

TRANSCRIPT_ISH2_SESSION3_EASTNORT HANTS_29032022

00:05

It's four o'clock, so we'll resume this issue specific hearing with Mr. Bosworth. Okay, so let's resume where we left off, we're dealing with border environment issues. And you got down to point number five, which is the potential implications of the proposed further investigation of the two culverts which run west from the smaller hole. And here, I'm interested in whether they drain land further to the west of the site, the ownership of that site, and whether there's been any contact with the owners if they're not people that the the applicant hasn't already been in contact with. And I think, Steven, if you could bring up the plan at appendix or a of the applicants response to the that's the one. So as I understand it, because of the scrub land, which is shown in green on that plan, there's still a requirement to do further investigation of the culverts. I issue your the thing I want to explore is the potential implications of those further investigations in particular land to the west. Congo, is this something for you?

01:44

Yes. On behalf of the applicant? Yes, it is. I was wondering if it would be possible to deal with point five and be the next one at the same time, because they based on with respect to the to the further investigations. And they will be that that one may assist the other or not, but then it could all be covered in one go. But I was wondering if you could just explain a little bit more about what your question is that item b so that I can understand how best to to answer it.

02:23

I think that question the issue of and they might not be as linked as as perhaps we think your response to question 14 One nine, refers to further investigations. And I think this is to do with dissolution features rather than the the culverts that we've got on the plan that shown and the potential for the need, depending on what the investigation shows the potential for the need to have considerably larger standoff distances than the ones which are currently anticipated. And in your submissions, there's the potential for the standoff distances to pay as much as 150 metres. But that turned out to be the case we don't know people able to do is understand the implications, if I guess it will be what we might call a worst case scenario emerging from those investigations.

03:37

Okay, I will, I will address by first as each guest because that is more to do with surface water rather than surface features. So, the further investigation in that central area primarily is to do with the subsurface features rather than surface water drainage because we have a relatively good understanding of the surface water drainage. If you can recall back to the LIDAR data figures that we looked at surface water management plan, the area to the west of the site, there is the central section of that may well drained those kind of Dolin features on the western side of the extension area. With Surface Water accumulating in those datum features and then infiltrating down into the underlying aquifer. However, there is an element of that land directly to the west of those culverts that do drain

through the folk the culverts towards the scrubland certainly in the northern COVID The Southern culvert is, we believe partially blocked currently. However, the surface water drainage ditches to the south of that culvert on the western boundary of the southern area of the extension, do collect surface water from the land to the west of the site and route it towards the swallow hole either via land drains or overland in the surface water drainage ditches.

05:36

That's what is understood to be happening at the moment, I think my concern was if those culverts are taken from land to the west of your site, and your further investigations require some alteration to the culvert whatever that may be, what are the implications for the drainage of the land in the West?

06:10

Okay, so as part of the investigation, if the land is disturbed, such that those culverts are disturbed and potentially removed to further investigate that area, then there will be some kind of temporary provision to ensure that surface water during that investigation can still reach the discharge point and it needs to with whatever kind of protection that might be needed to make sure that you know, the area of investigation doesn't have an input impact on that water quality. But that would all be part of the design of that investigation, which, as with previous investigations, we would submit to the Environment Agency for agreement prior to undertaking that investigation, just to make sure that that a the information that we need would be collected that be also that there would be no material impact on the drainage around the site while that investigation was carried out

07:19

by tenant whether this is a question for you or perhaps whose property Do you know the owner of that land and whether any contact has been made with them? In relation to this.

07:34

And so claybrook on behalf of the applicant, in terms of the ownership. Further to the west, there are two two landowners in particular, firstly, the the Forestry Commission have title immediately to the west and towards the south. And it's actually in terms of Sir, I'm just pointing to the book of reference, they are referred to as category three persons in the book of reference. And the Forestry Commission there, it's the Secretary of State for Environment, Food and Rural Affairs is their reference. And then secondly, this is on page 11. The category three persons you'll also see reference to the trustees of the AF got our Jackson, and that for a settlement. There has been contact made with I believe he's one of the Trustees, Mr. fines or things. And we have entered into a statement of common ground with him. And that has now been signed and a copy has been provided. So I know there has been contact with him. I don't believe that we've had separate contact with the Forestry Commission, up to this point with respect to their drainage, but as as Jo Congo has explained that that drainage will be maintained. Clearly they were consulted as part of the statutory consultation in the pre application phase as well. And they haven't made any further representations to us as part of this examination process raising any concerns over drainage so far as we're aware.

09:19

No. I wonder whether in both cases, the owners have dealt sufficiently deeply, shall we say into the submissions to understand what is potentially going on in this particular location, and whether it would be appropriate to draw their attention to the investigations and what might flow from them.

09:52

There in terms of the discussions that we've certainly had with Mr. Finds, Dr. Wilson, I believe, as had those discussions, so I don't think Is there anything further that you want to add at this point, Mr. Wilson or not? But but certainly we have lines of communication open with him on behalf of the ownership of that land slightly further to the north. And a number of points were discussed, but no issues raised around drainage. Clearly. They've been made aware of the nature of the proposed development in terms of changing the land form and the development of the landfill site. But I don't believe any specific points have been raised on, on their ability to continue to drain across our land. But clearly, we legally we are obliged to maintain that so that we do have that ongoing legal obligation.

10:44

Is there anything you can do up to that point?

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That's not Wilson for GN? Um, yes, I've had direct conversations with the agents for, for the land to the north of the two pieces of land. And they've not raised any issues as Clara said relating to drainage. The whole scheme is premised on not changing the drainage coming onto our land. It is making sure it continues to flow through throughout the process. So there should be no issues relating to those landowners. Because we're not affecting their drainage, any point.

11:32

move on then to point B, which was gained further investigations. The pitch which runs towards a swallow or which is that on the same line as the northern coverts, on the southern convent, I wasn't entirely sure. On what the implications of that are. As I say, in particular, there has been a suggestion that, depending on the outcome of those investigations, a standoff distance of up to 150 metres primary required which clear when you would have a significant effect on the profile of the cells in this area. It's going to reset something for you.

12:22

Yes, Joe called on behalf of the applicant. Can I just clarify which ditch you're referring to please?

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I'm taking this concern from your response to my question 14 One nine

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Tosa in respectively.

13:01

exception of a 150 metre standoff. So centred on the dough line measurement area, which I take it in from the information we've already discussed this afternoon, is running from the smaller hole kind of

West or northwest towards the the dough lines, just to the west of the application site. And I assume that that's what's being referred to there. But I'd welcome your clarification.

13:39

So in respect of the corridor that is maintained, whether it's a 20 metre corridor or 150 metre corridor,

13:45

yes, yes. Yes.

13:47

So the purpose in that condition is as you say, because we haven't yet carried out the investigation of that area and should further solution features and surface water drainage points be identified during that investigation, it may be that that help corridor needs to be adapted such that those are the drainage routes are maintained, if necessary. The The point is in the scrublands, because it's so heavily vegetated currently, we can't can't enter it to do to do a proper investigation. So the idea is that that investigation will be carried out or that further more detailed investigation will be carried out when when we have access to that area to do so. In terms of the area to the west of the scrublands. We, while there were a number of locations identified during the geophysics that need further investigation. We don't anticipate that there will be significant drainage routes in that area. As there's no particular datum features in that area that identify as a, an area that has previously been a significant route for surface water entering groundwater. And the, as far as we're aware in the Scotland area, we know quite well about the smaller hole. That has been the subject of previous discussions this afternoon. And there's also a smaller swallow hole, kind of in line with the largest water hole and the northern culvert that's in that scrublands area, although there's no indication that significant drainage enters. That's what I hope, but it's just the access into that area to further understand or better understand how surface water may drain in that area to the underlying aquifer. And taking that into account when designing that West to East Crossing across the sites.

16:24

The thing which stood out from your response to my question was the potential that there could be a requirement for this 150 metre standoff from that line, which I think we've established has gone west from the smaller or through the towards doe lines to the west and maybe through another smaller opening in sight. What I wanted to do was understand if it transpires from the investigations that have yet to be carried out, a standoff distance of 150 metres or something approaching that was required, what what implications does that have the design of the scheme?

17:16

Could I pass you on? There's a use meme to respond in respect of the restoration profile, anyone which

17:26

Lesley, he's not the applicant. Thank you. So the the intention of the investigation in such areas, Joe, as explained is to understand the drainage better in that area, the potential for a much broader standoff and the context in which that's discussed in the response to the to the question that you were referring

to, is in relation to the the the landfill potentially having to stand off from DOE line features. So the excavation currently is modelled as being with based on a 20 metre standoff with the DOE line features. We're saying that following that investigation, if those two line features are more extensive, the hydrogeological risk assessment may identify that that standoff for excavation needs to be further over. So that's the first point. The second point, which I think is the point that's concerning you is then how does that then affect the restoration profile? So I'd love to have a whiteboard, which I don't have. So here is the the the excavation, so here's our ground level, here's our excavation, here's our dough line features along here. So if it's 20 metres, and this is our our restoration profile, that's what's currently intended and proposed, if this has to shift over here, the soil profile over the top because it's not waste, it's not landfill material. It's simply replaced, excavated overburden material will still follow the same profile as the as the proposal that's been assessed and is in the in the application documents. So whether this standoff is as designed currently, whether it's 20 metres, whether it's 70, whether it's 150, that the surface profile will will remain the same. It's just a slight inset.

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So the important point is that the 150 metres relates to the under lying landfill excavation rather than the final profile. Exactly. So

19:16

yes, yes.

19:18

That's, that's useful. I'm wondering whether anyone from the Environment Agency has any comment on what we've heard on that point.

19:35

Hi, it's Jim Bronson here from the valance agency. Just like to add wood, if that's the hole, that scrub area where the dough lines envisage, if that was all to be doe line feature, would phase 21 Actually Go ahead, because it would end up being a very small cell with that kind of standoff. If you want to 150 metres

20:04

that's the he's the applicant, it would go ahead, but it might be a slightly different shape. It's one of the deepest areas in terms of the the Rutland formation. So there's a there's a big depth down to the to the base of the clay and the top of the limestone. So in terms of void, there is still benefit to to continuing with with that excavation. But as I mentioned before in terms of the profile, we have flexibility with what we do under the profile in terms of how far back the landfill itself might have to stand particularly on that that corner where the scoby feature is, for example, okay.

20:44

Mr. Bosma, for the trust, is there any? Do you have any comments on what you've heard? No, sir. No, thank you. Then that case, we'll move on then to the proposed drainage plan to replace the culvert and the environment agencies concern that during the operational phase, there might be the potential for contamination in the open culvert. The applicant has given a response to that in its deadline three

submissions. Bernsen put the you have any comments on those comments? Whether that satisfies your concern?

21:41

I've got to admit I have actually seen those comments.

21:48

Okay, is it salesman of this Congo? Is that something you can do? briefly review what how you burn channelling or how you've responded to the environment agents concerns?

21:59

Yes, sir Leslie, he's in here for the applicant. In summary, we recognise the importance of protecting the quality in that open water course, once it is opened. The intention is not to open it until all of the landfilling in the area to the north is complete. So all of the phases to the North says we no crossing of the of the open water course. So it would only be open once the works retreat to the south. So the works that would start right at the south of development in phase 15, and then work its way back up. So in terms of the design of the protection measures for surface runoff, we would see that very much as an important feature of the operational surface water management plan that would need to be agreed with the agency through the environmental permit before the opening of that water course takes place. So that would be done as part of the the measures following the investigation of that dough line features. So we will have all that additional information that we've been talking about after the completion of all landfilling to the north. And whilst landfilling is going on to the most southern point, which is phase 15. That's the time when the detailed design of the operational control measures for surface water runoff, which could be a band, it could be a ditch, it could be both, however robust that it needs to be that would be a detail that we will be seeking to agree with yourselves at that time.

23:21

That would seem to answer our concerns on that. Because we were just concerned about having that ditch open being quite close to sort of open uncapped waste. But if the ditch wasn't going to be opened until the northern areas capped off, or restoration has happened, while probably the risk is a lot lower than we potentially thought

23:47

saying that the cell to the north of that would be completed before the ditions. Open. What about this south in the South? I think it's phase 21? Because the absolute borders the the would that be an open ditch presumably?

24:04

Yes. So that does, you're absolutely right, that borders the southern boundary of that, that ditch. So in order before we operate in that, in that cell, which is the final phase of the site, we would need to agree with the Environment Agency, the service water management, the operational surface water management controls, that will control any potentially contaminated surface water from the landfill. And those controls are likely to be a lot more robust than they would be for an ordinary landfill, because of the sensitivity of that water core. So it's likely to be a combination of a band and a deck rather than a

ditch or a runoff ditch which would normally be the case. So that those are the details that we would be agreeing with the agency well in advance of exposing that that length of watercourse.

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But I wonder if I could ask you and the Environment Agency to to continue the discussion there. And if it's possible to address that, specifically in the in a future iteration of the segment of common ground, that will be helpful.

25:08

Of course, yes, we can do that. Thank you. Yeah.

25:12

Okay, shall we move on then to D, which is contaminated surface water. And whether the DCO provides sufficient control over the treatment of contaminated surface water prior to its reuse. And this is in response to the applicants response to my question 14 to one. As I understand it, the contaminated surface water would pass through the treatment facility, before it's used for dust suppression, and we're watching in the like, Is that a fair understanding? And how could that be controlled?

25:58

Jim Wilson, for Augean to respond on this, sir. I think firstly, there are essentially three types of water that we're managing. Firstly, clean water, which we would get out of a pipe, run off water, they could be run off water from the treatment plant or from the landfill. And then there is leachate, which we extract from from the landfill be the in terms of the process, the way the process, the run on the treatment plant are all robust processes, the quality of water is not particularly critical. All the contaminants that are in that dirty water are from waste that are being managed on the treatment plant. And so we're mixing similar contaminants with the materials that we're actually processing. If there was a process or a chemical that we brought on site that was sensitive to that process, then we would do appropriate testing to ensure that process control can be maintained. Does that address the issues that you're seeking to inquire about?

27:15

Yeah, well, I think it was, I think it does, it was twofold. One is whether the or because there was an implication in the surface water management plan, that contaminated water would be used for dust suppression or washing. And I think you missed it all. So that is your response to 14 to one in as much as that's not the case, and it will pass the treatment plant before it's used for those purposes.

27:46

No, so that that isn't correct. The the treatment plant doesn't treat water as such it did, it uses water to facilitate treatment. So it's actually so once the water is used in treatment, then it is it is then it will be put in the landfill, essentially, and we tend to use leachate or contaminated water in preference for the for for the processes because it's more sustainable than using fresh water

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in terms of say the processes, yeah.

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So those are the processes of stabilisation in the future neutralisation so washing to some degree,

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but okay.

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Loss suppression actually on the plant? Yes, you would use that as well.

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So that doesn't that mean that potentially contaminated water is being spread around the site one for dust suppression?

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No, no, that's not not. It's clean water used for dust suppression on the around the landfill site. But on the treatment plant, because that's it's you're dealing with similar contaminated material, then we would use that water and it's directly straight down to the ground. It's not like it's spreading around.

29:17

Right. Okay, but I think I'm gonna have to go surface the surface water management plan, because maybe I need to read it again. But that doesn't really. Yeah, I understood that the board was going to be treated. I think that's probably something we need to come back to because it could be that I simply don't understand the process. So be the subject of that

29:44

question. All that water, any water on the treatment plant is clearly contained. And all those matters in terms of what you what you can and can't use are controlled under the permit. So that's certainly if you have further claims I'm more than happy to try and explain.

30:04

Okay. Right, we move on to the final issue which I had, which is the the surface water receptors. And this was an issue that was came about from the EAS response to one of my questions, there were, the EA is pointing to a couple of errors in the descriptions of the ecological and chemical status of Willowbrook, and which won't work. Although I think it's fair to say that the overall status remains moderating in both cases. You chose not to content to comment on that response in your deadline, three submissions. So I just wanted to see whether any further comments, and those are reserved material to the to the yes,

31:10

at the time that the environmental statements, that section of environmental statement was written in 2020. The Environmental Agency catchment Data Explorer website, did not have the level of detail that it has currently. So the level of detail it had was the status in terms of the moderate and the fail. And

whether that was an ecological quality motor and a chemical quality fail, that it did not give the details in terms of the investigations into those classifications, which are now shown on the website. What it did have was reasons for not achieving good status, and reasons for deterioration. And those are what are referred to as the chemical fail. And it was interpreted at that time that the reason for the chemical fail were these reasons for not achieving good status and reasons for deterioration presented on the website at that time. Now that the information presented on the website is in more detail, and is as commented on by the Environment Agency. At the time of writing the environmental statement, that information wasn't available. So we agree with what the Environment Agency is saying. But either way, the status is still the same, the cause of that status is still the same and as detailed in the environmental statement. And the Environment Agency agree with the targets for the ecological and chemical quality in relation to the requirements of the Water Framework Directive. And the points made, while correct, based on the current website, make no difference to the conclusions reached an environmental statement having regard to any change and interpretation of the chemical, biological quality of the surface water receptors.

33:14

The points of view Have you any to add on what you've heard,

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carry manga Environment Agency, I don't think we have anything further to add, it was more just to be noted, I think from the comments I got from my colleague that that additional depth of information was available. As you said, it's it's more in depth than it was. So it was I think it's more just for note, so you had all the information in front of you so.

33:47

So on that basis, you consider that there's a need to update the environmental statement is to take into account that later information. Yes, Mongo,

34:00

carry manga Environment Agency. And I will double check that for you with with the colleague who provided me with information just to just to check whether we do want the environmental statement updating. So if you could leave that with me, I'll come back to you.

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Thank you for that assessment, then you put your hand up.

34:24

Thank you. So as an alternative suggestion, we might include that clarification in the statement of common ground with the Environment Agency is an alternative approach to the matter and setting out what the difference is and hopefully our agreement that there's no material effect on the on the environmental statement, if that would be helpful.

34:44

I'd be happy to

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approach whichever way is most appropriate number to cover off the issue. Thank you. That brings me to the end of the the topics I wanted to cover Are there any other matters relating to environmental issues that anyone wishes to raise at this stage

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so dominance, putting a hand up speaking up any other matters genuinely that you feel should be covered or need to be covered in this hearing or in in future? Think again now, thank you very much. And thank you, everyone for participating in the hearing. The comments and providing the clarification have been very useful. Just to reiterate that there is a digital recording of today's proceedings, and that will be available on the project page of the national infrastructure website shortly. Again, it will be very useful to me if you can submit in writing the points you've made during the hearing, so that again, they can be published on websites. And that should be done by deadline for which is the 13th of April. Now time is reserved for a further hearing on the eighth or to read only to consider in due course whether that is necessary and if so what matters need to be covered if there is a requirement for hearing, and notification will be given on or before the 13th of May. So thank you, once again for your contributions. It's now almost 22 Five, and this current Issue specific hearing is now closed.

36:52

Thank you, sir.