

TRANSCRIPT_ISH1_M5JUNCTION10_SESSI ON1_05062024

Wed, Jun 05, 2024 12:17PM • 1:32:40

00:05

Good morning, everybody. Welcome now time for me to open this issue specific hearing, which is being held in connection with an application made by Gloucestershire County Council for an order for development consent for the M five junction 10 improvement project.

00:22

The development proposed is the construction of an all movements junction at M five junction 10. A New West Cheltenham link road east of junction 10 from the A 4019 to the B 4634. And the widening of the A 4019 to the east of junction 10.

00:41

Including a bus lane on the A 4019 eastbound carriageway from the west John and fire station to the Gallagher junction.

00:50

Now, before I go any further, can I just confirm that everyone in the room can hear me clearly.

00:57

Thank you. And anyone who's just joining us via teams can see and hear me if you can just signal with a hand raise function please.

01:13

Super, thank you very much.

01:17

Now also confirmed the live stream has commenced. Yeah, thank you.

01:24

For those watching the live stream just need to remind you that in the event, we should take a break. When we resume, you will need to refresh your browser page. In the event that we do that, then I will try to remind you of that when we adjourn. Thank you.

01:41

Now let me introduce myself. My name is Edwin Monde. I'm a chartered town planner and planning inspector. I've been appointed by the Secretary of State as the lead member of the panel of examining

inspectors that together comprise the examination authority for this application. I now pass over to my colleague to introduce himself.

02:03

Good morning. My name is Luke Regan. I'm a chartered transport planner and a planning inspector and I have been appointed by the Secretary of State so the member of the panel of examining inspectors to examine this application. I will now hand back to Mr. Monde.

02:19

We're assisted at this hearing by the planning Inspectorate case Team. Today in person we have Spencer BARROWMAN, who's the case manager and Jessica Weatherby and supporting us remotely Maeve on Evans. And so, in the event that you have any questions if you want to speak to the case team in the first instance, they would be the people who can assist you.

02:43

Alternatively, if you feel a need to contact us, you should have their contact details on any letter that we sent out to you or available on the national infrastructure planning website.

02:56

I've just asked Mr. Egan now to highlight a few housekeeping matters for today.

03:03

As explained in the examining authorities rule six letter at UPenn at Annex II, the issues Pacific's hearings will be live streamed and recorded. The recordings will be published on the project page of the national infrastructure planning website as soon as possible after each hearing closes. To assist viewers and listeners anyone speaking should introduce themselves each time they speak.

03:29

As the recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation applies. The rule six letter includes a link to the planning Inspectorate privacy notice, which provides further information on this topic.

03:49

If there is a need to refer to information that participants will otherwise wish to be kept private and confidential. It shall be in a written form, which can be redacted before being published. If you prefer not to have your image recorded, you can switch your camera off. I will repeat the request made in the arrangements conference. This in order to minimise background noise, please ensure your microphone or telephone is muted and that you stay muted unless you are speaking.

04:21

In order to avoid fatigue. It is our intention to take a 15 minute break at about 90 minutes intervals and a longer break over the lunch time period. I will now hand back to Mr. monde, who will outline the purpose and conduct of this issue specific hearing.

04:40

Thank you This hearing it's an opportunity for the issues raised by interested parties in particular the differences between them to be explored further by the examining authority.

04:52

The purpose of an issue specific hearing is set out in Section 91 of the Planning Act. It is held if the examining authority decides it is NASA

05:00

Sorry for the examination to hear oral representative representations to enable adequate examination of the issue or to ensure an interested party has a fair chance to put their case.

05:12

As indicated, indicated in the agenda questioning at the hearing will be led by a member of the panel supported by the other panel member. And it is for the examining authority to determine how hearings are to be conducted, including the amount of time to be allowed at the hearing for the making of a person's representations.

05:32

Our aim is to use our powers of control over the conduct of hearings to ensure they're carried out as efficiently as possible. whilst remaining fair to all parties and thorough in our examination of evidence.

05:45

We have identified matters to be considered at this issue specific hearing, and those on which we require further information. And those are set out in the agenda published in advance of the hearing.

05:57

Participants should note that written summaries of oral submissions to this hearing should be provided

06:04

to the planning Inspectorate by deadline one, which is Tuesday, the 18th of June.

06:10

And at this point, I'd like to ask those parties listed on the detailed agenda to introduce themselves. So I'll start with the applicant.

06:19

Thank you, sir. My name is Andrew Tate ta at Kings counsel. appearing for the applicant. To my left is Mr. Douglas Haycock from Burgess salmon. He is also online because he's the operator of the screen projections. To my right is Tim Pierce, planning lead for the project to his right Colin Cartwright, WHO IS THE ENVIRONMENT LEAD. And at the end, Mr. Mike Vaughn, who is the FRA lead and we'll also be speaking Steve Cates Mark

06:54

who is the transport planning lead who's in the building but not in this room at the moment.

07:01

Thank you, then come to the joint counsels. Good morning sir. It's John Webster partner de WF instructed by Gloucestershire County Council, as county planning authority higher 14th Street authority, alongside me as Mr. Andrew pattern of Atkins realice, who's also instructed by Gloucestershire county council, and Mr. Nick Bryant, who is an associate director planning at Tewkesbury Borough Council here to make submissions agreed submissions on behalf of the joint councils, being Gloucestershire county council chiefs who Borough Council and Charlotte Borough Council as the statutory consultees and host authorities for this DCO Thank you, sir.

07:39

Thank you.

07:42

Come next to national highways.

07:45

Thank you, sir. Sophie Stewart from DLA Piper instructed on behalf of national highways. And to my left in order I have Mr. Andrew Alcon programme director, Mr. Rob Ranger, senior DCA manager, and Simran Moule graduate intern.

08:01

Thank you. Next come to representative for Blore and persimmon homes. Thank you, sir Tony Weston. I'm a partner at Gowling WSG. On behalf of Blore and for Summon, and to my left is Joe Aldridge. From PGA, who's the transport planner.

08:18

Thank you.

08:21

And do we have a representative from St. modwen and Midlands Lund portfolio? Just wait if a microphone could be brought to you.

08:35

Good morning, sir. Thank you. I was sat at the back there because I wasn't sure if you needed me to be around the table for the session today. My name is Nick Matthews. I'm the planning director at saddles. We're representing some monitoring and ml PL landowners on the west chair or part of the West Cheltenham allocation.

08:56

You have our written submissions if there is anything that you would like to know from us in relation to that I'm more than happy to assist. There isn't anything specific on the agenda that I would add to had anticipated contributing towards today.

09:12

That was fine.

09:14

I would invite you to sit where you're most comfortable, you know, so.

09:28

If there are other people in attendance today who have not come to I won't ask you to introduce yourselves now. But the first time you're invited to speak, please can you introduce yourself by giving your name and the name or names of the organisation or people that you represent?

09:46

I hope everyone's had the chance to read the agenda.

09:50

During the hearing today we have questions for the applicant and other invited parties. I'm also aware that a number of interested parties who may wish to

10:00

Based on some agenda items,

10:03

once we have finished our direct questioning, I will, we will go and around the room to check if other interested parties would like to make any submission relative to that agenda item. Before moving on to the next point.

10:20

Also just remind everybody that the applicant will have final right of reply, so we will always go to them at the end of each agenda point.

10:31

Also remind everyone it is an issue specific hearing. And submissions made orally should relate only to the agenda items that we're discussing. Want to reassure everyone that previous submissions have been read and noted. We understand there may be other issues not on the agenda that parties may wish to raise. But submissions on these matters should be made in writing, again, a deadline one, the 18th of June to thank everyone in advance for their cooperation on that matter.

11:04

So to try and aid those taking part today, though, we've identified a number of documents we're likely to refer to, and that's the work plans, which in the examination Library Reference, a PP double 07 and double 08 The scheme background which is examination Library Reference, a double P zero 60.

11:31

The environmental statement assessment of alternatives, which is a PP 06 to the finding statement, which is a pp 135. And an additional item that we didn't list on the agenda, but I think we will refer to, which is the appendix L of the transport assessment, which is a pp 142.

11:54

Should we refer to specific page numbers, I think we will be using the electronic page rather than necessarily the printed page number. So hopefully, for those of you viewing online, that will be easier for you to find.

12:11

And

12:13

just one further point, to further points sorry, we will endeavour to keep a record of action points raised as we go through the hearing you appreciate that we will be trying to juggle lots of things in our minds as we go. So I hope that we can work collaboratively in trying to keep a record. So we will try and say at the point. That's an action point. So if an actual points been raised, and we neglect to say that we'd appreciate you to come back to tell us so that hopefully, we can ensure that we have a comprehensive list at the end. And obviously at the end, we've got a an agenda item just to go through that to make sure that we're all agreed as to as to what we're trying to do.

13:02

Just wanted to revisit something following from yesterday in reference to the assisted site inspection.

13:11

Understand, some additional information has come to light with regard to a potential visit to

13:18

a land adjacent to the motorway.

13:22

I just wondered if you can clarify a couple of matters for us.

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So if I can come to the applicant, just so we can understand the position. Thank you.

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Thank you, Sir Tim pierce the applicant? Yeah, the London question I think was referred to yesterday as the travellers site, which was

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I think the purpose of visiting the site was to view the location of the environmental barrier adjacent to the five.

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We in discussing things with our

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land agents, it's become clear that the landowner of that site will be leaving the country for an undisclosed period within about a month's time. So in terms of the timeline for the accompany site visit, that probably doesn't sit very well.

14:09

But it was proposed by the land agents that there's something could be could be arranged potentially wasn't. plantation is when the landowners around for the next couple of weeks or we can start to negotiate with the landowner that there is a visitation in their absence.

14:29

I think we would be content for to visit the site, either when they are there or not. I think the key for us is going to be able to understand the relationship between the site and your proposed barrier. And so I don't think

14:45

our initial consideration is is necessary to try and squeeze something in in the next two or three weeks. I think

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we should be able to understand the relationship, whether it's occupied or not.

15:00

Okay, so I will instruct our land agents to discuss that in more detail once we have a clearer idea of programme for the ASI.

15:09

Thank you.

15:15

Okay, so we now move on to agenda item two, which is

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review of policy.

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So I think I can come to my colleague who's going to lead on this for

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initial questions.

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Thank you, Mr. wand. And I'm assuming that everyone is familiar with the agenda that was circulated in eight sub points contained there and underneath the policy agenda item.

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Our intention is really to pose a question to the applicant to start with and see where that takes us. And I think we then will have a number of follow up questions to direct to other parties in the room as appropriate. So

15:59

turning to the agenda, the applicant first please.

16:04

So I think we find it helpful if the applicant could firstly explain the development of local policy and in doing so, explain the local policy need for the proposal, starting with the motorway junction and then also including in their explanation, the policy visit position with respect to the west Cheltenham link road and the A 4019 duelling and how that is established. Thank you, sir, and I'm going to pass over straightaway to Mr. Tim pierce the planning lead.

16:40

So, Tim Pierce for the applicant,

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starting with the the implant junction itself, I think probably service well to turn to the to the drinkable strategy, the JCS which was adopted in in December 2017.

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As part of the JCS process, there was a

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large amount of transport evidence base that was produced with several iterations over the kind of the the preparation and examination period.

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From I think from about So these were the acronyms were DS one to seven, to do something scenario. I think from about DS three a onwards there was a distinct change in kind of the

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solutions that were seen to address the needs of the of the allocations when the plan and this were focused on a road based schemes

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that became more prevalent within the think DS five onwards.

17:48

Think a DS six, the revised scenario tested, the land use are in line with proposals included in the main modifications document that was dated February 2017.

18:02

and critical to that were the access arrangements into the likes of West the West challenge strategic site.

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Within this scenario, these these are provided via junction 10 of the M five and a new distributor road linking into the site from the motorway.

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So I think when it then got to DS seven, I think the consensus was that an all movement disjunction at the end five was the ideal scenario to take forward to support the broader

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allocation allocations in the JCS as a whole.

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And I just pause you DS seven, sorry, what's the abbreviation

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do some do something. So, that was the it was the final one of the of those do something scenarios.

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And DSM concluded that the junction 10 scheme is required to unlock all of the strategic allocations within the JCS.

19:05

But it's at the time did not include the unlocking of

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land that was safeguarded further development

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into other policies within the JCS itself

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obviously essay one which relates to statistic allocations,

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and particular point seven

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of that policy seeks to ensure the implementation of the infrastructure delivery plan, philosophy

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and the provision of any other necessary infrastructure in accordance with policies in six nine F seven of the JCS

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and

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turns point eight of policy essay one

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there was also

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a link to

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The local

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transport plan. And so, the transport strategy to support the delivery as chief applications should align with our appropriate contribute to the wider transport strategy contained within the local transport plan and as the Gloucestershire local transport plan

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to 2041.

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The revised version of that document of March 2021.

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I don't apologise. So this the page numbering is the printed not the online version of page 141.

20:35

paragraph four to 31 in relation to central seven Vale strategic vision to 2031 states that require improvement swim five junction 10 and 11 to maintain the safe operation of the highway, and that these improvements will also support the delivery of the northwest and west championed strategic allocations

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as well as addressing traffic congestion issues on the A 40 and a 401 line corridors.

21:06

Turning back to the JCS itself. Paragraph or 112

21:13

highlights the agreement across relevant partners that the 5g 10 task group

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that the upgrading of junction 10 to an all movements junction will support the economy of the JCS area and that of the work of wider Gloucestershire

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and will support accelerated growth of the economy enabling land to be delivered for mixed use including high value employment,

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which speaks to obviously that both housing and the employment need that the scheme seeks to unlock.

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In July 2020, the Golden Valley SPD was adopted. This refers to allocation a seven than the JCS.

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And paragraph 116 of that document speaks to connectivity being key to maximising its potential and ensuring both direct access to the motorway and the effectiveness of the local highway network.

22:12

And it states and 5g 10 scheme supports the strategic allocation so both northwest and west Charlton.

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It's important to note that paragraph one 111 of that document also

22:27

alludes to the fact that the SPT and the supplementary guidance helps to coordinate the development within the allocated sites. And it looks beyond the current GCS plan period of 2031.

22:43

Turn into the local plans.

22:47

The charter plan which was adopted in July 2020.

22:52

speaks to the distribution of key employment sites to the west charter.

22:57

And profits that whilst junction 10 is constrained currently, as a two way junction was to Cheltenham stands to benefit from an all movements junction and upgrading the junction will provide significant economic growth opportunities by unlocking the potential of additional land.

23:15

Turn into Tewkesbury plan which was adopted in June 2022. Chapter 10 of that document, speaks to the Gloucestershire local transport plan, providing the overarching strategic context for transport in the area.

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And it says the LTP contains the strategy policies and investment priorities for transport in relation to that plan.

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further conversations yesterday, so in terms of the emerging strategic and local plan,

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we're in the early stages, obviously, there was a review started of the JCS that was that was paused in in light of the strategic analytical plan coming forward.

24:02

There was an issues and options consultation in January to March of this year.

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There were six scenarios proposed as part of that consultation.

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And

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the applicant's interpretation of that consultation is that only scenario two, which relates to urban extensions would appear to it would prefer to be the only scenario that would meet the both the housing and employment need, that the plan is seeking. Whether the other scenarios in terms of a pros and cons approach, having a con that they would not deem that they would fully meet the needs that are being sought.

24:43

So, turn into the or the second part of the agenda item one to one

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is the Africans position that don't believe there is any conflict between the scheme and local policy.

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That's

25:00

scheme is consistent and very much built upon

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local policy.

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Local plans

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for some of the Hostile Territories referred differ to the JCS, which is the strong planning policy base for the scheme.

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And there was an interconnection with both the

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instruction delivery plan and the local transport plan.

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Thank you.

25:32

Thank you, Mr. Pierce. That's helpful. Just a follow up question, if I may. And you've obviously given us quite a thorough

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walkthrough the the polyp is this position as stated in the in the planning statement alongside the application, I suppose what I'd appreciate some clarity from this point is a lot of the local policies policies that you signed posted with respect to

25:59

providing a kind of policy position for the for the Western West Cheltenham link road and the A 4019 seemed to be quite generic and how it could have been interpreted or applied. So if I could just ask a follow on question with respect to that really.

26:19

Are there any specific targeted policies, which specifically identify a case for either the West Cheltenham link road or the A 4019? Jewel link specifically? Thank you. Thank you. So Tim pierce the African yes, certainly is an example and within the local transport plant itself, I think within

26:41

the scope to table reference bear with me.

26:48

And table CPS one a central seven Vale highway scheme priorities up to 2031. This includes the M five junction 10 or movements access and link road to s chart numbers a name priority highway scheme to support CPS 180. Would you mind just giving us the reference again, I didn't quite catch it because this this is within

27:10

the local transport plan. And it's table C p s one a.

27:16

It's titled central seven Vale highway scheme priorities up to 2031 CPS one A S.

27:26

So and so that's on page 145 of the LTP as printed.

27:37

With regard to the question on the a 401 line widening

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I think it's it's fair to say that there are direct links and implications on the referral and nine as a result of the other two elements of the scheme. By opening up no movements junction at

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junction 10. The increased throughput and both directions on the a4 wine if rollin nine is going to result in the need for improvement works over and above those outlined AI

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developers for site allocation a fall.

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And obviously the direction of traffic on the west Chatham link road on fearful and nine in both directions from the junction itself also would have implications for traffic movements. I've been doing it for a while and stuff.

28:32

Thank you. That's helpful. So

28:34

if I can just repeat back? Well, I think you've told me that there's there's a there's a signposting that you've given us in the local transport plan, which sets out the policy needs specifically for the for the West Cheltenham link road, the A 4019 You hadn't signposted any particular policy, which identifies the

need for that duelling and you're basically pointing out that it's basically a need which is derived from the delivery of the motorway.

29:06

The the the future development itself. Sorry, so yes, Tempus the applicant? Yeah, it's intrinsically linked to the impacts of the other scheme element. Thank you.

29:21

I just do a follow up question in in setting out your answer, you made reference to

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joint cost structure, the JCS policies, inf six and inf seven. But in the

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policy tracker, there's no reference to inf seven. So I wonder if that's an omission that because he's obviously specifically referenced by Blore and persimmon in their responses, and it seems to be quite key in understanding the infrastructure elements. So

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I wonder if you can explain its absence. I would

30:00

but only by agreeing that I think it is an admission to and we would seek to rectify that in the update of the planet statement as discussed yesterday. Thank you

30:19

before we move on to any further questioning if I could just direct the same question to the joint counsels, please and ask if they have anything they wish to add with respect to the local policy position. And the case for either the West Cheltenham link road or the jewellery of the A 4019. Thank you. Thank you, sir. John wants to do for the joint counsels. We have no comments on that, from what's just been laid out by Mr. Pierce noted on the admission, and there'll be documents to follow. We would note though, that the LI AF, which we're going to submit at deadline, one, on behalf that joint counsels will address the statutory development plan.

30:58

Thank you, sir.

31:00

Thank you. Thank you, I just should record the first action prevention so that we'll have an updated

31:09

policy tracker including inf sir. already noted, sir, thank you.

31:31

Where I'd like to go next, please, is again, posing this question to the applicant, if I may.

31:38

And just really exploring the national policy context as established in the national network NPS.

31:47

That document most obviously has a focus on national networks and the strategic highway network and not the local roads. Could I just ask for the applicants position with how the West Cheltenham link road and the duelling of the A 4019 proposals sit within that national policy context, thank you.

32:16

The entry take for the applicant. This

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might be the subject of little Roman three under policy,

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whether there is a distinction between national and local highway elements of the scheme and in national policy terms.

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And the applicants position is that the local elements fall to be judged by the same tests insofar as they are either end CIP or associated development, which I appreciate as a separate point. But they are at least associated

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development. And they fought to be judged by the same tests in the NPS. And paragraph 11 of the associated development guidance from April 2013 by dclg.

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makes it clear the applicant must ensure the impacts of all relevant development are assessed including any associated development. And it doesn't suggest that there's any different

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policy test or assessment in relation to

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a pure motorway junction improvement and elements that relate to it that will be local, they all fall to be judged by the same tests. So

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and there's no lesser or different test in relation to the local road elements of the ENSET stroke associated development would be our response to that

33:57

Thank you.

34:32

Can I now turn to national highways and pose the same questions, as we've just been discussing, really with regards to your position with respect to the strategic need really in the policy position with respect to the west Cheltenham link road and gentlemen, thank you.

34:51

Thank you, sir Sophie Stewart for national highways.

34:55

Our position is that this isn't a national highways scheme. I

35:00

As such, we haven't undertaken an assessment of the proposals against policy. And we're not here representing the Department for Transport. I

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think some of the later agenda items that you'll come on to in relation to

35:15

the NPS, and particularly the NPS 2024,

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we will respond to in writing for deadline one, but as such, we haven't undertaken a policy assessment for this game

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Thank you.

36:26

Just to aid our understanding of that point a little bit more.

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And really following on from your discussion around the Earth, the associated development tests, what's the applicants position with respect to if the duelling of the A 4019 and the West Cheltenham link road would be unzips in their own right, in the absence of the the M five just going on from what you said about the being no distinction between local and strategic roads, please.

37:00

But I had a caveat to my earlier answer. Of course, there are outside that policy context, there are of course, different standards of design

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that would apply to a local road compared to the national national highway, right. They've got their own particular standards, I would my my response related to the policy and the NPS and those tests which apply across the board. But so far as the question of associated development is concerned.

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The

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set as you know, we we haven't, following some a number of precedents, we haven't sought to

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draw a sharp line between what is the end zip and what is the associated development

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in sheduled. One, and that is commonplace, and there isn't a requirement in order to separate that

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those two elements nor it nor in the guidance,

38:00

it is clear that all the works within sheduled one are either an N SIP or associated development. And

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on the assumption development, consent is granted there be no distinction in law between the two

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elements. So as you know, M five junction 10, those specific works are required to be an insert within the meaning of section 22.

38:25

And other highway works are capable of being associated development.

38:31

And although the examples in the annex to the guidance are expressly said not to be exhaustive

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in relation to the generality of access, other highway related works are included as an example.

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And I don't know whether you'd like me to come on to deal with

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how the tests are met under under little Roman for in response to this stage.

39:02

In that question, because we have we have data, I think that will be helpful. Yes. Thank you.

39:10

So so as you heard from Mr. Pierce, the

39:13

both the Northwest Cheltenham allocation,

39:19

which is a four and the West Cheltenham allocation, a seven require the upgrade of junction 10 which lies at the heart of the proposals. And as you also heard just now from Mr. Pierce, if one improve junction 10 Then one has to improve a da 4019 to deal with the induced traffic in particular, that would arise from the improvement of junction 10

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but also to deal with development from the northwest Cheltenham site. But the former is required eras

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spective what the developer of the developers current proposal understand as part of their 2016 Planning application to make some improvements on the A 4019. So, the scheme is required over and above

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what the developers proposing as part of their undetermined application and the link road.

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The Westchester the link road, the West Cheltenham site cannot be released without the junction 10 improvement and it is

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closely and

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and cannot be released without the link road to connect to the junction 10 improvement. So, there is a close interdependence. And having regard to the guidance

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in the main body of the 2030 and document, the purposes of those two local roads are directly related test one, two, the objectives of the M five scheme, which is to release unlock development potential being a growth lead scheme.

41:12

It is subordinate to the main purpose, though the purposes of those schemes, those elements are subordinate to the main purpose.

41:22

In other words, the guidance is intended to avoid some separate purpose for other elements. It's got to be integrated, and part of that main purpose. And that's the second test and proportionate in scale. That's a matter of planning judgement.

41:42

One can

41:44

reach a view there in relation to both impact and geographical scope. But we think that is that those two are proportionate in relation to the the key works after the improvement of junction 10.

42:01

Thank you, you've, you've helpfully led me on to my next question. But then there's obviously a bit of a Venn diagram and player with issues. And there's some of the things you've talked about in that policy discussion that we're going to be returning to when we're talking about need a little bit later in the agenda.

42:18

But before we leave this section on the agenda, I do want to get the views of Lauren persimmon on any money policy issues I wish to raise, being mindful that there are going to be similar similar discussions around traffic generations and what's what's actually triggering the need for various bits of infrastructure further down the agenda. But before I turn to Lauren persimmon,

42:42

we just left ourselves stare at the the associated development test and it being approached appropriately postulates to the nature and scale of the principle development.

42:56

I've just read appreciate a little bit further clarity on on that particular point, because one position might be that if you were looking at it, in terms of tarmac and scale of infrastructure, what one position might be that the proportions of the local infrastructure are perhaps larger than that the kind of key works to the interchange. So, I'd really just welcome at any further clarity you can give us on how that appropriately POS unit test is it has met really thank you

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and I think in terms of tarmac or rather

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built infrastructure,

43:37

you if when looking at a

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it on a geographical basis, one of the issues then is are the flood compensation works which take up a large area of space

43:53

are those part of the NCAA IP or not? And that's that is an area that is sometimes debated, I appreciate in DCA as to as to where the boundary lies, hence the reason for not trying to draw a boundary. So, it is it does, if one takes the geographical approach, it does draw one into that which has difficulties one looks at the purpose of approach of proportionality then

44:22

that is more straightforward in this case, because of the subordination of purpose to the main purpose

44:30

and the proportionality in terms of what

44:37

and the related and similar question of proportionality.

44:44

So, so, your position is that it is proportionate, because it is subordinate and local road infrastructure. So therefore it's proportionate because it's subordinate to the the national strategic road infrastructure and an subordinate

45:00

To that overriding purpose, which lies at the heart of the M five junction 10 improvements, which is to unlock development.

45:13

Thank you

45:27

catch it earlier, the I would suggest the underlying purpose of the guidance is to is to guard against other

45:36

nonrelated purposes, or

45:41

the tail wagging wagging the dog.

45:45

Thank you for that.

45:48

As I indicated a few minutes ago, could I please invite the representative some blogger and persona and just to see if there's any specific comments or input they want to raise with respect to policy. Thank you.

46:02

Tony Weston on behalf of Lawrence mn. Obviously, we've submitted our relevant rep which sets out our interpretation of the JCS policy which is, which obviously is different to the interpretation that the applicant has placed on it. Our position is like clear that effectively, we disagree with the assertion that the M five junction term is needed to enable the allocations and the JCS to come forward. And that will be a four which is arms Park, a seven, west of Cheltenham and under safeguarded land as well. There's certainly no reference in the JCS to a requirement to upgrade and five junction 10 that we are able to identify, the only reference is to the link road, which is referenced in policy 87. So the interpretation that the applicants have put on it that that junction upgrade is required for those sites to come forward, we would dispute and disagree with and the inference that the a 4019 juuling and the link road are kind of ancillary, or necessary as part of the M five direction 10. Again, we would disagree with that, I think it's kind of looking at it from the running end of the telescope, so to speak. The JCS was always

47:19

developed and adopted on the basis that those allocations would come forward with no reference to the upgrade to the junction. And certainly the A 4019 jewelng. And the link road were seen as site specific mitigations. So elms, park a for policy, and sorry, allocation does provide for improvements to the A 4019. And similarly, the A seven allocation provides for the link code to be delivered. And we'll obviously expand on this in written representations at deadline one.

47:56

Thank you that was helpful.

47:59

I just like to move to the kind of lower part of the sub points on the policy now if I could, and again, turning back to the applicant, if I may.

48:11

There obviously, five headline scheme objectives which were set out in the introduction to the application application document 1.1, which basically established the kind of five main scheme drivers as being Apple economic growth, enhancing transport network for current and future needs. Third one being improved connections between the strategic road network and local network for being measures to address climate change and biodiversity and five safe access regarding ped cyclists public transport safety and vulnerable users.

48:49

If helpfully provided the policy documents that we touched upon yesterday, which set out the the applicants position with the compliance of the scheme with regards to the National Network NPS but as the draft on the on the adopted version,

49:06

I think it would be quite useful for me just to have the kind of the circle created or the the circle completed really, and some kind of clarity, which links us back to how those specific five scheme objectives specifically address the national planning policy

49:27

requirements as well, please.

49:31

So I'll ask Mr. Pierce to deal with that. That's in the context of the 24th. The

49:37

policy that applies to the scheme. Yes. Understood.

49:44

Thanks. So Tim, fiercely African. I'm conscious that we have quite a lengthy response to agenda item two one, so I'll try to

49:52

not do the same for this agenda item. I think it could be more succinct in terms of the taking the schema

50:00

objectives in turn so,

50:02

regards to supporting economic growth and facilitating growth in jobs and housing by providing improved transport network connection in western North Charleston, South Africans position at

50:13

2.2 2.6 2.9

50:20

and 2.2 to

50:26

relate to the, you know, relate to the scheme objective in terms of the 2014 National accent Yes.

50:35

To turn into the same for the second scheme objective in relation to enhancing the transport network in western northwest of Chatham area with the resilience to meet current and future needs believe that paragraphs 2.23 and 4.32 would apply, as well as the first row of table one titled options for addressing need.

51:02

On the third scheme objective in terms of the improvement of the connectivity between the strategic road network and the local transport network and Western Northwest Cheltenham, I believe that paragraph 5211 is consideration.

51:20

For scheme objective and delivering a package of measures, which is in keeping with the local environment, and establishes biodiversity net gain and meets climate change requirements, paragraphs 3.2 to 3.5 of the 2014 MPs would apply.

51:36

And finally, on the fifth fifth scheme objective, to provide safe access to services for local community include the views of a sustainable transport modes within and to west and northwest Cheltenham, and paragraphs 2.2 2.6 2.9 and 315 to 320 would also apply.

51:58

Thank you. I think I think from my point of view,

52:02

it would be helpful if we could have some kind of written assessment or signposting document almost, which basically walks us through three kinds of things. The first thing is those five scheme objectives. The second thing is signposting and identifying how the scheme actually meets those five objectives. And the third thing is how that then aligns with the National Network NPS because it seems like, you know, various various parts of those three answers are actually helpfully provided in, in in the planning documentation and the planning statement, but I haven't seen a very, very kind of clear summary, which just walks me through those headlines, schema objectives that are front and centre in your documentation, and then how that is applied by others, how that how the scheme fulfils that schema objective and how that links in with policy, I think that would just be a helpful submission for the Thank you.

53:03

Tempus, the applicant. So can I just clarify that you prefer that as a standalone document, as submitted as a submission? I think that will be helpful. Yes, thank you.

53:13

And without trying to preempt where we might go next?

53:16

Would you like that also to speak to the newly adopted NPS as well?

53:25

I think that'll be helpful. But I suspect that some of the work we were discussing yesterday in terms of updating the the

53:33

the tables, setting out the compliance of the scheme against policy as appended to your planning statement, they get you to the same place anyway, just offering to make the same summary seriously, you're in a similar position for both. Thank you very much.

53:49

So if we would record that as a an action point,

53:53

I think that's action point three.

54:03

Can I just

54:05

we didn't come back to you following the blog and persimmon comment. But obviously, there's a fundamental difference of a view as to the approach

54:16

that's being taken in the interpretation of local policy and

54:23

whether that is specifically requiring improvements or not, so just helpful to understand your response to the different position.

54:35

Thank you.

54:38

So the position just expressed did not deal with the points that

54:44

were made by Mr. Pierce a moment ago about sa one, seven and eight.

54:49

And there is a specific requirements.

54:52

For example, aid

54:55

is a requirement to support the delivery of strategic allocation

55:00

should align with where appropriate contribute to the wider transport strategy contained within the local transport plan. And likewise, seven relating to the IDP,

55:11

which also includes the M five proposal must engage with the relevant infrastructure regulators and providers to ensure the implementation of the IDP

55:23

and the provision of any other necessary infrastructure in accordance with inf six and seven. So those are important parts of the policy framework, which aren't addressed in either the written or oral submissions from

55:39

Glaus and persimmon.

55:44

Lexa. Thank you. I'm obviously conscious that one of the things that we've agreed is a statement of common ground to be worked on

55:57

is sounding at the moment, there's going to be disagreement on the policy interpretation, at least. But I think hopefully, as you work through that, together, you'll either come to an agreed understanding, or if not, hopefully, it will be clear what the

56:15

key differences are between you as to how it's being interpreted or how we've ended up going from the first stage through to the current position. So I'll leave that for you to talk to each other about but thank you so far. Yes, sir. I'm sure we will be continuing to talk.

56:35

Thank you.

56:39

Thank you. If I can now just turn our attention to sub point seven under the under the policy section. Initially, the question for the applicant or the follow up question to the Joint Council on climate change, if I may, firstly, for the applicant,

56:58

given the high court decision with respect to the Friends of the Earth case,

57:05

can you give me any kind of response with respect to whether that has any implications to the soundness of the environmental statement or the climate change calculations contained therein? Thank you, thank you, sir. It has no such implications. The judgement was concerned with the process for

57:28

adoption of the carbon budget delivery plan.

57:32

And

57:35

the government has been given a year to

57:39

produce a revised carbon budget delivery plan, the N three junction nine decision of the Secretary of State on the 16th of May

57:51

was able to take account

57:54

of that

57:59

judgement at paragraph 84.

58:08

At the footer of the page, it noted the successful challenge

58:13

to the

58:16

CBD P which has succeeded the net zero strategy the government required to produce a revised CBG within the next 12 months.

58:29

It continues to say that government sector state has no reason to consider the proposed development will hinder delivery the current net zero strategy or any updated strategy.

58:40

That consenting the proposed development will not affect the delivery of the net zero strategy or net zero in principle, in order to have a material impact on the ability to meet the national targets cluding CB five and CB six.

58:54

And so that's been taken into account in the context of the NPS policy, and the approach of the courts to the Secretary of State's various decisions on the CCOs in applying that

59:16

policy. So, in short, the judgement doesn't alter the test in the MPs the test remains

59:26

from the

59:29

MPs.

59:31

As set out.

59:34

The test remains as applied in the climate chapter of the ies and the new MPs for 2024, which reflects the way in which the courts have approached the Secretary of State's decisions.

59:53

makes it clear at paragraph 538 That it's not feasible having referred to Section 30

1:00:00

In the duty to meet the UK carbon budgets on the government at a macro level, it would not be feasible or sensible for such an assessment to be done at the time of taking individual development decisions, and there is no legal requirement to do so. So that is encapsulating

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what the courts have said in relation to various DCO and other infrastructure decisions, that remains the case,

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the government's duty to produce a revised CBD up

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doesn't affect the individual

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development decisions.

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And the test remains in the in the MPs as further articulated in the revised MPs.

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Thank you for that.

1:00:52

If I could just turn turn to the Joint Council really, with

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two questions. The first one is inviting any any response with regards to what you've just heard from the applicant with regards to

1:01:07

the climate change position? And the second question that I could pose at the same time, if I may,

1:01:14

just having having regard to your relevant representation, and the matters that you raised with regards to the emission of an assessment of manufacturing of raw materials, if there are any additional matters or concerns that you wish to raise underneath this item of the agenda? Thank you.

1:01:42

Thank you, Sir John Webster, for the joint counsels. On your first question. So I don't have instructions to respond that right now. But what we can do is respond in writing would note that climate change is an item which is going to be covered in the LIRR I've made note of your question. So I would seek to deal with that deadline one.

1:02:02

Thank you. Thank you.

1:02:10

And can I assume that that that response means that you don't have anything you wish to raise with respect to any other concerns or points relating to climate change with respect to your relevant representation?

1:02:26

Joyce says for the Joint Council, I've taken instruction. So that's correct. Thank you.

1:02:49

Turning back to the applicant, then please. And the concluding sub points on the agenda really,

1:02:58

please, can I have the applicants position with respect to the latest version of the NPPF? And if that has any important considerations, which we should be aware of at this stage? Thank you. That I was going to turn to Mr. Pierce, on that adjust. I noted in the I didn't respond to you on the last part of little Romans seven, which is about the WMS of the 24th of May regarding the six carbon budget. But it will be the same answer essentially. Because that WMS reiterates the commitment to the existing CB six requirements. And, again, how the government's meeting that at a macro level is a one question but it doesn't impinge on the individual decisions in DCs. But thank you, I'm just going to pass on to

1:03:52

Mr. Pierce, then in relation to litter emanate, and I don't know whether in answering that you would also like him to pick up litter Romans six, which is about the newly designated MPs Nn.

1:04:05

Because there are one or two points that he could make on that if you wanted to hear on her from her on that.

1:04:12

I'm certainly happy to hear anything that you wish to raise under little Roman six as well. But again, I was assuming that you're going to be providing an updated submission. We will, as we've already discussed, so please feel free to add anything that you wish to and orally or we can see what submitted in writing. We'll keep it very brief and

1:04:35

signal. Mr. Pierce festival NPPF

1:04:40

Thank you. So TPS the applicant yes with regards to a little ruminates on the agenda from an MPF NPPF perspective. See, applicants possess supposition that the latest version doesn't alter the fundamental framework and doesn't

1:04:55

alter the meaning of the importance given to the delivery of money.

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Did housing and employment opportunities

1:05:08

particularly in terms of paragraph 60,

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I think there is a reinforcement of the message that supply of homes is an important factor in consideration of local planning and decision making.

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And as we've already discussed, that is one of the main facilitative purposes of the scheme itself.

1:05:33

So in summary said, I don't think there are any major considerations from the MPP, I thought you'd need to make you aware of Thank you. So Andrew take just in relation to the newly designated MPs.

1:05:46

The M three junction nine decision on the 16th of May, at paragraph 16.

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Set out in the context of that case, that the Secretary of State considered that neither the draft revised MPs nor the revised MPs supports a different outcome, and therefore hasn't given either any material

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weight, and

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in the sense that it would not lead to its application would not lead we suggest to any different outcome, that would also be the case.

1:06:23

Here, there are obviously updates in relation to alternatives to reflect the Stonehenge judgement. And in relation to climate change at paragraph 538, in particular, as mentioned just now,

1:06:42

but there are other elements of emphasis which Mr. Pierce will deal with when updating the position, but I just wonder if you could give a flavour of where they may be of

1:06:57

relevance to to this this year.

1:07:03

Thanks. So, Cynthia is the applicant, I will keep it brief I promise.

1:07:08

In terms of

1:07:10

elements that reinforce the position taken by the 2014 MPs think particular relevance of paragraphs 3.8 316 and 346. Of the

1:07:24

of the new MPs,

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in particular in relation to drivers of growth, resilience of networks.

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And, and in terms of the

1:07:39

wider policy objectives, I think it strengthens, it reinforces those on top of what was provided in the 2014 version.

1:07:48

In terms of strengthening the applicant's position over and above the 2014 MPs think paragraphs 3.9 316,

1:07:59

B, 31 342,

1:08:03

or 23, and 478, all strengthen and dabka supposition over about the current policy.

1:08:14

And I won't go into the details of all those, sir, but you can rest assured that they'll be covered in in our notes that were submitted by one.

1:08:23

That'd be helpful. Thank you.

1:08:28

Before we conclude the discussion around policy and this agenda item, can I just see if there's anything else any parties wish to raise before we move on?

1:08:41

Yes, thank you.

1:08:43

Thank you. So Sophie Stewart for national highways. Just in respect of the differences between the current MPs and the new 2024 MPs. I did indicate earlier that we will respond in more detail for the next deadline. But it would also be really helpful if the applicant could address new inclusions in the 2024. NPS not included in the 2015 at paragraph 443 and 5283.

1:09:17

And they relate broadly to safety and capacity and operation.

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Those paragraph numbers from the current NPS, the from the 2024. Okay, so then there are new additions

1:09:33

that weren't previously covered 443 relating to safety and five to eight three release relating to capacity and operation of the network.

1:09:46

Thank you.

1:09:47

Thank you for that.

1:09:50

If we just give the applicant a chance to respond, please thank you. So we're updating Appendix C and we'll include those paragraphs.

1:09:58

Thank you

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I

1:10:03

think that concludes

1:10:06

the agenda items under design. And I'll now hand over to Mr. monde just to continue through the agenda and specifically, the discussions around Greenbelt. Thank you.

1:10:22

Thank you.

1:10:27

As we've indicated in the agenda, be helpful if the applicant provide an explanation upon the approach to how the proposed development occurs with the specific tests of Greenbelt policy.

1:10:41

You've obviously set out quite a lot in detail within the planning statement already. But you've obviously also set out an alternative in the event that the Secretary State doesn't agree that it's appropriate development or not inappropriate dominant, I'm getting that right right around.

1:11:00

So

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just appreciate if you can explain to us

1:11:09

how you've come to that assessment. And these, how you've gone through it to come to the conclusions you have, in the first incident, your preferred option, I suppose.

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asked Mr. Pierce to deal with that. And there may be some more specific points from Mr. Cartwright in due course about the application, but just to look at the overall approach, terms of not inappropriate and the various special circumstances first.

1:11:45

Thank you, sir. Tim Pierce applicant,

1:11:49

turning first to the matter of

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not

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inappropriate, that kind of conclusion.

1:12:01

kind of the premise behind

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that position is on the see paragraph 155. The MTF

1:12:09

outlines other forms of development that are also not inappropriate in the Greenbelt provided they preserve its openness and do not conflict with the purposes of including land within it.

1:12:20

And with respect to the varying elements of the scheme, speaking to the junction improvements and the pay for online first, that's pre existing

1:12:37

and

1:12:38

highways infrastructure, and following options appraisals, the location of those design elements within the greenbelt and particularly within the a 4019. When it's wide widening the existing element, this was restricted, obviously, in a geographical location.

1:12:57

And therefore the need to to improve in that in that location was relatively fixed. I'll leave Mr. Cartwright to speak to the to the broader options appraisal on the health, essentially, in general terms, the green, the green belt was unavoidable.

1:13:16

In terms of the link road, as we've already established, there is a clear policy need for the allocation that is geographically constrained to its location, and the need to

1:13:32

get to the strategic road network.

1:13:35

Again, options appraisers were taken to the location at the link road, and as Mr. Cartwright may go to in more detail, those are the options. But we're now down to Greenbelt options only. A third option that was that was chosen eventually was the one that was least impactful on that basis. So it's our stance from a

1:14:01

from an NPPF perspective that it is local transport infrastructure, which has a demonstrable requirement for its Greenbelt location. So that next post, so

1:14:12

the second part of that is coming to the assessment of openness, which I believe Mr. Cartwright will speak to,

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and in due course.

1:14:23

So that is that that's our

1:14:27

and I can bring in Mr. Cartwright now, if that's convenient on that element, unless you'd rather deal with that, that later. But if I can just come to Mr. Pearson to respond, because

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I'm interested in the dynamic that

1:14:44

you say this is local road, and therefore that would meet the exception in the NPPF. But you submitted it as part of a national road scheme. So just explain to me whether I'm getting my thought

1:15:00

Process confused

1:15:02

in your linking it to and saying that it's part of a national infrastructure project.

1:15:09

But at the same time you saying it's a local road? And so it would meet the test in the NPPF, for Greenbelt. But if it's part of a national road scheme, does that same test apply? And should it be applied

1:15:27

in the way that you're suggesting?

1:15:32

Maybe I can help on this? Because in relation to your second question, under this heading, looking at whether in DCs there have been, it's been considered that the proposal was not in appropriate development. There are a number of examples where that has been concluded, and the local use of local has been given a, a

1:15:58

has been construed in the context that it's looking at the specific objectives, which may be local, even though the network is national, so that the benefits

1:16:13

are local. And we I will hope to be able to draw your attention to specific passages which do deal with with that in due course. And that's helpful. I mean, and in those particular examples, that your reference to us, are they doing something similar to what this scheme is doing in that they have a

1:16:36

change to the national infrastructure scheme, and then the National Road strategic road network, and are also introducing a local road element as part of that? DCO?

1:16:52

I can't say that at the moment, but I will be able to provide an answer. I mean, these days, the a 90 day 104 A one airport test is junction improvement,

1:17:06

which concluded that the proposed development was allocated ie the the improvement, and so is local transport infrastructure, which can demonstrate a requirement for a Greenbelt location. That's what the examining authority

1:17:24
concluded.

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And the

1:17:31
secretary of state

1:17:34
agreed that the proposed development, in addition to its strategic importance in transportation and economic development terms can be considered as a form of local transport, which can demonstrate a requirement for a Greenbelt vacation. So I think we will dig further into to that. But in principle, there's no reason and there are other examples. There's no reason why one can't regard in the in the context of the

1:18:02
policy, local transport infrastructure as being something that is also an answer.

1:18:11
Thank you. But it's it's not just me, then there's had to wrestle with this dynamic. I think it has been argued in the past.

1:18:22
Not unusual for things to have happened before, is it?

1:18:26
Can I come to the source? Can I just interject there, I've just included that just for observers clear as an action point, Action Point.

1:18:36
Action Point five, for the applicant to provide that document of examples. So examples of RAD schemes not considered inappropriate and identified after deadline. One thing? Yeah, yes, we'll do that. I mean, if I can just

1:18:53
enumerate there are

1:18:56
five.

1:19:00
There are five DCS from 2013 to 2023, which concluded that

1:19:08

the proposals were not inappropriate. There's also the Morpeth, northern bypass DCO, which where it was concluded it was not inappropriate. In that case, it wasn't actually a Greenbelt, but a proposal to extend the Greenbelt. And there's the compulsory purchase order for the South Bristol link road

1:19:26

as well, but that's not an exhaustive list. But the question in relation to five DCA is, so there's six, if one includes the proposed Greenbelt, which strictly didn't, didn't, didn't actually arise,

1:19:38

but we'll deal with those.

1:19:40

Thank you.

1:19:43

Can I then come to the joint counsels and seek

1:19:47

understanding whether you take a different approach or whether you're in agreement with the council's assessment

1:19:54

of Greenbelt policy in that regard?

1:20:17

John Webster joint counsels. Mr. Nick Bryan will answer that question.

1:20:23

Thank you, sir. Yeah, I think I think that's a reasonable interpretation.

1:20:29

The Mr. Tate's given, and absolutely, we can support that interpretation that

1:20:35

not inappropriate development on the basis that it's that that local

1:20:41

trigger being being applied. Yeah.

1:20:46

Okay, thank you.

1:20:49

Mr. Carr. I was going to go over or Mr. Pierce got anything further to add to?

1:20:56

I think Mr. Cartwright can give some further

1:21:03

thoughts about the question of openness if you'd find that helpful, or we can leave that and then I was going to ask Mr. Pierce to wrap up by talking about the various special circumstances. Okay.

1:21:15

We'll come on to those in a moment. But I'm just interested a little bit further about the policy exceptions, because you've made reference to the

1:21:28

local highway being potentially not inappropriate development in the Greenbelt. But in your description, within the

1:21:40

chapter dealing with Greenbelt assessment, you say,

1:21:44

it's paragraph seven, point 6.28. The scheme can predominantly be described as engineering operations,

1:21:53

and the improvement of existing strategic transport infrastructure. So can you just explain to me what elements are not engineering operations?

1:22:05

You've said predominantly, so there's presumably something that isn't.

1:22:17

So will give you a considered answer, but I think that might be referring to landscaping and the like, and other ancillary.

1:22:26

Okay, so elements that that don't involve

1:22:33

engineering as such. Okay, well, if you can, but I would prepare. Think about that. Yeah. Thank you. And again, I've come to the council's whether

1:22:45

you would agree that it's predominantly engineering operations or whether you think it's wholly engineering operations or something other than that.

1:22:56

As has been said, I think absolutely, really agree again, with that interpretation and predominantly those engineering operations. But obviously, we will, we will defer to see that further detail.

1:23:22

You also say,

1:23:25

when you're setting out your your summary of conclusions, in the green bin at the second bullet point, the scheme is largely being developed on strategic highway land. And I'm just interested how you've come to that conclusion.

1:23:43

Are you including?

1:23:45

Well, I'll leave it at that. How have you come to the conclusion when you're saying it's largely being developed on what proportion are we talking about? And what areas of land are you including in coming to that assessment conclusion?

1:24:00

Mr. Pierce?

1:24:03

Thank you. So 10 PS applicant? I think it's

1:24:06

a matter of proposed proportionality of existing highway infrastructure in the works and surrounding that versus the link road.

1:24:17

That is it possible to display the Greenbelt plan? So

1:24:26

the reason I'm interested is because you set out largely and I'm just niggles? Me, I don't know what the distinction is in terms of proportions. And when you look at the Greenbelt plan and your red line of the DCO

1:24:45

it appears to me that by saying it's largely existing, Strategic Highway land,

1:24:52

that would be the case if you're including your red edge from the northern extent, at the very top of that screen

1:25:00

and all the way down to the bottom. So that the entire length of the motorway that's within the red edge, but there's obviously significant proportions of that, where you're doing very little work toilets, just signage and so on. So I just interested in terms of how you've come to the calculation on what land you've included in to conclude that is largely on existing Strategic Highway land.

1:25:27

And whether that's a fair thing to be saying.

1:25:43

So I think we'd have to come back to in writing on that on in terms of calculations, and in terms of proportionality, I wouldn't have that information to hand right now. Okay, well, that's fine. And we'll add that as an action point.

1:25:57

I think there's a sort of follow up question, which will be the same issue, trying to understand in respect of the three net three elements of the scheme, how much is within the Greenbelt? How much is not?

1:26:14

So I think if if you're able to define that clearly for us, it'll help us in setting out in more detail to the Secretary of State the the consequences, and

1:26:27

the relevance of green belt, Green Belt policy, I think,

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as the African Yes, I can confirm that we'll come back and both those points.

1:26:36

Thank you.

1:26:47

Before we move on, I've just made note of an extra few action points, if I could please just share with the room when I'm typing at the same time, so bear with me.

1:27:09

Okay, so I've got action point six, which is the applicant to confirm what part of the scheme is not engineering operations.

1:27:19

We've then been talking about the different areas of the scheme. And I can point seven in that regard is applicants confirm the respective areas for the three main elements of the proposals.

1:27:32

I think, Mr. Martinez, or is there an eighth which is the point about the specific quantum of strategic highway land

1:27:43

action point eight then specific confirmation on

1:27:48

the quantum of strategic Ireland. Thank you.

1:27:53

I think we're going to need to be careful with the numbering because I notice as you're typing, we have a gap at number five.

1:28:01

So we'll just have to be careful that we've, as we go to the end.

1:28:06

Hopefully your computer's just a few minutes behind mine miss out on okay, I do have a five Alright, okay.

1:28:13

It isn't it wonderful.

1:28:29

So we heard that

1:28:35

you conclude that it's

1:28:37

not inappropriate development in the Greenbelt. But obviously, you've set out the alternative position. So

1:28:46

if the Secretary of State would conclude the alternative position,

1:28:51

what further implications would that have in terms of

1:28:58

the assessment or

1:29:00

any role that we would need to undertake in understanding the consequences if that was the conclusion to be drawn?

1:29:13

To see the applicant think in simple terms, so I don't think there are major implications for the scheme this and the application is submitted because there has been consideration given to the impacts on Greenbelt, particularly in terms of character assessments, character area assessments, landscape character assessments.

1:29:35

In terms of the alternative approach, that we were offered within the planning statement,

1:29:44

I think turned into

1:29:48

EMTs and paramedics paragraph 5178,

1:29:53

which talks about when located in the Greenbelt national networks infrastructure projects may comprise inappropriate development

1:30:01

Such a state will need to assess whether there are very special circumstances to justify inappropriate development. And they will not exist unless the potential harm to Greenbelt by reason of inappropriateness in any of the harm is clearly outweighed by other considerations.

1:30:15

I think paragraph is referred to in money or later agenda items paragraph 171 speaks to to that in terms of identifying that then infrastructure Lincoln air an area near a Greenbelt and other locations will often have to pass through Greenbelt land, that there needs to be an identification of a policy need for linear infrastructure.

1:30:36

I think we've already alluded to several times already through the agenda items this morning that the applicants position is there is an identifiable policy need for

1:30:46

the link road in that location to serve allocation a seven, which is geographically constrained.

1:30:55

And that be the kind of a summary position of our alternative.

1:31:02

You

1:31:04

just come as Lauren persimmon

1:31:08

in light of your different position on policy, as it stands at the moment whether

1:31:15

you would agree with what's been said with regard to Greenbelt or whether

1:31:23

they will just see are there any points you would wish to rake on those matters?

1:31:28

Thank you, Tony Western for blue and persimmon. Not at the moment. I think I'll defer to colleagues on that and then we'll come back to in writing.

1:31:38

Thank you

1:31:57

Okay,

1:31:59

come on now to I'm just wondering is half past 11. Before we go on to openness, it might be a appropriate time to just take a break and then perhaps Mr. Cartwright will be able to, that's what he was going to deal with. Is that right? Exactly what is yes. Okay. So if we take a 15 minute break and return it, quarter to 12. And hopefully ever, like have a chance to stretch the legs and get a coffee. So, again, on the live stream, just remind you that you will need to refresh your browser page when you return. Thank you