

# TEXT\_A1iN\_ISH4\_Part2\_Session2\_10062021

Thu, 6/10 1:08PM • 1:24:45

00:03

So the time is now 1135 times resumed his hearing.

00:08

So the next item on the agenda is item six.

00:15

And this is the first part is to consider revisions to the outline camp submitted deadlines seven, and deadline eight. Now, most of the questions I had, there aren't too many, most of the questions were for the Environment Agency, but they are with us today. So I will just run through what those questions are, and then we can pick them up

00:41

in action points for the Environment Agency to respond to subsequently.

00:48

Let's begin by looking at the headline seven version of the camp, which is rep seven, double o nine.

00:59

And

01:01

the first item wanted to speak upon is

01:08

Measure S w one, which is on page 31.

01:14

There are a number of changes there

01:18

concerning engineering solutions, to merge risks to the water environment.

01:25

As the Environment Agency hasn't responded to this, I just wanted to check their views. So can do that as an action point.

01:37

The second

01:40

item

01:42

is on page 35.

01:49

Which is measure EXA S dash W101, which is a measure to compensate for the loss of channels.

02:02

Can I don't think we've seen a formal response from the Environment Agency. So it want them to comment at the next deadline.

02:12

confirm whether or not they're content with the wording of that measure.

02:21

The next item is on page 85

02:44

this is Measure S dash ph 10.

02:50

And on this one could ask the applicant please to explain

02:54

the

02:56

deletion in this case, Mr. Bassford to their please.

03:08

Sir, I will have to respond to you in writing. However, the

03:16

deletion is all otas text because it saves that pursuant to the compensation code compensation will be agreed as part of the scheme and of course, we don't need the kept tell us that it's a matter of law. Okay, thank you.

03:52

The next item is on page 97.

04:03

And I think this is 1/4. The Environment Agency.

04:10

Yes, e xa. SW one or two just seeking confirmation that the Environment Agency is content

04:21

with that provision

04:25

haven't seen confirmation today.

04:32

And then on pages 117 218

04:45

fers measures A w seven

04:51

A w 10.

04:54

Eight w 11

04:57

and a W 12.

05:02

Just looking for confirmation from the Environment Agency that they are content

05:08

with who wish to comment on those provisions.

05:14

Confirmation.

05:23

Okay, so then moving on next one is the applicant, which is page 169.

05:53

So

05:55

I'm just check.

05:59

Yes. Be pH four.

06:07

I was actually on page 170. Change.

06:11

Is this the same points? Mr. Bassford as the previous one? Yeah, there's no need for that text. Okay. Yes, that's correct. We don't need to be told to agree compensation. As you can tell, we're getting on with it. That's fine. Thank you.

06:29

So, those the changes I wanted, wanted to pick up in relation to the campus deadlines seven, if we can now turn to the camp

06:42

tracks version that deadline eight, which is rep 8012.

06:50

The left only got three or four points to raise here.

06:56

So, let's start with page 68.

07:14

This is measure sp 14

07:20

looking for

07:23

comments or confirmation from the Environment Agency about the changes which are proposed there to protect aquatic habitats and species from concrete pollution.

07:48

I plus the environmental agency will be listening in or reading the transcript and the actions that we will flank with them as well to Yes.

07:59

Thank you very much.

08:02

Then moving on page 117.

08:17

So, there are a number of measures

08:20

relating to quality

08:24

A w five kW six

08:29

kW seven, which was also referenced earlier, earlier version

08:36

kW nine

08:39

and they tell you 11

08:47

I am suspecting that these are for the environment agencies. These are sorry, I should have said oh yes over the environments agency.

08:58

Just to confirm their consent with them. I say I hadn't seen fair representation

09:08

would have been at that. I did it. I hadn't seen confirmation that point they were happy with so useful to get a confirmation.

09:25

And then if we move on to page 156.

09:37

This is measure e x a b b 100.

09:44

Auto protection

09:46

which picks up on what had previously been discussed the thing we discussed yesterday.

09:53

Mr. Pinto

09:58

primarily for

10:00

The Environment Agency but

10:03

given the county Council's views on contributions are not as previously discussed council wish to comments on this.

10:18

Yes, please. Good morning, sir. Good morning.

10:24

I just want for the record. It's Ms Deary-Francis. Yes. Sorry. I forgot to introduce myself. Yes. So Ms Deary-Francis, I'm an ecologist at the county council. I do apologise.

10:36

Obviously, we defer to the environment agencies, the technical specialists and statutory consultee on these matters. But a lot of the changes that have been built in around mammal

10:49

connectivity Do you forgive me, I've got heavy call the connectivity through the culverts, the mammal ledges, some of the design changes, and particularly the author exclusion fencing, we really welcome those. So I just wanted to say that that closes out some of the issues we'd raised previously. Thank you. So as you're concerned with the wording of this, yes, there's a true measure. That's good. Thank you very much. Okay.

11:20

So that then leads on to

11:26

page one, go back to page 108.

11:30

Afraid

11:47

Hey, p two.

11:50

Know particularly change to this one.

12:04

Yes, it is the second point over the page one, page one and nine. pencils all soaping proposed when necessary to guide wildlife towards crossing points.

12:17

inclusion of additional fencing guide wildlife culverts will be considered teach detailed design prior to construction for each Part A and Part B.

12:28

Is there a need for that to be updated now that we've got the otter provision in being 100

12:37

still relevant as it is, we will I suspect in relation to Part A that remains relevant in relation to part B, we'll have a look to see if it should have a cross reference to x A B 100, for completeness. So we'll check that. Thank you.

12:57

And then the final point on the camp is at page 157.

13:15

And that is beatable. You want

13:18

to think Ken came up yesterday,

13:23

seeking the views of the Environment Agency that these provisions are what they're expecting. So we can pick that up separately as well.

13:34

Okay, so are there any other comments anyone wishes to make about the outline camp as it is at the moment?

13:46

I'm not seeing anything.

13:49

I think, for us, the examining authority is helpful just to go through that at this stage of the examination trend, tie things up

14:00

and ensure that they are

14:04

where appropriate that agreement is in place. So that's helpful for us. Thank you.

14:12

So now we can move on to the second bullet point on item

14:19

six, which is to consider the alternative wording for requirements 17 of the draft decio which is in relation to landscape and ecological mitigation plan.

14:32

So the background to this is that deadline six the applicant proposed a new requirements 17.

14:42

For example, authority suggested changes through question decio 3.7.

14:50

And deadline eight, the applicant responded to the examining authority suggestion. But is that eight oh 20

15:00

Essex

15:02

County Council also responded to that suggestion, which is rep eight. Oh 28. So what I'd like to do is ask both the applicant and counsel to explain their own proposal for change to this requirement, and then comments on each other's and see if we can get to a position where a text is agreed.

15:28

So, Mr. Bassford, can I ask you to comment first, please?

15:35

I'm just turning up the relevant page. So it was your question number? decio 3.7?

15:48

Yes, yes, it's the problem between the paginated numbering our ICD.

15:55

So, the so we have said, first of all, you correctly pointed out that there was a discrepancy between the drafting of the order and the outcome. Now, the Secretary of State's approach to the drafting of DCs for housing schemes is that they should be

16:16



they should contain requirements which are approved by by him rather than by the local planning authority. And that that is a standard approach. If we provide for approvals by the local planning authority, which the the redraft would have

16:41

had the effect of doing or enabling them to require the applicant to work in a particular way, then that is,

16:50

then that is not in line with the Secretary of State's approach. And there isn't a policy written down on this. So you can document that there is a sort of cannon of drafting approaches, which is pretty consistent between housing the DCA and the those of us who promote housing the DCS coordinate to make sure that we are consistent for you and the Secretary of State.

17:14

So, what we have suggested is that rather than saying that the local planning authority can require a a lamp, the local planning authority is consulted, which is position anyway. And if they consider a lamp to be desirable, they can say so now, the teeth that that has are not immediately apparent, but they are there. Because if we are putting a proposal to Northumberland county council, in our consultation, and we're going to have to supply a copy of their views, if they are going to say there should be a limp, then it is pretty clear to the Secretary of State what the local planning authority thinks. And so that is the way and that would be consistent with the drafting and other DCA O's, for housing, but that that would be the way that that was given effect. And so the set the same objective is achieved, but in line with the drafting approach, the Secretary of State has adopted.

18:17

Okay.

18:21

That's not how I read.

18:25

You're amended to your original amended

18:30

provision in this case, because

18:33

what

18:38

what the

18:40

requirements is saying, as far as I can see is that if the local authority

18:48

asks for a lamp, then

18:53

it's the undertaker who decides whether or not to prepare it.

18:57

And if the undertaker decides to prepare it, then there's consultation.

19:04

And the Secretary of State will see the local authorities request to the undertaker decides not to prepare a lamp, then there's no reason for the Secretary of State's to see the local authorities request.

19:29

Because the first part of section of requirements 1717, one began with the phrase worried appears desirable to the undertaker. So if if he's not desirable to the undertaker, notwithstanding what's the local authority says, then

19:49

you don't proceed to

19:52

17 or 17 three, the Secretary of State doesn't get involved. What am I missing something now?

20:00

I think that your explanation, sir has been helpful.

20:05

I would have to take that play. Take that away. So you're so so that I understand it.

20:11

The the proposal that you're making is that

20:16

there is a permissive provision in 17, one Sophie undertaken may produce a lamp up to the undertake whether it does so

20:25

has more than two is it has reflect the mission, the mitigation measures,

20:33

then three on your drafting

20:36

is provides that the local authority can initiate that

20:45

in addition to the

20:49

to the undertaker,

20:53

in which case

20:57

you say we have regard to the

21:03

views of the local authority on the content. So, I think paragraph three is the problem at present, because that does not say, should the relevant planning authority request The Undertaker to produce a lamp?

21:18

Whether a lamp is actually produced, it's implicit that one is yes, yes, that's where our problem is with that. It's the obligation is or the

21:29

The Undertaker has all the power

21:32

and could ignore the local authority. I think that's my fear with with the waist tracted at the moment, my my counterproposal to that was that

21:46

we have to produce a camp

21:48

polyfill now am And furthermore, the camp has to contain the stuff that would otherwise be in a lamp. So all the mitigations will be there somewhere. And what we are talking about is making things as easy as possible for decision makers and monitors, simply monitor.

22:04

So therefore, the approach that I'm suggesting is, it's up to the it's entirely up to the applicant, the applicant either produces a camp or a camp under them.

22:20

And that has to get the sector of state

22:24

where decided deciding to produce only a camp, we'd have to tell the local planning authority, and they at that point, trigger

22:34

the thought process for the applicant as to whether a lamp should have been provided. And then the matter is ultimately for the Secretary of State. And that's because the Secretary of State is the person who police's these requirements. So that that's so my objective is the same as yours, which is to mean that if one should have been produced, the council can point that out. And the Secretary of State well to make the rule.

23:02

Field sector states.

23:05

Yes, yes. Yes. sector state will ultimately rule but there shouldn't be

23:14

a possibility that the council's request never reaches the Secretary of State, because the undertaker decides they don't want to do one.

23:24

That's correct, sir. And that's why in you'll see at paragraph five of our submission to you for should say, lamp is where lamp is to be produced, that should be a company, right? I think that that needs refers to camp as well as the length.

23:42

So, it is, so we need to improve that. So it is assuming we go the housing that way on the drafting here. We are so that we are saying where a camp has to be

23:59

produced and no limp companies that then any consultation responses from the council relating to provision of lamps should be provided something along those lines?

24:10

Yes, yes.

24:13

I'll leave it to you. I think you understand what the concerns were that I was raising our levy to retire to draft your proposal as well. So yes, we will we will put something back to you in our submission with a brief explanation of the objective so that you, you're right, if the counsellor said we've seen the camp is

completely confusing, and we really need a lamp, then we should be telling the secretary of state that that's what they've said. So the Secretary of State is informed of that view.

24:47

Yes, let me just check again.

24:57

Yeah. Okay, let's bring in

25:00

can't cancel these points and see if they have any comments which to to add to this, which may give you further things you need to consider is Mr Bassford. So Ms Robbie, please.

25:11

Thank you. I think I've understood the the discussion that's that's going on there. And our suggestion at deadline aid to include a further sentence in subsection three was, was again, I think, to compel if we required a lamp to be produced, then that would then compel

25:33

the applicant to produce that lamp. Without that sentence in, we just felt that there was Yeah, like, like you said to a bit too much wriggle room in terms of whose decision final decision it was to produce the lump. So I think I understand where Mr. Bassford was going with his explanation and hope that the next set of drafting would clarify that.

25:56

I didn't come back previously on on the wording of the OIC camp, but have noticed that sl 100, that there's the seems to again, be more

26:09

ambiguity, there's a lot of limp If required, in there. So I understand that we, our initial position was we wanted a lump upfront, we've got that to a position where the lump is in that camp. But then that seems to be watered down further biassed that tract to say, well, we still might not produce a lamp

26:34

sl 100. So I think we're just a little bit

26:38

feel that we our initial position was we definitely want to lamp it got put into the camp. And now it's kind of like, well, we still might or might not get a lamp. So that's that's why I think that's where we stand on that. we'd prefer to see more of a commitment to a lamp, given that it's now in now sort of been in the camp

27:02

being put into the camp. Thank you Ms Robbie, Mr. Bassford

27:08

The first thing is obviously our drafting, we don't agree that the council should be able to compel a lamp, we believe that's a matter with the Secretary of State in line with the standard drafting of DCs for highways England. But so that's the first point in relation to the second point Ms Robbie has just made in relation to sl 100. The point that we are making here is that it should be optional to produce a lamp if the camp does the job perfectly well, then there shouldn't be a need to produce an additional bureaucratic documents that that makes life harder. However, if it does appear to be useful, then that should be open should be a means of discharging that requirement as well. So so we're proposing flexibility here, and it may well be that it's considered by the delivery partner that that's an entirely appropriate way to go but if they're able to convince Northumberland Council, it's unnecessary they should be able to do that too.

28:04

Thank you

28:07

Ms Robbie was anything else you wanted to add on this point? Oh, anyway to say that the lamp on the camper two different things. So, so we got it agreed that it was in the outline camp that a lamp a separate lamp will be produced. So, so those those two documents are there for specifically different reasons. So

28:31

So I think we start position is still is that we will require a lamp to be produced separately to the to the camp.

28:39

It would be helpful if Ms Robbie please would please explain through you so what the two different purposes of those documents are because the applicants position is that the camp manages all mitigation required for the project is the central drawing together of the mitigation and that for an ongoing basis, it then is transformed into the hemp at the the completion of commissioning of the works. So you do not need a separate document then it would be like a Russian doll within the broad

29:17

the broad principles of the camp well I think we've had we've discussed this quite a bit in previous hearings so I think most of the arguments or points around whether or not a lamp is appropriate as have been well ads before But Ms Robbie if you do want to respond on that

29:39

might go a bit beyond my understanding

29:44

as a planet but my my advisors

29:47

from ecology and from landscape of advisor they are they are very separate ones funds landscape ones, once environmental, so do

29:59

pop

30:01

Ann Deary-Francis can just be her eggs. Her expertise on camps may may just help us a little bit if I can just bring her in at this stage.

30:12

Ms Deary-Francis, Hello again,

30:16

I do have the British Standard forum. It's bs 42020

30:25

colon 2013, a biodiversity code of practice for planning and development.

30:31

And I have it open because we often in our normal development management work, we'll specify that we have a camp, which we consider to be for the construction period, and then a separate lamp which deals with it sometimes crosses over into the construction period, but then also deals with how any mitigating landscaping or any landscaping that's agreed under a concern is managed after the scheme.

31:01

So that's what we would normally do, we can provide more in written submission to around the the exact wording and the difference between those two things that's contained in the British Standard, if you wish. But that's, that's what we would normally do.

31:22

Yes,

31:24

I'm happy if you want to add anything to that. But

31:28

effectively, what you're you wouldn't be doing would be rehearsing your arguments or your position. If you were to requested the lamp is required, has set out in requirements 17

31:45

almost at that stage of the council asking for them to be prepared, and the undertaker having to respond. But

31:56

if you wish to add anything to the next deadline, happy to receive that. Mr. Bassford

32:03

Just just simply to say that highways England has a series of standard documents

32:09

under its PCF process, that the camp is the umbrella document under which all in so these are sometimes they're called codes of construction practice. They have different names. Sometimes you have an operational environmental management plan, housing goods, PCF prices, handover environmental management plan. And the critical point is not the British Standard. But the law that says that we're an environmental effect is mitigated, we need to see that it's secure. It really doesn't matter what the name of the document is. Just the critical point. I'll leave it there because otherwise we will travel on

32:50

this discussion, obviously. Yes, we will leave it there. I think I've heard submissions on that from different parties. Happy to refer back to previous comments on that. Thank you.

33:04

Is there anything else anyone wishes to say in relation to

33:09

the mitigation of construction impacts generally?

33:17

No, in that case, then,

33:22

actually, then just

33:27

before we move on, I have got a couple of final questions.

33:35

Here. So again, going back to TCL 3.4. The Council's responses were page 28 says the width of rights of way should be included in Article 16.

33:50

Council disagrees.

33:54

Now,



33:56

Mr. Payne said this morning, he was content with the various articles as they are now so

34:04

am i right to assume that

34:07

parts of whiteout need to be included in Article 16. Now, Mr. Payne still there.

34:14

Yes, I am, sir. I'm just checking because that would be our rights of way team would have commented on that. So I think it's probably safest to say that we'll come back on that in writing. I seem to recall that it was it was a suggestion that was made to the

34:33

governing authority with respect to including whether or not so we'll probably right away team and get back to you. And also could you clarify your position on article 14 as well. I think there's

34:47

some lack of clarity on that. So your position would be helpful in getting please. Yeah, certainly. Yeah. I'll take that with and see where we are in Article 14. Okay.

35:00

Thank you. Okay.

35:03

So then, Mr.

35:06

Just very quickly would say that it's not appropriate to specify the widths of rights away in the body of the order details don't do that these are matters for design, not specifying

35:21

the audition tapes, I was just wanting to try and get to the bottom of the council's position. So that's fine. So let's just turn then, finally, to the T co itself, just think two final comments.

35:40

sheduled 12,

35:44

which is fortunately the last page of it.

35:51

I've read this couple of times.

36:07

Yes, landscape mitigation master plan part A.

36:11

So it's given those to the applicants reference number there, which is 6.5. And then there is no

36:19

revision number given.

36:26

And I've seen a number of responses saying that it has been provided, but I can't see a revision number there.

36:34

Mr. Bassford

36:35

Am I missing something there?

36:41

landscape? So Part A, you are correct. That is no revision number. This is 6.5. There is no revision number stated that we will check the points. Okay. Thank you.

36:55

And then the final

37:00

question I had was in relation to requirements 10.

37:08

Also matter, just to clarify.

37:13

And

37:17

it's not presenting particularly significant for this book, the reference there in 10, one two local planning authority.

37:27

It's a previous iteration of the TCL, that was changed to relevant planning authority.

37:35

And now it's reverted to local planning authority.

37:41

Whatever it is, or it should be correct. So we will check that we've agreed it would be low. We've agreed it would be relevant to planning authority. What concerns me is that

37:54

subsequent iterations of the

37:57

draft decio may have been changed. And if it's been changed in relation to that word, then could it have happened to others?

38:08

We will perform a check against the rules the proceeding versions, sir to make sure that that has not that hasn't been a version control issue. Thank you very much.

38:23

That's all I want to say on that point. Good.

38:28

Okay, so that brings to an end. It should be relevant planning authority in line with the definition, which is on page seven. Yes, yes.

38:37

So that brings me then item six on the agenda. We'll now move on to item seven, which is combined and cumulative effects. And Mr. Pinto is going to lead on this. Thank you.

38:58

But thank you, Mr. Gleeson.

39:01

So in terms of combining the cumulative effects, the bullet points that has been issued along side subheading that has been issued, alongside in the agenda on this topic, states that the purpose of this topic is to consider to combine the cumulative effects of the proposed development, including climate change.

39:28

So

39:32

first of all, can I just

39:36

I would like us to actually start by looking at

39:44

the latest set of documents following our previous set of hearings that we actually looked at this topic as well that have been submitted by the applicant on this. I

40:00

I'm looking particularly at rep seven oh 16 at the moment and my question, my starting question would be linked with table to desk to have this document screening of receptors for cross topic combined effects during operation for part A particularly in route in relation of the overall combined effect on common receptors. So, could we please just if I could ask the applicant to talk us through that specific table and the purpose of that table, please? Mr. Bassford.

40:49

Sir, I am going to introduce Mr. Mr. Kevin Stubbs, who will address you in relation to this topic and the way that this operates.

41:02

Thank you, Mr. Bassford. Mr Stubbs would introduce himself, and then he will be able to talk you through table this is table number

41:15

three two point two dash 2

41:18

I believe it's titled screening of receptors for cross topics, combined effects during operation for part A, that's tilde 2.1, which is on page number six of my version of the document.

41:36

Bear with me for one second.

41:39

Think Mr. Pinto was talking about cross topic buying defects during operation.

41:46

I have to point to screening of receptors groups for cross topic combined effects doing cooperation for part A.

41:55

Isn't that you are correct, sir. And that is on page 20. Yes, Mr. Stubbs do introduce yourself and, and to explain to Mr. Pinto, the approach after Kevin Stubbs acting for the applicant, and the environmental lead for the scheme.

42:18

So we provide

42:21

colleges, so I just said welcomes the steps.

42:26

We provided an update, as you said, which included a set of tables as dependencies to this document,

42:34

which set out the

42:37

receptors for each category

42:41

on their own and highlights each effect that affects that particular receptor

42:48

that feeds into this table,

42:52

which are referring to

42:54

by topic. So in here, for example, we've got the common receptor group, in this case, starting with residents. We then talk about the relevant technical topics, they have air quality, noise, etc.

43:07

And then we talk about the potential impact

43:11

for that particular topic, and then the significance of residual effects that come from each of those topics in the fourth column.

43:21

So that sets out the set the residual topic of effects on each receptor from each of those topic areas. We then move to the next column, which summarises the combined effects

43:36

at different levels for each of those topic areas combined. And then in the final column, we give an overall summary of the combined effect for each common receptor group.

43:54

Thank you very much for that explanation, Mr. Mr. Stubbs, if I could actually ask us to concentrate on that file, final column that you have mentioned. So overall combined effect of common receptor groups. And I have I've noticed on this table that in a substantial well It lists

44:19

in the application on some of the potential impacts in looking at the table is you have mentioned there is

44:31

quite a range of potential impacts, for example, to

44:38

go back to page 20. So the very first item and the overall combined effects on common receptors in table 2.2. We do see that overall combined effects for part A would be no worse than major beneficial in major adverse

44:56

which obviously, includes within itself. Quite

45:00

A wide range. So can you please talk us through how you have to conduct range in consideration?

45:10

In terms of looking at

45:12

It's Yes.

45:15

Yes. So that column presents the overall in this case, best case. And worst case, I guess, for each for that particular topic. So for that particular common receptor group, so what it's saying is the effects on residential receptors range from major adverse to major beneficial, and that and that's broken down in the previous column, where you can see we've we've highlighted the receptors that fall into the categories

45:46

in between that, so for example, you can see

45:50

in the first third paragraph we say residents and the following properties, potential experience combined effects, no worse than slight beneficial to slide verse. So that's, that's the stuff, first list of receptors that fall into that category. And then we move on to slight adverse,

46:09

moderate adverse and moderate adverse to major assays me to major adverse retrying was broken down, and then we give an overall summary of the range of effects. And the idea is

46:20

the issue we have here is we have benefited, made significant beneficial effects and significant adverse effects. And rather than trying to come to a

46:30

an estimate of where that effect is between the two, we've reported, because there's no guidance to do that and how you come to that conclusion. We've presented the range.

46:44

Okay. Thank you very much for that explanation.

46:49

I think I think that in that case, my question is actually linked in terms of how we consider the impact for each one of

47:02

the receptors that you have identified within that specific category cell taking, again, the example of the residence within within the residence category. So for example,

47:15

we have still on page 20, we have mentioned there have Northgate farm as receptor 98.

47:25

States no adverse effects from noise levels anticipated should pnb one be constructed in this including a change to access. So obviously, this is how you have evaluated overall the impact on that specific property. Is that correct? Mr. Stubbs?

47:42

Yes, I think so. Yes, that's correct. If, if that's the case, then taking that into consideration,

47:49

what, what I would like some further explanation on is

47:58

considering that impacts, one would assume that

48:04

the properties that are in a similar position would actually be evaluated consistently because there would be a consistent approach to all of these. So for example, if we take the overall evaluation of Northgate farm as I have mentioned now, and we compare it for example, with receptor 93, which is Stafford house,

48:26

which, similar to North Gate farm is actually another residential property that is in very close proximity to the one

48:36

I do understand and accepted in his in slightly different location. But nevertheless, we are looking at the overall impact in the overall effects in terms in terms of combined effects.

48:48

And considering that no noise defence is actually proposed for that specific properties, so actually started with house, how come they have the same impact overall?

49:02

Because they are assessed within the noise chapter as having the same effect.

49:10

So even so, Northgate house

49:16

will have a reduced effect, I assume, because of the noise barrier, so it's been mitigated and reduced. Whereas the other property potentially hasn't been without looking at the noise chapter in detail. I'm kind of living a little bit here. But without that, that would be my assumption is that Northgate house has been mitigated on the effect has been reduced for noise, whereas the other property hasn't gotten mitigation, perhaps and has the same effect reported. I accepted response, Mr. Stubbs in terms of noise, but my understanding was that, that assessment as it's under potential combined effects, it would be the combined effects are actually would include

50:00

noise but yes it should include landscape.

50:05

Second, sorry apologies. Could you repeat that? Yes. So, my assumption is that because that assessment is under potential combined effects includes the whole range of effects that you have looked at not just noise for example. Yes. So, what you have to look at is that this is the residual effect

50:27

you need to look at the next column across to identify the combined effects.

50:33

So, you will see that strap Trafford house is listed on page 21

50:48



identified in that location whereas, we were looking at the list there, the noise effects which are very similar. And if we look we'll find North Gate farm Our 98 is there in the slight beneficial to slight adverse category just on the page above. So, when you look at the potential combined effects, those are not those are not related. Don't read those straight across to the words on the left hand side of the page. This is effectively free text, but it shows how things are set together. And actually, Trafford house is on the next page and slightly beneficial to moderate adverse so they do have different combined effects, preparing them way different different impacts interact. Exactly. Thank you, Mr. Stubbs yeah.

51:45

I do I do accept that end, and I can see that specific point. Nevertheless, in terms of the overall assessment

51:59

It seems to me that the assessment for both those properties was overall slightly adverse, am I correct in in saying this?

52:11

So, nice gate farms place worse feel so, um, yeah. So Northgate farm has slight beneficial to slight adverse effects so that the most adverse effect would be slight adverse not significant, whereas

52:30

Trafford house, has some slight beneficial effects, but also has a moderate adverse significant effect upon it. So while Northgate farm has no significant effect from cubs Noce event combined effect Trafford house does

52:48

it okay.

52:50

But it's not clear to me from this table, what was the specific impact that you have looked at to come to that different view? So I accepted the risk mitigation there. And that looking role

53:10

in looking into the overall combined effects, you might have come to a different view in terms of how those properties will be affected. But where would I be able to actually look at in see if the reason for that difference is noisier quality? Okay, this is where we need to refer back to the tables I refer to right at the very beginning. So I'm just trying to remember which table that is. I'll just go back up to my copy

53:45

will be Will you index a little bit

53:51

that Mr. Stubbs Can Can I just say, Mr. Hawes, I can see that you have raised your hand. I propose that after Mr. Stubbs has an opportunity to actually reply to this question, I will bring you into this discussion as well. Apologies for that Mr. Stubbs. If you could just try and find

54:15

so I just have to do a search find the right properties or rather a large spreadsheet.

54:26

So if you look on my page,

54:33

foot is no page on the

54:38

on that dependencies.

54:42

And we just say is roughly about page 67 on my

54:48

Acrobat PDF file, so I don't know if you can find that. Yes, I can find that.

54:56

Seven

54:58

is page 67.

55:00

Yeah, both strong hands. He's also on that.

55:04

Yes. Hang on is that I just need to check with this is a might be in

55:10

that's construction effects on soil. That's not the right page. I need the next

55:16

bit which is

55:19

the construction effects I ants. Apologies.

55:25

Right. So actually we need to be on at one page 8181 Yes, yes. So

55:39

the third one down. So for here we have so the key differences

55:45

for so I haven't got the title as but I believe it's quality noise landscape. So Strafford house for landscape has a moderate adverse effect during operation

56:01

and a slight benefit beneficial effect as effect from its x improved access.

56:09

Whereas Northgate farm has a slight adverse landscape

56:14

effect during operation and also slight, beneficial,

56:22

which never to access.

56:25

So that the controlling factor is landscape in this this this case, in this case.

56:32

Okay, that's very helpful. Thank you very much. Mr.Stubbs. Mr. Hawes, would you like to intervene at this point? I'm aware, did you raise your hand?

56:43

Yes, thanks. I appreciate that. And I also appreciate the applicant bringing coming back with further detail as we previously discussed. That said, I do feel that it's missing a level of granularity. Still, it still feels to me in reading this in some detail that it is has been carried out on a high level group basis. And if you look at the outcome, and the results, North get far, it's been sort of grouped with other properties in the cluster, that are in close proximity, which have very different characteristics and very different levels of impact. And there's no differentiation. And that's the key aspect to this. There's not sufficient granularity, and there's no real differentiation between the different impacts on properties. So the actual outcome for Northcote farm, for example, is very similar to that of Warner's house. And yet the characteristics and natural impact are dramatically different. And I'm struggling for that reason to have any real confidence in the outcome of the this result. I don't see any level of aggregation either. I thought, obviously, there would be recognition that really ticking all the boxes, is that aggregation that would take place there that would be recognised as part of the combined effect. And I can't see that in any any new assessments.

58:05

And thank you for that comment, Mr. Hawes

58:11

I'm not sure if Mr. Bassford would like to actually reply on Mr. Stubbs

58:17

I would say there so that the aggregation is for reporting, but by looking at this very table, it is possible to see that there are different effects

58:30

that are experienced for different disciplines. So the impact and we understand that Mr. Hawes disagrees with this. But our assessment is that the worst landscape of visual impact is slight adverse, because Mr. Hawes property is next to the existing a one very approximate to it. Worse, we're using Strafford house as an example Strafford homes,

58:56

experiences a greater degree of change. And so therefore it has a moderate adverse effect. So that that's at the property level. And we have explained, we've looked with you at the individual views and we went through those lists, Mr. Hawes has shown those views and we have talked to you about our assessment. So in your mind, and in your report, and then the Secretary of State's mind will be the information that is required. We've looked at that Mr. Hawes has taken us to those viewpoints. We've discussed them in examination, and we've explained to you why this ad come, the maximum adverse impact in relation to say visual impact is slight adverse, and that that is the assessment that is before you. The assessment is not solely comprised of the documents of the environmental statement. It also comprises these discussions, the information before you the information you'll report and then the assessment is made by the SEC.

1:00:00

state at the decision. So by the work we have done with you and with Mr. Hawes, we have brought those assessments to you.

1:00:11

Thank you for that explanation, Mr. Hawes

1:00:20

I mean, I appreciate, again, the feedback. However,

1:00:24

I am still struggling to understand how, at the end of the day, this assessment, which obviously, clearly has been termed in detail, as come back with a conclusion that the North Gate farm given the wide scale level of impact and disruption and changes that are going to be made to the property, which is well documented that the assessment at the end of the day have a combined effect is that it's slightly beneficial. And I'm struggling to understand how that could be a sensible assessment based upon the data that is available.

1:01:00

That is, obviously a point of disagreement serve for you to resolve in your recommendations to the Secretary of State. And ultimately, you will decide whether to wait, Mr. Hawes view or our view in the planning balance when making a recommendation. And that really is I think, as far as we can take it.

1:01:20

Just just make one slight point, I think that the actual effect would be slight adverse to slight beneficial, so not efficient. Yes.

1:01:30

Thank you very much, steadies. That that is the point that I wanted to clarify as well, that

1:01:36

we have to read the whole range that is within those properties that you have mentioned, which is why I wanted us to actually go into the detail of the assessment individually.

1:01:52

I think that probably

1:01:55

in terms of that specific issue, I think that probably we have actually looked at

1:02:03

the individual assessment for each property and how you have arrived to those conclusions. So I think probably, I would like us to move on from this specific example. Here, but also looking at in this is more of a clarification point actually missed Mr. Stubbs, I believe that probably will be the best person to actually answer this question as well. But in terms of the information included in dependencies, I have actually noticed that for some of

1:02:39

some of the receptors identified, so, for example, our 14 or our 62 high trees

1:02:50

in our 63 fields view, actually, no.

1:02:57

There hasn't no mention is actually included in the landscaping visual in terms of the impact that was assessed. Is there a particular reason why

1:03:08

such properties were actually not reported on those tables on some of those tables? I would assume the reason either is no.

1:03:20

The neutral effect, or

1:03:24

the reason I can think of actually, is that it's a neutral effect, we can check that and respond to that. But I would have thought that would be the only reason why there's a gap. And neutral laughter check it out.

1:03:36

If you could, thank you and then come back to us. We'll add that as an action for you to actually come back towards on including clarification on this point.

1:03:48

My question is also particularly linked with so for example, high trees, which actually one of the properties that is quite close to the existing one.

1:04:00

So if we could clarify that out would be slightly.

1:04:06

I was expecting to see some sort of like a question to be to be included there. By message I've got back from my team who is that? It's because there's not slider above.

1:04:21

The effect on the landscape is not slider above. So we can check that though as you say, if one of the properties is very close to the carriageway, we can we can just double check.

1:04:32

Thank you very much.

1:04:34

And actually while we are on this topic as well, I would also like to raise that in terms of trying to go through all of the previous documents that was submitted in terms of receptors in to actually compare it with this table.

1:04:54

It was not as straightforward as perhaps one would have hoped to actually identify

1:05:01

All the different receptors in where they are located.

1:05:05

Mr. Bassford? Could I perhaps leave this with you in terms of if there is something that the applicant could actually do in order to facilitate the process for us to check the location of these receptors?

1:05:21

So, to be clear, so what you are asking for is where we have this index of receptors, with the

1:05:32

letter A number given, these are residential, obviously, you would like a visual representation of the locations or map.

1:05:46

Exactly.

1:05:48

If that's something we're

1:05:51

able to supply, we can I think we can all have to look at that if there are plans that show where these blocks are 63 years, it's probably not directly tied to this document. So maybe we need a summary document that pulls all those various plans in the locations the receptors together.

1:06:09

Absolutely, if we could sell since we're on this topic, so I have reviewed fix a figure 6.6 residual risk, residential receptors, apologies residual receptors for construction, Part A,

1:06:26

which is a pp 084. I also looked at a PDP 078, a PDP 186, a pp. 201. And I couldn't actually find easily reference to

1:06:43

a significant number of dis receptors. So if we could actually look at that, that would be greatly appreciated. Yes, we'll take that away. Thank you.

1:07:03

And also, I would just like to clarify something that I have picked up in detail was reviewing the latest information that your press submitted, particularly this document,

1:07:17

which might be which might be

1:07:22

a minor error, or a typo within within the document. But if we could go to page 2032 out of 58. So this is the original report. So page 22.

1:07:43

Let me just find page 22. Again, bear with me for one second, please, as patriots to all of 58. So it's actually page 22 of the main body of the document with the doc which documents are the same document that we have been looking at to the combine.

1:08:04

When understood, Thank you, sir.

1:08:08

And

1:08:10

it states that residence at joiners cottage, which is our 58 cottage also referred to as the bungalow which is our 59 have the potential to experience combined effect, no worse than major adverse significant from changes to views in noise levels. And in page 21. So could you just tell me which column that's in? I'm just struggling to iPhone, you see that

1:08:39

58 doesn't appear on the page. I'm looking at 22 on a 58 table to

1:08:48

its resistance it joins cortex, which column is it?

1:08:57

that that that is not on Gina's cottage?

1:09:01

Yes. It's the right hand coil column about

1:09:05

two thirds of the way down. Mr. Stubbs Yes, there isn't so the foreign properties of the potential experience going on in different no worse than major adverse significant

1:09:14

changes? Yes, exactly. And it's

1:09:19

it's refreshing it's refreshing to join us cottage and the cottage so our twins are 58 and our 59.

1:09:29

And on the previous page,

1:09:33

when we look at



1:09:37

the same, the same properties so join us cottage are 58 into cottage are 59. So I'm looking at it same column, potential combined effects.

1:09:49

It's it states experienced the combined effect no worse than moderate adverse significant too much adverse from changes to views in increasing life in

1:10:00

noise level. So obviously they have in common the fact that they are looking at views the noise level, but

1:10:07

the impact is slightly different. Yes, specific reason for that identity should only be in the table once I would have thought.

1:10:18

Because that's the summary table.

1:10:24

I will have to take that away and look at it. I can't think why it's in there twice.

1:10:31

Yes, I had the same question to consider that it's referring to change the views and increase in noise levels on both.

1:10:41

On just informed it is a mistake. So we will look at that. And make sure the right one is included and provide an update.

1:10:55

Thank you very much, Mr. Stubbs

1:10:59

Now,

1:11:02

I think that those are all the questions that actually specifically had in terms of combined the facts. Before we move to cumulative impacts.

1:11:15

Are there any questions that anyone else would actually like to raise at this point in terms of combined effects in how these have been addressed and taken forward by the applicant?

1:11:34

I'll take that as the now. So if we could actually now look at cumulative impacts.

1:11:41

So first of all, I'm mindful that there have been some responses submitted, both in terms of written summaries to your submission to the hearings, but also in the third round off, which questions regarding to community impacts proposal and of this proposal on climate change in green gas emissions? But could we please

1:12:08

Could I please ask

1:12:11

for the applicant to state its position when it comes to the cumulative impacts of this proposal on climate change, and how these have been assessed.

1:12:26

So the cumulative impacts of this proposal have been assessed as set out in the

1:12:39

application documents, and in particular chapter 16 of the application. And also, I would refer you to appendix 16.9. And that sets out the way in which this has been performed. The assessment has been undertaken in line with highways England's dmr, the relevant standards in that which I think are la 104 and La 114. And that then has resulted in an assessment qualitatively of the ability of the government to comply with its carbon reduction policy. And that is in line with paragraph number 5.18 of the national networks national policy statement.

1:13:41

Thank you for that. Mr.Bassford. I also believe that in

1:13:47

the third world of questions, I believe it was question c 3.3.

1:13:53

We ask to have to commutative effects of carbon emissions from proposed development have been considered

1:14:01

windows from other developments in all relevant programmes such as road investment strategy of which to propose Development Fund support part of and within your response, you have set it at higher Highways England if I'm not mistaken? Highways England has recently been asked to consider the appropriate mechanisms for assessing cumulative effects at a scheme level and is in active discussions with the Department for Transport on this specific topic. Could you provide us with an appetite in terms of where you are with those discussions in what's the outcome of that discuss discussions?

1:14:36

You will understand, sir, that the information in relation to the programme wide impacts are not matters that we hold at the scheme level. There are matters that are within the mind of the Secretary of State and housing than the national level. And hence those discussions continue.

1:14:58

That is where that is

1:15:00

As far as I can say those discussions have reached.

1:15:09

I understand that. But could you explain a little bit further in terms of how

1:15:16

scheme will actually be able to incorporate any discussions or conclusions that might come from your conversations with Department of Transport? So I'm not asking about the outcome. I'm asking about the mechanism to incorporate those changes.

1:15:37

So as far as I'm aware, it is not supposed to change the scheme.

1:15:43

Should those discussions prove fruitful during examination, they are matters which we will obviously put to you should that take place after the close of examination, bearing in mind, these are matters for the Secretary of State, I would anticipate they are points on which additional questions may be raised by the Secretary of State.

1:16:13

Thank you, Mr. Bassford.

1:16:19

I'm just checking my notes again on this specific issue.

1:16:40

If I'm not mistaken, in terms of the answer to your questions, you have mentioned that data from traffic intervention of scheme shows an increase of total

1:16:56

greenhouse gas emissions for all traffic in traffic model area from an average per year of 108,000 tonnes of carbon dioxide emissions to 148. When comparing the skin by slime, we do minimum in the scheme do something.

1:17:14

So that is a significant increase of 40,000 tonnes of carbon dioxide emissions, that can the applicant, please provide any further explanation in terms of how the expected rise to this extent

1:17:38

should be considered in the context how it can be considered in the context of the government's aim to cut carbon emissions?

1:17:47

I don't know if you gave me a reference for that I think you're referring to see 3.1. So

1:17:58

I believe it's c 3.5. But I can certainly double check that information for you.

1:18:17

Yes, it is. c 3.5.

1:18:28

So that is the question that we have asked three c 3.5. And obviously you have provided us with a specific answers on this question. Could you elaborate further on your answer in here in terms of how it links in how this information can be interpreted in the context of the government's aim to cut carbon emissions?

1:18:51

So

1:18:54

in relation to that, I would refer you to paragraph three of our response, which is to say that the government's objective of reducing carbon emissions is not a moratorium on new roads or their improvement.

1:19:07

And the emissions of the scheme. The reason why it's significant is because the

1:19:14

one looks at all emissions, affording the degree of significance

1:19:21

and

1:19:24

that

1:19:26

there has to be a qualitative effect for the reasons that we get there. Because there are no defined significant significance threshold. However, if you look at one we'll see that the

1:19:46

the applicants position that it would not affect the ability of the government to comply with its carbon reduction objectives. And that is in line with the decision making provisions of the national debt.

1:20:00

It works national policy statement at 5.18.

1:20:10

Thank you, Mr. Bassford.

1:20:15

Before I move from this point, can I actually ask?

1:20:22

First of all, if anyone else has any comments or questions to make regarding cumulative impacts, in particularly the the issue that we are discussing now, linked with climate change in greenhouse gas emissions?

1:20:49

No further questions on this point.

1:20:55

Okay.

1:20:57

In that case, I do not have any further questions as well, in terms of carbon emissions at this point in time.

1:21:09

And I'm also mindful of the time did is nearly one o'clock.

1:21:21

But I'm also mindful that probably this concludes most of the substantive items that we had.

1:21:32

Before. Can I just ask Mr. Gleeson?

1:21:38

Can I just ask if in light of the fact that we have covered statements of Common Ground yesterday, and hearing yesterday, and that leaves us with only review of issues and actions and any other matters? If Mr. Gleeson, you agree that we should actually press on

1:22:02

and to finalise the hearings?

1:22:06

Thank you, Mr. Pinto. Yes, I think we've covered every substantive item on the agenda now. So I think probably appropriate to just continue to wrap up because I'm taking a break. So if we can move on then item nine,

1:22:23

review of issues and actions arising. So the exam anxiety will circulate any actions for the applicants and other interested parties as soon as possible after the close of this set of hearings.

1:22:39

Item 10. Any other matters. So before we close this meeting, are there any other matters? anyone wishes to raise?

1:22:54

No hands up.

1:22:57

Okay, so if there are no other relevant matters,

1:23:02

Mr Bassford, yes. Forgive me. I'm reminded

1:23:07

by Mr. Gregg, that we in terms of timing of responses,

1:23:16

we are due to provide written summaries and answers to questions from these hearings at deadline 10 not deadline nine, which is the next hearing. So I just wanted to make sure that was your understanding also, that was next week can't get very busy. That was the next line in my scripts. If there are no other relevant matters. May I remind you, the timetable for this examination requires the parties provide any post hearing documents on or before Tuesday 29th of June deadline 10 on the timetable. So I hope that covers it Mr. Bassford

1:23:49

most late stage lists. Thank you. Thank you.

1:23:55

If we can also remind people that video recordings and transcripts of the hearings will be placed on the inspectors websites in due course.

1:24:05

So there's nothing else and then we should say Mr. Pinto, you consent. I am Thank you very much. Thank you. So can thank you very much for attending today and yesterday's part of this hearing. Thank you for your participation has been helpful. We will of course take on board everything that has been said give consideration to it in our further written questions and further hearings if necessary. Once again, thank you. The time is now one o'clock. And this issue specific hearing on environmental matters is now closed. Thank you