year in November, and we specifically discussed the BBs style survey data that we'd recorded and other available data. And subsequent to this a draft of the HRA, no significant effects report was shared with natural England for each review. It's a little bit of a surprise, sir, that natural England's view in the relevant representation now now sort of cites that insufficient information is now available to rule out like significant effects on the barber style population at Evanston. And when Paul was sadc, particularly as this viewpoint from from other correspondence hasn't really been expressed to ourselves before. In the in the ongoing dialogue we've had. Subsequent to this, what we asked natural England to provide any credible evidence that it held to support the position that it's adopted in the relevant Rep. And naturally going confirmed in July that it doesn't hold any further evidence that supports that position in terms of what's already available to ourselves. We have shared a detailed

technical note regarding our position, and all of the evidence that we've we've gathered and the assessments we've undertaken, in response to this relevant representation from natural England. And we have held a meeting with them on the same days on the 25th of July this year. And at that meeting, natural England's view, essentially remained unchanged from from, from what they did opted in their representation. But we did recommend that perhaps have a more further detailed workshop where we could analyze the data and evaluate it in a little bit more detail would be beneficial to aid natural England's understanding of the data we've gathered. So we have made a request to natural England, we have got a date in the diary to do this. It's actually Monday, next week, we consider it really important that we have this workshop, simply because we want to ensure that there's a full and accurate understanding of the bat survey work that has been undertaken, and how we've derived that conclusion of of no likely significant effects. Additionally, we're looking to update that technical note that I mentioned, that sort of been shared with natural England. And we intend to put that in a deadline one as a response to one of the points raised in the written questions in the event that the workshop next Monday doesn't take us any further on this matter. We will explore with natural England, excuse me the viability of what surveys could realistically be undertaken, and reported, obviously between now and the end of the examination period.

1:04:23

Thank you, Stickley. That's a number of a number of points. In relation to that. Understand, obviously, there's been discussions and meetings and work has been undertaken by yourselves to consider the bumpstop button population of the SEC. However, I do, I did notice in your own environmental statement, and it's the biodiversity chapter up 077 in paragraph 8.6 point, two for your governmental statement concludes that are the stuff that's likely to forage or pass through the order limits? That's correct. Yep. But that doesn't seem to be consistent with what you were saying earlier.

1:05:13

If Sharon believe I was gonna if I can clarify. The paragraph 8624 of the biodiversity assessment does indeed, acknowledge that bb astell, bats are likely to forage on or pass through Lund associated with the order limits. However, the tracking surveys that we've undertaken, as part of our bat survey work as effectively demonstrated that the BBs cells that we've recorded passing through the area are not associated with other with the SEC, they're actually associated with other roof sites nearby. And the evidence that we've, we've gathered, we feel compelling the corroborates this.

1:05:56

Thank you. Thank you, Mr. Cleaver. I understand that there are that that survey work as found other colonies of Barstow bats in the area outside on separate from a special area of conservation, either reading reading what the environmental statement says it doesn't differentiate between the science side of the SEC and the SEC itself and reading what the environmental statement says. I think you would, I think it would be difficult to not to include the SEC, as one of those sites outside the order limits within which I was thought bats would fly and forage and potentially cross through the order limits. Are you saying that that's not the case?

1:06:47

I believe I was England. So yes, the the data we've gathered from various tracking surveys and tagging surveys, a lot of this is in the bat appendix. So if you're referring to the chapter, all of the details in appendix 8.5, the the bat data appendix, essentially our position is we've looked over and surveyed over a number of years now the the bat activity in that area. The habitats, particularly around the eastern end of the scheme, which are the closest to the SEC, do not appear in our view to be of a form or contain features that would be typically used by the barbet starling at the SEC, for winter or summer foraging. Therefore, when we undertook our backtracking surveys, we'd analyze a lot of that, a lot of that data that that survey data and habitat information, and we concluded the two locations would be appropriate along the length of the scheme, one located centrally in one located more to the east, where Barstow activity had been recorded. And where we felt features existed in the landscape surrounding the order limits. That would be potential roosting sites or foraging habitats up.

1:08:09

Thank you. So from what from what I've taken from what you've said, I noticed sorry, we have got a couple of other hands up both. If those people just bear with me, that'd be great. But are you saying that? And this is particularly with the habitat regulations, assessment tests? Of note, can you conclude that there are that that the given given what you've you've acknowledged in terms of the assaults bats crossing and flying over the order limits potentially from the special area of conservation? You're what's what's your basis for concluding that they'll likely significant effects on that species?

1:08:52

Typically, if I was England, so what we're not saying is that the BB is still we've recorded our from the SEC, that there are BB still in the area, we acknowledge that. But our tracking surveys that we've undertaken, effectively demonstrated that they are moving across the area, but two completely different roosting sites and historic data that we've analyzed as part of our habitat strengths assessment and the EIA, the biodiversity assessment also corroborates that.

1:09:25

Well, thank you. I'm still I'm not sure that moves is a great deal further forward, though. We've got a BB a small bat population in the special area of conservation. Your environmental statement suggests that it will these species will fly and forage potentially over and through the the order limits. Are you saying to me that that's not the case and they won't fly through the order limits from the SEC.

1:09:56

Generally powers England so yes, that's what our data tells us. We We we have not tracked bats. Going back to off from the SEC. There's there's a considerable distance between the site and the the associated core area around the SEC, that's that's defined in the supplementary planning document from South Cambridgeshire. So we've looked at all of this evidence. And if it's helpful, it may be as part of deadline one where, as I mentioned, we're submitting a technical note that covers this in in more detail, which provides further analysis of the data on thinking some of the these points may be the articulated through that.

1:10:42

Yes, by all means, that would be helpful to get the extra information in your analysis of it. But I am just, if I can just press you on this point, you're saying that you've not tracked, you've got no data on no tracking of any of the bats from the bsac? So is that what you said?

1:11:00

We haven't talked on the talk. Bat tracking of bats from the SEC. And we have we did tell natural England this as part of our meetings that we have no intention to do that. We trackbacks from our area of the scheme.

1:11:16

Okay, so you haven't yet you haven't hopped on that round? Yes. Yeah. Okay. Right. If I could, perhaps, we've got a number of people that were the hands of times the lionesses had his hand raised as well. Parts of her come to Miss davidge first, and then Mr. Terrell. He also has his hand raised.

1:11:37

Right. Yep. Camilla Diaz from natural England. So just to explain the situation around the apparent change in that advice was that we had personnel change, and we went for a long stretch of time with no bat specialists. And unfortunately, that resulted in a very late submission with no dialogue prior to that, which was very unfortunate, but that's the position we were in. And we feel that the wrists outside of the SEC may still be functionally linked with the SEC and therefore still within the scope of the HRA, so therefore, this route could sever routes, the interchange of the roost sites. And finally that the radio

1:12:34

sorry, Mr. Lynas, Please, could you keep your microphone muted? Thank you. Sorry. Mr. Lynch,

1:12:40

is the sample size of the track bats over the last 20 years is very low. That that that was some of our main points there. Just to clarify.

1:12:55

Thank you. That's helpful. Are you are you natural England concerned that no survey work has been undertaken of bats with from the special area of conservation?

1:13:07

We would I didn't see that. But we had covered that in our on our written wraps. We will cover that.

1:13:15

Okay, thank you. I will give Mr. Cleaver, an opportunity to speak later on. But Mr. Terrell, you had your hand raised. Thank you, Sir Francis Terrell, on behalf of the country local authorities. I just wanted to flag that the ecology officers from the local authorities have concerns on this point as well. And we will be presenting information in in our written representations for deadline one. We have the honor the country officers here present and you can speak if necessary, but I think probably is more useful to deal with that in

1:13:53

the written representations. I think they will touch on the need for the survey work, if that can be carried out in the relevant timeframes. In particular to look at the circumstances of the male bats which we understand roam wide area and are in habitats outside the SEC but are important functionally to that habitat, particularly when it comes to it being maternity site, males being a necessary precursor to that being used. The

1:14:25

other aspect is obviously that if surveys cannot be carried out, we need to bear in mind the precautionary principle. And also think about mitigation measures for the bats, which we haven't had details of as yet in terms of bat underpasses and the like, which may help us if we can safely conclude no significant effects. Okay, some way to mitigating any possible effects. Thank you, so, that's helpful. Mr. Gleave Is there anything that you would you wish to say in response to one Natural England and I'm still upset on behalf of the temperature councils.

1:15:04

So generally, if I was England, yeah, just to come back home Mr. Terrell's point regarding mitigation. The full details of the mitigation that's been incorporated and embedded into the design of the scheme is clearly set out. Within the environmental statement is set out. Within the project description in chapter two, there are a range of measures, we do include a baton pass, for example, under the planting based measures, for specifically for impacts on bats, not specifically for the bat at the SEC, because we've recorded no significant effect.

1:15:43

I appreciate the bottom the passes is to do with the the other roosts your survey work identified. And so again, just just just for the sake of the room, there's no mitigation directly related to the special area of conservation, because you don't consider there would be any likely significant effects of scheme on on specialized conservation,

1:16:10

chemicals and highways England, sir, yes, that essentially That's correct. Our view, though, is that obviously these these measures, these embedded measures for maintaining connectivity for a range of bat species, particularly those are known crossing points in the event that, you know, if we did do surveys, and they did conclude the SEC, barber sales were crossing the area, in that in that event, we don't think it's likely but in that event, then certainly those mitigation measures could perform a similar function if they're recorded at those same crossing points. Thank you. Again,

1:16:55

for all the parties here, I just wanted to try and keep it focused. I appreciate there are other species in the area and biodiversity in the general and other parts of mitigation that are being considered. But I really want to focus this on the habitat regulations assessment and the test that we need to undertake to get through this. And the precautionary approach, as Mr. Tyrell mentioned. Is there anything that you Mr. Gleave or Miss davidge? Or Mr. Terrell, even wish wish wish to say at this stage are you contents to leave it now to return representations? Also,

1:17:40

perhaps I can say something for Scotland's for highways England. It touches on your last point as well, as the point you raised earlier about the environmental standards. And I think it's important to appreciate that there has been a habitat regulations assessment, which considers the SABC specifically and confirms the points that have been raised by Mr. Gleave. And those points were made in the context of the application of the precautionary principle on the basis of the on the basis of which the habitats regulations assessment was carried out. So our our position is that there isn't anything to suggest that there is this sort of functional relationship between the SA C and the land that we've been talking about this afternoon. And that even applying the precautionary approach, one can safely conclude that there aren't likely significant effects for the reasons that Mr. Gleave has suggested. But as he has mentioned, we will engage further with natural England in particular, on this, to investigate the position further.

1:18:44

Just for the benefit of the room is the lines, could you just provide the reference for for that assessment?

1:18:51

Yes, sir. It's a habitats regulations. assessment on the Just give me one second, I've got the agenda in front of me. It is up to three, three, the section dealing with the SEC starts on page 50, paragraph 4.2. point one eight on the screening matrix is a table 4.4 from pages 51 through 253 to 63.

1:19:27

I'm grateful. Thank you, Mr. That's helpful very much. Do you do Mr. Terrell so you're here again. Mr. Bridges did do either of you have anything you wish to say on this at the moment? Or are you again satisfied with with written written representations?

1:19:46

That was natural England. We're happy to written reps and we are as as mystically said, we're going to be going into discussions. Our bus specialists will be joining that on Monday.

1:19:58

Okay, thank you. Sir, Sir Francis Terrell and both of the chemical authorities. Yes, we will, as I said, putting information in the written representations on this matter. And obviously, we recognize we differ on these matters to natural England as well. Thank you. So I see you've got a question.

1:20:25

Yeah, it's not a question, Mr. Parkin. It's just there's several points that have been raised. And I appreciate that some of these will be clarified in the written representations. But I wonder if we could, as opposed to hearing action, just identify a couple of things, which perhaps might take this a bit further at the first deadline. There's two things that you've mentioned, you've mentioned a technical note, and you've also mentioned a meeting with natural England on Monday. And you've talked about survey timings and tracking, survey timings, but also a functional relationship between the back roost within the

SEC. And outside the SEC, there being a certain disagreement on that matter. And I wonder if the notes from the meeting, and outcomes of the meeting could be submitted at deadline One, two, perhaps it's perhaps a position note between the three parties, the applicant, natural England and the local authorities. So there's not a statement of Common Ground really, but it's a position statement between the three parties on some of these fundamental matters. At deadline, one would be in the very helpful and perhaps take the conversation a bit further than us relying on written representations of known

1:21:58

Scotland's, for how is England? Ma'am? Yes, we see no problem with that. It may be that as we go through the meeting, it's easier to add minutes of the meeting as part of the updated technical reports. But whichever route is taken. I'm sure there's no problem in and making sure that the outcomes of that meeting are made available.

1:22:21

Yes. outcomes of that meeting in minutes are excellent. But a summary identifying a position statement between the three parties on these fundamental matters that have been pointed discussion here would actually be very helpful.

1:22:37

Yes. That to me, again, that that discussion, obviously take place within the wider context of Stephen the common grind. But if you want a specific position statement on this issue, I've seen a reason why that can't be prepared. Thank you.

1:22:51

Yes, that'll be very helpful. Okay, so we'll we'll ensure that this is included and written out clearly in the post hearing note. That's all from me, Mr. Parker.

1:23:03

Thank you. Thank you, Miss Knight. I think that that almost wraps it up. I mean, it is a sequential approach that we go through with Habitat regulations, assessments, we still I say, you've got your your 100 sites will come to you in a moment, if I may. If we cannot conclude that there are no likely significant effects on the on the special area of conservation, we then have to consider whether there is sufficient information upon which to conclude that the proposed development would have have no would not adversely affect the integrity of the special area of conservation and appreciating sequential approach to that, but which I'm sure all parties are, are aware of and mindful of. And we as the examining authority will be will be looking at those two, those two aspects. Obviously, I think, given the wide ranging and helpful discussions that we've had on this, I'll just come to a cereal and see if he's got anything further that he wishes to add, as he's got his hand raised. Mr. Turtle, thanks for the turn on behalf of the chemistry authorities. So it's just very brief administrative point. We recognize that I think the examining authority is clean that there'd be a position statement from the three parties, which I think includes the local authorities are given what we just said, I think I seem to be very contented to be involved in that process. I don't think they're currently invited to any meetings between England and natural England. I think we can probably arrange that offline as to whether or not that would be

necessary or useful or not published wanted to flag that and just request I guess that the relevant parties from natural England and on behalf of the applicant, get in touch with local authorities, if they are to be involved in that meeting. I think that might well be helpful. Mr. Linus, do you have any, any thoughts as to engaging local authorities in that respect?

1:25:09

Scotland for highways England, but I think there's the starting point, sir is, as Mr. trails helpfully recognized, the guides will defer to the position of natural England on there. So the meeting that we've discussed, I think needs to take place, first of all, and then we can discuss progress separately with the council's on the position paper. To the extent that further meetings may be required with the console, with two councils to resolve those, we can consider that as part of those discussions. From my point of view, I think that the focus has to be initially at least on making progress with natural language and then and forming the kinds of art and taking matters from there. Okay, yeah,

1:25:51

man, just add one point there, Mr. Parkin. There was there were questions raised about mitigation. If there was a functional relationship between Bruce outside the SEC, and within the SEC, so there were points raised by Mr. Turtle about that mitigation and whether that was adequate. Mr. Turtle also alluded to the fact that that would be set out in the written representation. So I think that there are matters that need to be discussed with natural England. But I think that that, as a point, we would like to have a update on whether there's agreement on matters of mitigation, and whether they've been adequately secured in the decio, as well. So. So whatever, whatever approach, and the fineness of the drill and natural England approaches is fine with us, just as long as we can have an update sooner rather than later on all those matters, matters that relate to natural England, but also matters that relate to the local authorities,

1:26:52

Scotland's for housing, that's understood, Mom, although we must bear in mind that the question of mitigation logically follows any discussion on whether there'd be functional linkage, whatever points are being made by not sharing. And it may be that as a result of the discussions, it's it's accepted that we don't need to consider mitigation because there'll be new effects would arise in the first place. But we need what's been said, and to the extent that the doors need to be addressed will bear that in mind. Fine.

1:27:23

Okay. Mr. Parkinson, it's your agenda, I'd like to turn on behalf of the country authorities, just before the authorities are happy with the approach that always England, natural England should discuss and come to a view and then inform them and then the authorities will take a view on the back of that, and let the panel have their views on the back of that. Thank you. That's helpful. And again, obviously, it doesn't need to be saved. But obviously, timeliness is is obviously very important at this stage, which I'm sure everyone's aware of. And thank you for that. Thank you all for your contributions. It's been very helpful. I think we've covered everything is anyone there's nothing anyone wishes to say further at this stage? No. Okay. In that case, I shall pass over to Mr. Howe, who will decide the next agenda item. Thank you.

1:28:29

Thank you, Mr. parkins. So the next agenda item is five see good design. Now this agenda item has been covered a lot in written questions. I'm very conscious of time, I do want to cover the agenda item six, and give it give it a good hearing. So I'm just going to set out that for good design. I think it'd be fair to say that the examining authority need more convincing that the information in the examination at present is enough for us to consider visual appearance in terms of scale, height, massing, alignment and materials and the location of structural elements in the application to assess good design and visual impact. And this is both in terms of the policy recommendations in the national policy statement for national networks and indeed the latest version of the nppf. I am going to skip over this agenda item but I thought it'd be helpful to set this out for the applicant and indeed for local authorities that we are looking for comprehensive responses to this and written questions in light of in light of the of both the policy documents that I've I've mentioned are we contend to move on.

1:29:56

Mom Scott liners for highways England, obviously We take on board what you said, Ma'am? Is the panel able at this stage to give any indication as to what further information it may be seeking in response to the concerns that you're addressing here?

1:30:16

Um, I think so I think it'll be fair to say that we will look for responses from local authorities we've sought, we've sought responses from local authorities as well in response to these questions. And if I was to take a sequential approach, I would say it would be, we'd like to understand at least high level principles in terms of specific locations. And in terms of all those matters that I've mentioned in terms of such as scale, height, massing, alignment and materials, and the specific location of structural elements in order to understand the visual impact on landscape, and surrounding areas, and indeed, from the infrastructure itself. But here, we will rely quite heavily on the local authorities as well to give us their views on whether they feel that the information currently included in the application is enough to draw conclusions, and indeed, for the examining authority to make a recommendation to the Secretary of State on these matters. So as I've mentioned, that we will, we'll take a sequential approach and seeing whether there is enough in terms of high level principles. And when I talk about design principles, I'm talking outside, this is other than I was England design principles, documents. So this is this is more specific to the scheme. The second matter that we are interested to know about is whether there's clarity, about the process that will be that the exam that the applicant intends to undertake, with respect to design development process for detailed design. Obviously, not within the examination process, but possibly outside of it. But whether there's clarity on that matter, whether that's understood by parties, and whether that's adequately secured in either the ESR or the decio. But like I said that there's quite specific and detailed questions and written questions, which is why I feel content to move on at this hearing and move on to agenda item six. But does that help you?

1:32:23

Scott line is for highways England. Yes. Thank you very much. I think the point I would read as if if, as you said, the panel is going to be taking its lead to it to some extent from the LPS on the design matters. I think it's very important that at deadline one, if any points are being made about design, that

they're specific in terms of the further information that may be required, so that we're in a position to respond to that effectively and help you.

1:32:54

Thank you very much. And at this point, I think this is an action point for local authorities. But indeed, that in response to written questions that is made very clear, if they feel that that additional to be to be very clear about that additional information that they feel will help the examining authority in arriving at some of those conclusions and recommendations. I'm going to take no comments as a tacit agreement with locally with with me hear from local authorities.

1:33:30

moms and kids frontstage on behalf of local authorities. Okay, so the Cambridge wants I spent the others may have their own view. Yes, that is notice, we will do our best to indicate any further information that we think might be required. At deadline one, obviously, a view on the design issues as a whole would more properly be a matter for local impact report, which is at the new deadline to your deadline to Yeah.

1:33:57

Helpful note that's very helpful. Okay, so I am going to skip over this entire agenda item as they are already covered. I will come back to Mr. Parkin for agenda item five D but very, very briefly in order to just touch on them so that we can move them across to written questions. I will take a break then. And then come back straight to agenda item six. So Mr. Park and if you could just introduce agenda item five D and move it across to two written questions then I'll come back and take a break up.

1:34:42

Break

1:34:44

it certainly, as people see from the agenda, item D is concerns flood risk and the recent publication from the government on climate change allowances for flood risk. There are a number of questions Which would be helpful if the applicants and the Environment Agency could have regard to as they draft their written responses. And if we could just draw that to your to your attention so that you can pick that up and by deadline one, and then we can just just deal with that as that sense. And then. Okay. Mr. Romans, so you know, silliness, do you have anything to say?

1:35:34

How Scotland for housing and then confirm the opposite content with that, sir, thank you.

1:35:40

Thank you, Mr. Lyons. That's helpful. And correct. Anyone from the Environment Agency? Is that an issue for you to sort of to pick up as well? All right. Oh, sorry. Yes, that's fine. We lost. Great. Thank you. Mr. Benn, that's helpful as well. Thank you. Okay. I shall come back to you to miss it now.

1:36:07

Okay. So apologies for over running by 12 minutes. It is now 457. We will take a short break. If I could request everyone to be back sharpish by 10 minutes past five. We will resume the meeting then and we will go straight into agenda item six. Thank you very much.