

WEBVTT – This file was automatically generated by VIMEO

0

00:00:01.565 --> 00:00:02.665

And the hearing's resumed.

1

00:00:02.885 --> 00:00:05.635

Um, is everyone back?

2

00:00:05.715 --> 00:00:06.835

I might just give it a couple of minutes

3

00:00:06.965 --> 00:00:09.405

until people are back.

4

00:00:17.565 --> 00:00:19.455

Okay. I'll, we'll, we'll proceed.

5

00:00:22.605 --> 00:00:23.665

So, uh, yeah, just

6

00:00:23.665 --> 00:00:25.745

before the break, we were talking about associated

7

00:00:25.745 --> 00:00:26.745

development, um,

8

00:00:27.565 --> 00:00:32.045

and what would be the case for the ex say,

9

00:00:32.185 --> 00:00:34.325

or the Secretary State decide that they go

10

00:00:34.325 --> 00:00:36.685

beyond what's necessary.

11

00:00:36.825 --> 00:00:41.665

Um, I think you said you'd come back to us on that,

12

00:00:41.765 --> 00:00:43.935

but it'd be, we,

13

00:00:43.955 --> 00:00:45.695

we don't necessarily just want things repeated,

14

00:00:45.715 --> 00:00:47.815

so we understand your case on it.

15

00:00:48.315 --> 00:00:49.575

You know, if you have anything to add to

16

00:00:49.575 --> 00:00:50.695

that, it may be useful.

17

00:00:51.115 --> 00:00:55.905

Um, but we don't just want necessarily in written repeat

18

00:00:55.905 --> 00:00:57.905

of previous submissions.

19

00:01:01.495 --> 00:01:02.595

Yes, sir. Thank you.

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00:01:02.695 --> 00:01:05.755

Um, Andrew, prior for the applicant, um,

21

00:01:07.835 --> 00:01:10.075

I think in the event that the Secretary

22

00:01:10.075 --> 00:01:14.535

of State would determine that it would be fairly fundamental

23

00:01:14.555 --> 00:01:18.695

to the project design, um, that as the design

24

00:01:18.695 --> 00:01:21.975

and access statement states, this is the main hub

25

00:01:22.355 --> 00:01:24.855

of the way water treatment works for operational workers.

26

00:01:25.115 --> 00:01:28.015

It provides offices, meeting spaces, welfare facilities,

27

00:01:28.555 --> 00:01:32.335

and that's a adaptable, flexible space

28

00:01:32.475 --> 00:01:34.375

to meet operational requirements in the future.

29

00:01:34.635 --> 00:01:38.655

Uh, nine 14 of the das states

30

00:01:38.685 --> 00:01:40.895

that very clearly, um,

31

00:01:42.785 --> 00:01:44.865

I hear your point about being repre repetitive.

32

00:01:45.895 --> 00:01:48.155

This bit has been developed

33

00:01:48.335 --> 00:01:50.315

to meet the requirements of good design.

34

00:01:51.095 --> 00:01:54.275

In the national policy statement, it has been developed

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00:01:54.275 --> 00:01:56.475

with stakeholders in accordance

36

00:01:56.475 --> 00:01:58.275

with the National Infrastructure Commission's

37

00:01:58.875 --> 00:02:02.755

guidance on good design, which talks about placemaking

38

00:02:03.295 --> 00:02:06.995

making developments attractive for workers and for visitors.

39

00:02:07.735 --> 00:02:12.555

Um, and so this design is fundamental

40

00:02:12.775 --> 00:02:14.635
to the operation of this development.

41

00:02:14.735 --> 00:02:16.115
It is associated development.

42

00:02:16.115 --> 00:02:18.795
It's intrinsically linked to how it is operated.

43

00:02:20.295 --> 00:02:23.715
Um, if we were to remove it, it would

44

00:02:24.225 --> 00:02:25.875
necessitate a completely different design.

45

00:02:27.405 --> 00:02:30.455
Okay. Thank you. So moving on then, if the

46

00:02:32.085 --> 00:02:33.765
examining authority and Secretary of State were

47

00:02:33.765 --> 00:02:36.005
to find the gateway building and its uses, uh,

48

00:02:36.365 --> 00:02:39.575
constituted associated development, then

49

00:02:40.595 --> 00:02:42.415
noting its location within the Green Belt,

50

00:02:43.225 --> 00:02:44.935
could a smaller size building be

51

00:02:45.135 --> 00:02:48.185
provided, which would still provide sufficient space

52

00:02:48.185 --> 00:02:50.385
for the minimum number of office staff required

53

00:02:50.925 --> 00:02:51.985

to enable the carrying out

54

00:02:51.985 --> 00:02:54.825

of any necessary day-to-day operational functions directly

55

00:02:54.825 --> 00:02:57.385

related to the pros proposed wastewater treatment plant,

56

00:02:58.565 --> 00:03:01.345

and maybe to provide a lesser degree of educational space.

57

00:03:03.405 --> 00:03:07.025

Um, so a Andrew prior to the applicant, we believe

58

00:03:07.025 --> 00:03:11.185

that the massing has been brought down to the relevant

59

00:03:11.185 --> 00:03:13.625

and proportionate size to XS function.

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00:03:13.965 --> 00:03:17.785

Um, and that was, uh, carried out at com two

61

00:03:17.885 --> 00:03:19.585

and described in the das about

62

00:03:19.585 --> 00:03:23.225

how the original massing was significantly reduced, uh,

63

00:03:24.055 --> 00:03:26.225

including with advice from the design council

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00:03:26.325 --> 00:03:28.825

to bring it down to its proportionate size

65

00:03:28.825 --> 00:03:29.985

and appropriate to green belt.

66

00:03:33.355 --> 00:03:35.055

So, for example, you would not be willing

67

00:03:35.055 --> 00:03:38.175

to say reduce the maximum height of the gateway building

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00:03:38.315 --> 00:03:41.015

to say five meters in height, so is not to extend

69

00:03:41.015 --> 00:03:42.975

above the height of the proposed earth bun.

70

00:03:44.785 --> 00:03:48.445

Um, so again, that was subject to a lot of discussion

71

00:03:48.465 --> 00:03:50.125

and input from the design council.

72

00:03:50.425 --> 00:03:53.605

The height was brought down, it, it would be

73

00:03:53.605 --> 00:03:56.165

above the BUN height, but with the plant planting on top

74

00:03:56.165 --> 00:03:58.445

of the BUN as well, it was considered,

75

00:03:58.585 --> 00:04:01.205

and again, I think the das touches upon this, uh,

76

00:04:01.265 --> 00:04:05.165

to be proportionate and in keeping with the, um, embankment

77

00:04:05.165 --> 00:04:06.565

and, and its greenbelt location.

78

00:04:14.625 --> 00:04:17.725

Yeah. So

79

00:04:22.205 --> 00:04:24.865

we saw the, we saw on the site as of yesterday, the workshop

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00:04:25.665 --> 00:04:29.985

building, and we saw it was being used for like, repairs to

81

00:04:31.375 --> 00:04:33.625

some of the plant, I think it was.

82

00:04:34.245 --> 00:04:39.195

Um, so could you just clarify

83

00:04:39.495 --> 00:04:42.595

the work, why the workshop space is necessary

84

00:04:42.615 --> 00:04:45.155

for the day-to-day operation of the proposed development

85

00:04:46.135 --> 00:04:47.635

of the size you're proposing?

86

00:04:48.895 --> 00:04:52.035

Um, Mr. Dexter will pick up on the, on the sizing of the,

87

00:04:52.095 --> 00:04:53.635

um, of the workshop building, which

88

00:04:53.635 --> 00:04:55.115

of course is within the Earth Bank.

89

00:04:57.525 --> 00:04:59.275

Thank you. My Dexter for the applicant. Yeah.

90

00:04:59.295 --> 00:05:01.675

The workshop provides a, a vital function

91

00:05:01.735 --> 00:05:03.475

to keep ongoing maintenance

92

00:05:03.535 --> 00:05:05.835

and, uh, servicing of all the mechanical

93

00:05:06.635 --> 00:05:07.835

electrical apparatus on site.

94

00:05:08.415 --> 00:05:11.315

Um, so we, we size it

95

00:05:11.315 --> 00:05:14.035

accordingly to make sure we can lift heavy equipment, move

96

00:05:14.035 --> 00:05:17.155

around and also repair multiple things at, at any one time,

97

00:05:17.775 --> 00:05:19.355

uh, as well as bring in new,

98

00:05:19.355 --> 00:05:21.075

new technologies where weren't required.

99

00:05:21.695 --> 00:05:25.395

Um, as you saw in the workshop yesterday that they weren't,

100

00:05:25.645 --> 00:05:27.235

there wasn't a lot of space in there.

101

00:05:27.385 --> 00:05:30.835

They had a, a number of operations that they were repairing,

102

00:05:31.075 --> 00:05:33.515

maintaining, servicing, to make sure that the, the vital

103

00:05:34.075 --> 00:05:36.235

services that the treatment works provides is, is secured,

104

00:05:36.235 --> 00:05:38.755

particularly when we have a stu treatment center in

105

00:05:38.755 --> 00:05:41.515

incorporated, uh, into the wastewater treatment plant.

106

00:05:41.515 --> 00:05:43.315

That's quite a complex system that, that,

107

00:05:43.315 --> 00:05:45.075

that requires ongoing maintenance.

108

00:05:45.615 --> 00:05:48.555

Um, we need to make sure that gas production, which is quite

109

00:05:49.355 --> 00:05:51.795

a significant operation, is, has got,

110

00:05:51.795 --> 00:05:53.315

we've got the right apparatus to,

111

00:05:53.335 --> 00:05:55.195

to repair quickly and effectively.

112

00:05:55.685 --> 00:05:58.885

Mm-Hmm, okay. So the height of this is, so it's up

113

00:05:58.885 --> 00:06:00.085

to about 10 meters, I think.

114

00:06:00.145 --> 00:06:02.485

So is that to kind of accommodate

115

00:06:03.765 --> 00:06:05.685

structures which need fixing up to 10 meters,

116

00:06:05.685 --> 00:06:08.685

or is it, as you say, to provide some kind of hoist system

117

00:06:08.825 --> 00:06:10.765

to move things around? Or,

118

00:06:11.485 --> 00:06:12.485

Uh, Mike Dexter. There,

119

00:06:12.485 --> 00:06:16.435

there was a discussion

120

00:06:16.455 --> 00:06:19.595

and an embedment of good design within the, the workshop

121

00:06:19.595 --> 00:06:21.635

to make sure that it wasn't just a, a box.

122

00:06:22.375 --> 00:06:24.315

Um, we do need an element of height in there

123

00:06:24.335 --> 00:06:25.915

for the gantry crane to move around.

124

00:06:26.055 --> 00:06:27.315

So from a health

125

00:06:27.315 --> 00:06:29.595

and safety CDM perspective, we wanna make sure

126

00:06:29.595 --> 00:06:31.715

that we are reducing manual handling first

127

00:06:31.735 --> 00:06:35.475

and foremost so the, our operational colleagues can move

128

00:06:35.475 --> 00:06:37.235

and maneuver within there with,

129

00:06:37.295 --> 00:06:39.715

by mechanical means rather than having to, to carry things,

130

00:06:39.935 --> 00:06:43.965

um, via trolleys or, um, carrying them.

131

00:06:44.025 --> 00:06:45.845

Um, so the gantry sits quite high,

132

00:06:46.025 --> 00:06:49.845

but the, how the building was composed was discussions

133

00:06:49.845 --> 00:06:52.165

with the design council and our architects about making sure

134

00:06:52.165 --> 00:06:53.685

we embed good design

135

00:06:53.805 --> 00:06:56.285

and we don't just put a very industrial style,

136

00:06:56.665 --> 00:06:57.965

um, building in there.

137

00:06:58.025 --> 00:07:00.805

So, uh, the, the gable was, was, was decided.

138

00:07:01.835 --> 00:07:05.475

Okay. So within the workshop building, for example,

139

00:07:05.685 --> 00:07:08.675

given its size, would there be scope

140

00:07:08.975 --> 00:07:12.925

to provide some office space related to, for those people

141

00:07:12.925 --> 00:07:17.205

that specifically needed to be on site with direct, um,

142

00:07:17.265 --> 00:07:19.445

responsibility for day-to-day operations?

143

00:07:21.905 --> 00:07:24.565

Within the, the current footprint, we, we have a number

144

00:07:24.585 --> 00:07:27.285

of, uh, desk spaces that are already reoccupied,

145

00:07:27.285 --> 00:07:30.485

but our, our maintenance, um, uh, yeah,

146

00:07:30.485 --> 00:07:32.245

mechanical electrical maintenance, um,

147

00:07:32.245 --> 00:07:35.845

professionals on site, um, that builder would obviously need

148

00:07:35.845 --> 00:07:39.365

to get much bigger if we had to, um, bring in the rest

149

00:07:39.365 --> 00:07:42.765

of the, um, the team that, that operate

150

00:07:42.765 --> 00:07:45.765

and maintain the site significantly. So I would say,

151

00:07:46.495 --> 00:07:49.385

Okay, so for example, the area that's shown for, um,

152

00:07:50.345 --> 00:07:54.075

I think it's vehicle maintenance, is it,

153

00:07:54.135 --> 00:07:56.835

do you currently have vehicle vehicle maintenance in the

154

00:07:56.995 --> 00:07:58.755

workshop buildings on the existing site?

155

00:07:59.725 --> 00:08:00.755

There, there are times

156

00:08:00.755 --> 00:08:03.035

where vehicle maintenance may happen on site.

157

00:08:03.295 --> 00:08:05.795

Um, we have a relatively dynamic ability to,

158

00:08:05.855 --> 00:08:08.875

to maintain our, our fleet, um, as just,

159

00:08:08.935 --> 00:08:10.595

we have a few, few vans on site.

160

00:08:10.695 --> 00:08:13.075

Uh, with it being a, a central area for the,

161

00:08:13.135 --> 00:08:16.875

the Cambridge team, um, that we do, we do repair vehicles

162

00:08:16.875 --> 00:08:20.555

as well as some of our apparatus, um, to, to make sure that,

163

00:08:21.105 --> 00:08:22.635

that both the treatment works and,

164

00:08:22.775 --> 00:08:24.555

and the regional are working, um,

165

00:08:24.555 --> 00:08:26.155

because the, it's all one system.

166

00:08:31.305 --> 00:08:32.885

So, similar to the question

167

00:08:32.885 --> 00:08:33.965

regarding the gateway building,

168

00:08:34.785 --> 00:08:37.295

would the applicant be willing to reduce the maximum height

169

00:08:37.295 --> 00:08:39.255

of the workshop building noting

170

00:08:39.275 --> 00:08:40.415

its location of the green belt?

171

00:08:40.635 --> 00:08:41.655

Or is it,

172

00:08:41.655 --> 00:08:43.415

because you've said it needs to be that height for

173

00:08:44.615 --> 00:08:45.975

a functional purpose?

174

00:08:46.755 --> 00:08:49.375

Um, Mike Dexter is something we could possibly look at.

175

00:08:49.565 --> 00:08:52.815

However, we do believe when you look at the photo montages

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00:08:52.815 --> 00:08:57.605

following, um, the, the growth of the organic screen on top

177

00:08:57.605 --> 00:09:00.605

of the Earth Bank, most of the, if not all of the,

178

00:09:00.625 --> 00:09:03.045

the workshop will actually be visually screened.

179

00:09:03.345 --> 00:09:04.845

Uh, particularly from ground level.

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00:09:05.025 --> 00:09:08.005

As you walk around, you, you're unlikely to see any

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00:09:08.005 --> 00:09:10.365

of the workshop, uh, once any of the, um,

182

00:09:10.715 --> 00:09:13.525

organic screen has been grown, um,

183

00:09:13.865 --> 00:09:15.005

on, on top of the Earth Bank.

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00:09:15.385 --> 00:09:16.445

So we, we did try

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00:09:16.445 --> 00:09:18.605

and keep a natural balance between making sure we were

186

00:09:18.605 --> 00:09:19.525

screened, but also creating

187

00:09:19.525 --> 00:09:20.765

good design within the Earth Bank.

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00:09:23.895 --> 00:09:27.195

So a Andrew prior to the applicant, if it's useful to, to,

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00:09:27.375 --> 00:09:30.915

um, the panel, we could produce a note for you

190

00:09:31.335 --> 00:09:33.995

for the next deadline from our landscape visual team

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00:09:34.405 --> 00:09:37.115

discussing how that height of that building contributes

192

00:09:37.115 --> 00:09:38.875

to the overall massing of the development.

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00:09:39.335 --> 00:09:41.995

But I think if you look back at the photo montages,

194

00:09:42.625 --> 00:09:46.235

it's not a distinct, um, uh, unit.

195

00:09:46.375 --> 00:09:48.235

It, it, it fills that overall massing.

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00:09:48.455 --> 00:09:50.675

So we, we can, we can talk a little bit about whether

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00:09:50.675 --> 00:09:54.675

that height, um, it contributes to massing,

198

00:09:54.935 --> 00:09:56.555

but again, the design process

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00:09:57.255 --> 00:09:59.795

in which has involved consultation has involved design

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00:09:59.795 --> 00:10:03.115

council and the architects has right sized this building.

201

00:10:03.535 --> 00:10:06.355

Um, I think your, your comment about the, um,

202

00:10:06.495 --> 00:10:07.715
the fleet workshop area

203

00:10:07.775 --> 00:10:09.435
and whether that could accommodate office space,

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00:10:09.465 --> 00:10:11.035
it's a relatively small area.

205

00:10:11.155 --> 00:10:13.875
I mean, over half of the footprint of the workshop is,

206

00:10:13.895 --> 00:10:18.395
is workshop area, and those other spaces on page 16, 1

207

00:10:18.395 --> 00:10:22.955
of the das have distinct functions that are required by, by,

208

00:10:22.955 --> 00:10:24.075
by that, in that building.

209

00:10:26.245 --> 00:10:27.935
Okay. Uh, Mr. Burley just has a couple

210

00:10:27.935 --> 00:10:29.135
of questions on that point.

211

00:10:29.895 --> 00:10:32.495
I wonder if we could just call up page one six one

212

00:10:32.495 --> 00:10:33.895
of the design and access statement.

213

00:10:33.895 --> 00:10:35.055
It would be helpful to look at that.

214

00:10:35.755 --> 00:10:38.335
And while we're doing that, um, Mr.

215

00:10:38.535 --> 00:10:41.615

Hudson's asked about the, the gateway building.

216

00:10:41.875 --> 00:10:43.615

Can we just turn that around the other way?

217

00:10:43.795 --> 00:10:47.535

And in the event that the Secretary of State did decide

218

00:10:48.565 --> 00:10:50.415

that the office

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00:10:50.595 --> 00:10:53.495

and the Discovery Center element were not necessary,

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00:10:53.925 --> 00:10:55.375

what would you need in that building?

221

00:11:00.335 --> 00:11:04.165

Thank you. We've got the, um, the drawing up.

222

00:11:05.345 --> 00:11:08.085

So we see on the right hand side, there's a big area that

223

00:11:08.555 --> 00:11:09.615

that's the workshop.

224

00:11:10.875 --> 00:11:12.495

And then on the left hand side,

225

00:11:12.505 --> 00:11:16.375

we've got messing facilities, the vehicle area,

226

00:11:16.715 --> 00:11:19.815

and I think some office and laboratory space.

227

00:11:20.915 --> 00:11:24.295

If that's a 10 meter building, wouldn't it be possible

228

00:11:24.295 --> 00:11:28.135

to put, um, an additional story within the building above

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00:11:28.845 --> 00:11:33.655

that area on the left hand side to accommodate areas such

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00:11:33.655 --> 00:11:34.935

as meeting rooms and so on?

231

00:11:39.575 --> 00:11:43.275

Um, sir, I think it would depend on

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00:11:43.275 --> 00:11:44.315

what the driver is there.

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00:11:44.315 --> 00:11:47.275

If the driver is that the gateway building is not associated

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00:11:47.275 --> 00:11:50.435

development and therefore it's not possible, um,

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00:11:50.905 --> 00:11:54.985

putting those facilities into this building could work.

236

00:11:54.985 --> 00:11:56.985

But again, we're talking about a fairly radical design

237

00:11:57.125 --> 00:11:59.785

change to the whole project, which has been developed,

238

00:11:59.845 --> 00:12:01.625

as I say, with stakeholders in accordance

239

00:12:01.625 --> 00:12:02.785

with the good design principles.

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00:12:02.805 --> 00:12:04.425

So I'd, I'd be reluctant

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00:12:04.425 --> 00:12:06.825

to start redesigning this project on the fly. Do

242

00:12:06.825 --> 00:12:07.865

Any of those stakeholders

243

00:12:08.365 --> 00:12:12.745

or any of their policies relate to the acceptability or

244

00:12:12.745 --> 00:12:14.505

otherwise of associated development?

245

00:12:17.015 --> 00:12:18.595

Not that I'm aware. So other than in terms

246

00:12:18.595 --> 00:12:19.915

of the green belt and visual tests

247

00:12:20.335 --> 00:12:23.155

And in terms of a radical redesign,

248

00:12:23.175 --> 00:12:26.995

why would it be a radical redesign to put an additional

249

00:12:27.715 --> 00:12:29.075

internal floor in this building?

250

00:12:29.815 --> 00:12:32.635

Um, which presumably wouldn't require any

251

00:12:32.635 --> 00:12:33.755

change to the parameters?

252

00:12:34.855 --> 00:12:36.675

Um, so

253

00:12:36.995 --> 00:12:41.835

'cause we, we would be stating

254

00:12:41.835 --> 00:12:44.035

that we didn't believe the gateway building served its

255

00:12:44.035 --> 00:12:45.235

intrinsic purpose to the site.

256

00:12:45.235 --> 00:12:46.235

We don't believe there's a need

257

00:12:46.235 --> 00:12:47.675

to redesign either of these buildings.

258

00:12:47.675 --> 00:12:49.075

This building is right sized

259

00:12:49.455 --> 00:12:51.395

and the gateway building serves its purpose

260

00:12:51.455 --> 00:12:52.755

as associated development.

261

00:12:53.175 --> 00:12:56.315

Um, as I say, I, I don't think anybody wants

262

00:12:56.315 --> 00:12:58.435

to get into redesign of the project at this stage.

263

00:12:59.055 --> 00:13:02.755

Um, uh, contrary to the principles that we,

264

00:13:02.855 --> 00:13:03.915

we strongly believe in,

265

00:13:03.915 --> 00:13:06.675

and that is that we've met the requirements of good design

266

00:13:06.675 --> 00:13:08.875

and we believe these are associated developments. So

267

00:13:08.955 --> 00:13:11.795

Could we ask you to come back please, with an explanation

268

00:13:11.815 --> 00:13:15.475

of if the Secretary of State did decide that the offices

269

00:13:16.295 --> 00:13:18.635

and the, um, discovery Center

270

00:13:19.185 --> 00:13:22.755

weren't associated development, what you would need in terms

271

00:13:22.755 --> 00:13:24.915

of floor space in the gateway building,

272

00:13:26.575 --> 00:13:29.315

Um, we will certainly come back to you on that point.

273

00:13:29.635 --> 00:13:32.075

I can't promise about whether we would be able

274

00:13:32.075 --> 00:13:34.875

to say whether they would go into this building or not,

275

00:13:34.875 --> 00:13:36.955

but well, perhaps you could, we'd come back with a response

276

00:13:37.055 --> 00:13:39.355

to what would happen if the secretive state determined

277

00:13:39.355 --> 00:13:41.675

that the gateway building wasn't associated. And

278

00:13:41.675 --> 00:13:44.035

Perhaps you could look at the art of the possible in terms

279

00:13:44.035 --> 00:13:47.195

of this building to see how much floor space

280

00:13:47.215 --> 00:13:49.195

and additional internal floor could create.

281

00:13:49.735 --> 00:13:51.675

Indeed, sir. And, and there may be other options,

282

00:13:51.675 --> 00:13:53.755

including smaller buildings within the footprint

283

00:13:53.755 --> 00:13:55.355

that Thank you of those purposes as well.

284

00:13:57.125 --> 00:13:58.295

Okay, thank you. Uh,

285

00:13:59.015 --> 00:14:02.615

I, I I think it's also worth, um, iterating, sir,

286

00:14:02.635 --> 00:14:05.095

in this discussion that of course, the way

287

00:14:05.095 --> 00:14:06.895

that the DCO has been drafted, the way

288

00:14:06.895 --> 00:14:08.655

that the works plans have been drafted, the way

289

00:14:08.655 --> 00:14:09.775

that the mitigation plans,

290

00:14:10.275 --> 00:14:14.335

et cetera have been drafted are all based on what is, uh, a,

291

00:14:14.655 --> 00:14:18.655

a, an advanced advanced design with discrete works packages,

292

00:14:19.075 --> 00:14:23.335

um, to, uh, you know, defined areas shown,

293

00:14:23.425 --> 00:14:24.575

shown on the works plans.

294

00:14:25.425 --> 00:14:28.125

So it's not simply a case of the Secretary

295

00:14:28.125 --> 00:14:31.725

of State being able to say, let's remove work number three,

296

00:14:31.905 --> 00:14:33.525

or let's work, uh, let's remove

297

00:14:33.785 --> 00:14:35.005
the, the, the gateway building.

298

00:14:35.665 --> 00:14:37.805
Um, there would need to be substantial revisions

299

00:14:37.805 --> 00:14:41.205
to the project as proposed in order to then get to that

300

00:14:41.365 --> 00:14:42.365
Position.

301

00:14:42.845 --> 00:14:44.215
Okay. Maybe it'd be worthwhile

302

00:14:44.825 --> 00:14:46.215
indicating what those would be.

303

00:14:48.205 --> 00:14:50.825
Um, can I just ask the, um, local authorities,

304

00:14:50.845 --> 00:14:54.595
do they have any views on associated development?

305

00:14:55.255 --> 00:14:58.315
Um, and you know, the things we've just been discussing.

306

00:14:59.855 --> 00:15:01.635
No, sir. We've never raised this as an issue.

307

00:15:19.175 --> 00:15:23.735
Yes, please, Charles Jones

308

00:15:24.055 --> 00:15:27.455
offended and parish council, we have objected quite strongly

309

00:15:27.635 --> 00:15:31.215
to the proposition of having a big office space, um,

310

00:15:31.505 --> 00:15:34.135

quite visible from, because of its landscape

311

00:15:34.195 --> 00:15:37.855

and, um, its landscape impact equally,

312

00:15:38.395 --> 00:15:40.455

we are concerned about the sort of surge

313

00:15:40.525 --> 00:15:43.695

that would happen when office workers leave and,

314

00:15:43.995 --> 00:15:45.175

and enter the site

315

00:15:45.285 --> 00:15:47.895

because I think Cowley Road at the moment already

316

00:15:47.895 --> 00:15:51.095

experiences a bit of blockage at office discharging times.

317

00:15:51.795 --> 00:15:54.455

So putting that to one side, I just wanted

318

00:15:54.475 --> 00:15:58.895

to draw your attention to, um, part 18 of the, uh,

319

00:15:59.135 --> 00:16:01.975

schedule 14 in the DCO, which refers

320

00:16:01.975 --> 00:16:03.775

to 56 operational staff.

321

00:16:04.515 --> 00:16:08.655

And I just suggest that point we put in writing,

322

00:16:09.025 --> 00:16:13.055

which this is conflating the, um, office workers

323

00:16:13.235 --> 00:16:15.935

who carry out the regional function for Ang and Water

324

00:16:16.635 --> 00:16:18.375

and those that are actually necessary

325

00:16:18.395 --> 00:16:19.895

to operate the works in question.

326

00:16:20.295 --> 00:16:21.615

Actually, yeah, I think that's why we're asking the

327

00:16:21.695 --> 00:16:23.055

questions we're asking, but thank you.

328

00:16:27.625 --> 00:16:30.125

Yes, thank you, sir. Um, can I add

329

00:16:30.125 --> 00:16:33.285

through you ask one question directly of the applicant, sir.

330

00:16:33.545 --> 00:16:35.365

Um, the workshop building

331

00:16:35.365 --> 00:16:38.645

that we saw yesterday on the existing plant, would Mr.

332

00:16:38.785 --> 00:16:41.485

Dexter please confirm how tall that building is,

333

00:16:41.585 --> 00:16:42.725

how high that building is?

334

00:16:43.385 --> 00:16:46.845

Um, it's certainly not 10 meters from my estimation,

335

00:16:47.125 --> 00:16:50.405

standing on site, um, significantly less than that.

336

00:16:50.905 --> 00:16:52.645

And we'd like an explanation as to why

337

00:16:52.645 --> 00:16:56.605
that taller workshop building is necessary. Um,

338

00:16:57.355 --> 00:16:58.845
Yeah, that's, I think I asked

339

00:16:58.845 --> 00:17:00.005
that question to the applicant.

340

00:17:01.785 --> 00:17:03.745
I Think I asked the applicant why they need, I

341

00:17:03.745 --> 00:17:06.945
Don't think the applicant answered it, sir, in respect of

342

00:17:06.945 --> 00:17:10.945
what their operations are at present works, which presumably

343

00:17:11.505 --> 00:17:14.105
encompass all the sort of functions that, uh, Mr.

344

00:17:14.165 --> 00:17:16.785
Dexter has talked about occasionally looking at vehicles,

345

00:17:16.785 --> 00:17:20.025
lifting bits of plant, that that workshop has a,

346

00:17:20.225 --> 00:17:21.745
a full gantry system inside it.

347

00:17:21.745 --> 00:17:24.225
Because I have to look and see, see that it was there.

348

00:17:24.805 --> 00:17:27.105
Um, so there is the question as to why

349

00:17:27.105 --> 00:17:28.585
that extra height is necessary

350

00:17:28.685 --> 00:17:32.825

and extra height isn't necessary of any building inside the,

351

00:17:33.685 --> 00:17:37.145

inside the bond, in the interest of good design, as Mr.

352

00:17:37.195 --> 00:17:40.905

Pryor puts it, that's, uh, really a red herring. So, okay.

353

00:17:41.885 --> 00:17:44.105

Can I just throw the other point back in

354

00:17:44.105 --> 00:17:45.305

which I'm sure you're aware of?

355

00:17:45.545 --> 00:17:47.385

'cause we have been pressing the same point.

356

00:17:48.045 --> 00:17:52.545

Um, the overall footprint of the gateway building as defined

357

00:17:52.565 --> 00:17:55.425

by the parameters is somewhat a rare is,

358

00:17:55.565 --> 00:17:57.785

is circa 2000 square meters,

359

00:17:58.035 --> 00:18:00.745

which is an extremely large building given this,

360

00:18:01.455 --> 00:18:04.545

even given the disparate functions that the applicants want

361

00:18:04.545 --> 00:18:05.745

to carry out within it.

362

00:18:06.405 --> 00:18:09.865

Um, and there clearly has to be an opportunity without

363

00:18:10.745 --> 00:18:13.025

removing the gateway building entirely as a,

364

00:18:13.845 --> 00:18:17.705
an entry point into the scheme, um, to reduce

365

00:18:17.705 --> 00:18:19.265
that substantially in scale.

366

00:18:22.265 --> 00:18:24.395
Okay. Would the applicant like to just briefly respond to

367

00:18:24.395 --> 00:18:25.555
that, those points please?

368

00:18:27.155 --> 00:18:29.055
Uh, my applicant, yeah.

369

00:18:29.055 --> 00:18:31.295
Just to reiterate the, the, the work, we're happy

370

00:18:31.315 --> 00:18:34.615
to re-look at the workshop with regards to the height, the,

371

00:18:34.935 --> 00:18:36.335
I don't know off the top of our head,

372

00:18:36.355 --> 00:18:38.295
but I can return back with regards to the height

373

00:18:38.295 --> 00:18:39.495
of the existing site, but it,

374

00:18:39.805 --> 00:18:41.495
it's definitely a, a two story building.

375

00:18:42.035 --> 00:18:45.095
Um, it was built with a, within a different era with,

376

00:18:45.095 --> 00:18:46.095
with different requirements.

377

00:18:46.395 --> 00:18:49.695

Um, as you saw the lifting gantry there, albeit suitable

378

00:18:49.755 --> 00:18:51.575
for the, the current means is,

379

00:18:51.595 --> 00:18:53.335
is not a modern lifting gantry.

380

00:18:53.915 --> 00:18:56.615
Um, so we just, we would like to, the, the,

381

00:18:57.075 --> 00:18:58.815
the proposed workshop would obviously be built

382

00:18:58.815 --> 00:19:00.535
to current standards and expectations for

383

00:19:00.795 --> 00:19:02.335
how we would operate and maintain our plan.

384

00:19:04.185 --> 00:19:06.235
Okay. Thank you. Um, I'm going to move on

385

00:19:06.235 --> 00:19:09.675
to the next bullet point in that case, which is schedule 12,

386

00:19:11.435 --> 00:19:14.195
temporary possession and consideration of plot oh two one B.

387

00:19:15.345 --> 00:19:20.235
Um, so this is a plot just to the north of the A 14 within

388

00:19:22.185 --> 00:19:23.625
LER hall farm complex.

389

00:19:24.365 --> 00:19:28.225
Um, and the applicant's response to ex Q2 0.3 0.3,

390

00:19:29.555 --> 00:19:32.145
which related to effects on pothole farm,

391

00:19:32.725 --> 00:19:35.345

stated the plot oh two one B would now be subject

392

00:19:35.345 --> 00:19:37.305

to a lesser degree of ca three hold

393

00:19:38.125 --> 00:19:40.985

and a greater degree of temporary possession instead.

394

00:19:42.005 --> 00:19:44.305

And given the statement, um, I'd like

395

00:19:44.305 --> 00:19:46.585

to understand if any changes are necessary

396

00:19:47.765 --> 00:19:49.865

to schedule 12 land plans

397

00:19:50.285 --> 00:19:51.945

and the work plans to reflect this.

398

00:19:54.435 --> 00:19:57.535

Uh, thank you sir. The short, the short answer, uh, uh, to

399

00:19:57.535 --> 00:19:59.135

that is no, um,

400

00:20:00.035 --> 00:20:04.495

It, it Schedules 12, um, relates solely, um,

401

00:20:04.715 --> 00:20:08.775

to land colored green, uh, on the land plans, which is for,

402

00:20:09.235 --> 00:20:12.335

uh, land, which is required for temporary possession only.

403

00:20:13.075 --> 00:20:17.855

What's proposed for, um, uh, plot 21 B is,

404

00:20:18.155 --> 00:20:20.975

uh, is for, uh, freehold acquisition.

405

00:20:21.135 --> 00:20:25.735

Although what in practice the applicant would do, uh, is

406

00:20:25.735 --> 00:20:28.535

that it would seek to take temporary possession under the

407

00:20:28.535 --> 00:20:32.615

terms of Article 35, um, during, uh,

408

00:20:32.635 --> 00:20:36.215

the period within which the works, uh, would be carried out.

409

00:20:36.795 --> 00:20:40.375

And then, um, uh, likely only require, uh,

410

00:20:40.375 --> 00:20:42.935

the permanent acquisition of, of part

411

00:20:42.935 --> 00:20:46.975

of it once the final layout of, uh, of the works are known.

412

00:20:48.035 --> 00:20:52.655

So, um, uh, in, in, in short no changes to, uh, to, to, to,

413

00:20:52.655 --> 00:20:54.735

to schedule 12 and it needs to remain,

414

00:20:54.995 --> 00:20:56.215

uh, it needs to remain pink.

415

00:21:17.645 --> 00:21:18.955

Sorry, just bear with me a second.

416

00:21:51.195 --> 00:21:52.445

Okay. I can see your hand is up.

417

00:21:52.505 --> 00:21:54.365

Um, virtually I'll come to you in just a minute.

418

00:21:59.755 --> 00:22:03.135

So it is in response to that question, you define the area

419

00:22:03.165 --> 00:22:04.295

that would be subject to ca

420

00:22:04.635 --> 00:22:06.575

and subject t temporary possession,

421

00:22:07.355 --> 00:22:11.065

and it was about 1.2 hectares or something for ca

422

00:22:11.165 --> 00:22:13.305

and the remainder for now for temporary possession.

423

00:22:13.445 --> 00:22:16.495

So you've, you've kind of defined the areas

424

00:22:16.495 --> 00:22:18.575

that would be subject to each and in that response.

425

00:22:18.715 --> 00:22:20.695

So that's why I was asking the question as to whether,

426

00:22:23.305 --> 00:22:24.725

so you, you say as a result,

427

00:22:24.725 --> 00:22:28.325

discussions parcel oh two one B would be subject to only

428

00:22:28.985 --> 00:22:32.645

1.09 hectares of permanent acquisition,

429

00:22:33.295 --> 00:22:35.845

while the remaining 2.3 hectares will be subject

430

00:22:35.865 --> 00:22:37.285

to temporary land acquisition.

431

00:22:37.705 --> 00:22:40.925

So you've kind of split up the parcel to say,

432

00:22:41.905 --> 00:22:44.605

to give like a quite precise description of

433

00:22:44.605 --> 00:22:45.925

what, what it would be subject to.

434

00:22:45.985 --> 00:22:49.485

So my question is, in schedule 12, do you need to reflect

435

00:22:49.485 --> 00:22:52.165

that area of temporary possession as well

436

00:22:52.165 --> 00:22:53.365

as on the land plans?

437

00:22:55.355 --> 00:22:58.195

I, I, I think it comes back to actually the uncertainty of

438

00:22:58.195 --> 00:22:59.915

where, um, those areas

439

00:23:00.015 --> 00:23:02.275

of permanent acquisition would be within that plot.

440

00:23:02.975 --> 00:23:06.875

Um, uh, obviously there, uh, we haven't got

441

00:23:06.875 --> 00:23:07.995

to the detailed design stage.

442

00:23:07.995 --> 00:23:09.875

We dunno the final location of the outfall.

443

00:23:09.875 --> 00:23:12.075

We dunno the final alignment of the, uh,

444

00:23:12.075 --> 00:23:14.955

the final effluent pipeline, uh, that comes into that plot.

445

00:23:14.955 --> 00:23:17.195

We dunno, as a result of both of those things,

446

00:23:17.225 --> 00:23:20.875

what the final extent of the, uh, the ecological mitigation,

447

00:23:21.175 --> 00:23:22.875

uh, area, uh, would be.

448

00:23:23.455 --> 00:23:25.595

So, um, in, in terms

449

00:23:25.595 --> 00:23:28.835

of those areas which would be acquired permanently, um,

450

00:23:28.985 --> 00:23:31.635

that would be the outfall in the ecological mitigation area.

451

00:23:32.255 --> 00:23:35.315

Um, as I say, we can't specify where, uh,

452

00:23:35.465 --> 00:23:37.235

exactly those would be in the plot.

453

00:23:37.655 --> 00:23:41.355

Um, the, the remainder will be subject to, uh, new rights,

454

00:23:41.615 --> 00:23:44.635

uh, and restrictive covenants related to the, uh,

455

00:23:44.815 --> 00:23:46.965

or probably the large part of the remainder will be subject

456

00:23:46.965 --> 00:23:49.645

to new rights and, and restrictive covenants related to the,

457

00:23:49.825 --> 00:23:51.565

uh, to the final effluent pipeline.

458

00:23:51.985 --> 00:23:56.445

So if, if, if we are at the stage of final,

459

00:23:56.535 --> 00:23:59.485

final design and you were perhaps redoing those land plans,

460

00:23:59.485 --> 00:24:01.965

you might be able to color bits pink and bits blue.

461

00:24:02.305 --> 00:24:04.405

But we're not, we're not in that position at the moment

462

00:24:04.405 --> 00:24:05.765

because we don't know the alignment.

463

00:24:05.865 --> 00:24:07.685

We dunno the extent to which, uh,

464

00:24:08.445 --> 00:24:10.205

freehold acquisition will be required.

465

00:24:10.545 --> 00:24:12.925

Mm-Hmm. Okay. In those two separating,

466

00:24:12.925 --> 00:24:14.125

it doesn't talk about rights at all.

467

00:24:14.125 --> 00:24:16.165

It just says temporary possession

468

00:24:16.225 --> 00:24:19.415

and ca freehold

469

00:24:20.355 --> 00:24:21.455

or permanent acquisition.

470

00:24:21.555 --> 00:24:25.655

So maybe you'd like to clarify that statement.

471

00:24:26.135 --> 00:24:28.755

'cause it seems quite detailed.

472

00:24:29.595 --> 00:24:31.295

It sounds like you know what's going to be happening

473

00:24:31.295 --> 00:24:34.015

and you don't need as much ca powers over that plot of land

474

00:24:34.355 --> 00:24:35.735

as you show on the land plans.

475

00:24:38.225 --> 00:24:39.995

Well, I think, I think again, to, I can,

476

00:24:40.075 --> 00:24:42.275

I can only come back to there were that, that

477

00:24:42.275 --> 00:24:46.195

that plot is quite an active plot in terms of the, uh,

478

00:24:46.415 --> 00:24:50.035

the construction activity that will be undertaken upon it

479

00:24:50.615 --> 00:24:54.075

and, um, and the various items of infrastructure

480

00:24:54.695 --> 00:24:57.555

and mitigation, uh, that will be, uh,

481

00:24:57.875 --> 00:25:00.715

provided on it at, at the present moment in time.

482

00:25:01.575 --> 00:25:06.445

Um, we can't rule out any of that plot not being

483

00:25:06.955 --> 00:25:10.165

subject to freehold acquisition, which is why the entirety

484

00:25:10.265 --> 00:25:12.845

of it is, um, is colored pink.

485

00:25:13.865 --> 00:25:18.585

Um, now will the whole of that plot ultimately be,

486

00:25:18.925 --> 00:25:21.665

uh, uh, subject to Freehold acquisition?

487

00:25:22.145 --> 00:25:24.425

I think from the submissions that you've seen, the answer to

488

00:25:24.425 --> 00:25:25.905

that question is, is no.

489

00:25:26.805 --> 00:25:29.585

Um, there will be other elements where a lesser

490

00:25:30.185 --> 00:25:34.425

interest is acquired by way of rights and, and, and, and,

491

00:25:34.445 --> 00:25:35.665

and restrictive covenants,

492

00:25:35.845 --> 00:25:40.475

but spatially we're not able to identify which areas subject

493

00:25:40.575 --> 00:25:42.555

to which powers at this stage.

494

00:25:42.825 --> 00:25:43.995

Okay, I understand. Um,

495

00:25:45.175 --> 00:25:46.595

Ms. Sharp, you've got your hand raised.

496

00:25:48.305 --> 00:25:51.525

Thanks. Um, Rebecca Sharp, um, from on behalf

497

00:25:51.585 --> 00:25:53.925

of Goman Keys, who's the landowner of,

498

00:25:54.105 --> 00:25:55.245

um, that particular plot?

499

00:25:55.745 --> 00:25:58.925

Um, I would query,

500

00:25:59.185 --> 00:26:01.125

and I I'm conscious not to repeat things

501

00:26:01.125 --> 00:26:03.605

that we've already said in previous CP0 hearings.

502

00:26:03.985 --> 00:26:07.005

Um, I would suggest that from conversations that we've had

503

00:26:07.105 --> 00:26:10.645

and from rep representations from the applicant, um,

504

00:26:10.765 --> 00:26:13.765

I would agree that they do have a good, i a pretty good idea

505

00:26:13.765 --> 00:26:14.965

of, of the rights that they need.

506

00:26:15.505 --> 00:26:18.325

Um, I would say why is there that level of uncertainty

507

00:26:18.425 --> 00:26:20.085

and why do you not have that information?

508

00:26:20.465 --> 00:26:24.525

Um, uh, previously it's been suggested that, um, um,

509

00:26:24.525 --> 00:26:29.385

topography, um, uh, surveys need to be undertaken.

510

00:26:29.665 --> 00:26:32.625

I would ask again why they haven't been done, um,

511

00:26:32.895 --> 00:26:36.145

because it would, from all previous plans,

512

00:26:36.145 --> 00:26:39.745

particularly the biodiversity, um, the, the ditches,

513

00:26:39.775 --> 00:26:42.785

they are clearly marked on your suggestion plans.

514

00:26:43.465 --> 00:26:45.805

Um, and they don't cover the whole field.

515

00:26:45.945 --> 00:26:49.205

The rest of it is covered by, um, the outfall pipes

516

00:26:49.825 --> 00:26:51.285

for all other pipes going across.

517

00:26:51.465 --> 00:26:53.565

Um, my client's land, you've dealt with

518

00:26:53.565 --> 00:26:54.645

that under easements.

519

00:26:54.795 --> 00:26:58.125

I've seen no, um, evidence that would suggest that you need,

520

00:26:58.585 --> 00:27:02.255

um, freehold, um, of the whole field,

521

00:27:02.995 --> 00:27:04.255

um, to that end.

522

00:27:05.165 --> 00:27:06.745

If, if, if you are going down that route

523

00:27:06.745 --> 00:27:09.465

and suggesting that you do need freehold, um, for now,

524

00:27:09.645 --> 00:27:13.465

and that we would get it back in the future, there's,

525

00:27:13.465 --> 00:27:15.305

there's no assurance under

526

00:27:15.365 --> 00:27:17.825

how those rights are currently applied for that,

527

00:27:17.825 --> 00:27:19.305

my client would get that lamb back.

528

00:27:20.165 --> 00:27:22.625

Um, I understand that we may be able to get

529

00:27:22.625 --> 00:27:23.745

that under cri down rules,

530

00:27:23.765 --> 00:27:27.505

but obviously there's no, um, guarantee around around that.

531

00:27:27.685 --> 00:27:29.665

Um, and the value that my client would be able

532

00:27:29.665 --> 00:27:30.905

to purchase LAMB back at.

533

00:27:31.605 --> 00:27:35.985

Um, and if there is a way of amending the LAMB plans

534

00:27:35.985 --> 00:27:39.105

and the Schedule 12, I would suggest that you do do that.

535

00:27:39.765 --> 00:27:43.295

Um, yeah, I think that probably summarizes our,

536

00:27:43.355 --> 00:27:45.055

our thoughts on, on, on that matter.

537

00:27:46.305 --> 00:27:47.475

Okay. Thank you for that. Um,

538

00:27:47.475 --> 00:27:50.755

obviously without getting too much into compulsory

539

00:27:50.755 --> 00:27:51.955

acquisition related matters,

540

00:27:51.955 --> 00:27:54.175
because it's not a ca hearing,

541

00:27:54.425 --> 00:27:56.895
would you just pre briefly respond to that point please?

542

00:27:58.205 --> 00:27:59.815
Well, I, I think that, you know, I'd,

543

00:27:59.815 --> 00:28:01.375
I'd reiterate a a lot of what I said.

544

00:28:01.415 --> 00:28:05.055
I also think, so I, I I think the original question, uh, uh,

545

00:28:05.165 --> 00:28:09.055
that that prompted the response was, um, in relation

546

00:28:09.055 --> 00:28:11.015
to agricultural land impact.

547

00:28:11.875 --> 00:28:14.735
And so the, the applicant's response should be read in,

548

00:28:14.795 --> 00:28:18.775
in the light of the, the, the, the right package as it,

549

00:28:18.775 --> 00:28:20.055
as it were, that goes alongside

550

00:28:20.055 --> 00:28:21.975
that won't stop the farm from operating.

551

00:28:21.975 --> 00:28:24.775
So I think that was the context in which the re in which the

552

00:28:24.975 --> 00:28:26.095
response, uh, was given.

553

00:28:26.835 --> 00:28:30.815

Um, in terms of, of the other matters, obviously

554

00:28:30.815 --> 00:28:35.015

that's something that will potentially be addressed

555

00:28:35.015 --> 00:28:37.535

through direct discussions with, with the landowners and,

556

00:28:38.035 --> 00:28:41.655

and, uh, we're happy to, uh, to keep those discussions open.

557

00:28:42.155 --> 00:28:46.215

Um, the earlier answers, I think justified why, uh, the,

558

00:28:46.275 --> 00:28:49.815

the, the plot is, is, is colored pink, uh, which was, uh,

559

00:28:49.815 --> 00:28:52.495

really I think, uh, what underpinned the question.

560

00:28:53.725 --> 00:28:57.005

Hmm. Okay. Thank you. Um, in that case, we'll move on to,

561

00:28:57.305 --> 00:29:00.125

um, schedule 14 parameters, um,

562

00:29:02.015 --> 00:29:04.815

I think part 18 right into the gateway building

563

00:29:04.835 --> 00:29:08.615

and vehicle parking and possibly the workshop building we've

564

00:29:08.615 --> 00:29:09.655

discussed already.

565

00:29:09.675 --> 00:29:12.335

So I'm not going to address those as part of this,

566

00:29:12.395 --> 00:29:16.725

but in part 15, could I just,

567

00:29:18.385 --> 00:29:20.575
could you please clarify whether,

568

00:29:26.255 --> 00:29:27.955
so there's reference to a flare stack

569

00:29:35.055 --> 00:29:35.875
in part 15.

570

00:29:36.855 --> 00:29:41.205
Um, where's that ref ref,

571

00:29:41.205 --> 00:29:42.645
where is that in schedule one?

572

00:29:42.665 --> 00:29:46.485
Is that the same as the waste gas burner

573

00:29:47.925 --> 00:29:49.325
referred to in work number eight?

574

00:29:49.625 --> 00:29:51.845
Oh, in Schedule one?

575

00:29:53.805 --> 00:29:56.025
And if it is, why are the terms different?

576

00:29:58.585 --> 00:29:59.535
Thank you, sir. I thought that

577

00:29:59.535 --> 00:30:00.295
might be where you go with this.

578

00:30:00.395 --> 00:30:03.335
Um, uh, I, I think it probably should be expressly included

579

00:30:03.495 --> 00:30:06.295
within, um, uh, within that work description.

580

00:30:06.295 --> 00:30:08.055

Happy to make, happy to make that amendment.

581

00:30:08.555 --> 00:30:11.575

So is the waste gas burner the same as the flare stack?

582

00:30:11.965 --> 00:30:13.135

It's just, they're just termed

583

00:30:13.135 --> 00:30:14.495

different, got different terms,

584

00:30:15.165 --> 00:30:16.165

Correct? Yes. It might,

585

00:30:16.165 --> 00:30:17.655

might Dexter the applicant, yes. It's

586

00:30:18.165 --> 00:30:19.165

Okay. So you can just change

587

00:30:19.165 --> 00:30:19.335

that.

588

00:30:26.655 --> 00:30:28.315

Um, with regard to all parts,

589

00:30:28.635 --> 00:30:30.235

I think it was Save Honey Hill Group

590

00:30:30.255 --> 00:30:31.955

who suggests adding relevant work numbers

591

00:30:32.095 --> 00:30:35.155

to the relevant parts of Schedule 14

592

00:30:35.455 --> 00:30:37.155

or something similar to that.

593

00:30:38.255 --> 00:30:39.835

Um, for ease of cross-referencing

594

00:30:39.835 --> 00:30:41.115

and for clarity, um,

595

00:30:42.195 --> 00:30:43.975

is there something which could be done relatively easily,

596

00:30:44.795 --> 00:30:46.015

you know, particularly noting the number

597

00:30:46.015 --> 00:30:50.465

of inconsistencies which we've picked up as well

598

00:30:50.465 --> 00:30:52.905

as other interested parties during the course

599

00:30:52.905 --> 00:30:54.145

of the examination so far.

600

00:30:54.885 --> 00:30:58.015

And, you know, might to help the Secretary of State to

601

00:30:59.145 --> 00:31:02.695

understand which work numbers the individual

602

00:31:02.705 --> 00:31:03.935

parts are referring to.

603

00:31:07.185 --> 00:31:09.135

Thank you, sir. I think there, I think there are probably

604

00:31:09.155 --> 00:31:10.735

two points in, in relation to that.

605

00:31:10.955 --> 00:31:13.255

Um, firstly, from an interpretive perspective,

606

00:31:13.835 --> 00:31:16.295

we don't think that that needs needs to happen

607

00:31:16.295 --> 00:31:20.675

because there's no cross reference to direct cross reference

608

00:31:20.675 --> 00:31:24.195

between work packages and, uh, and, and, and Schedule 14.

609

00:31:24.935 --> 00:31:28.435

Um, and one of the reasons why Schedule 14 doesn't specify,

610

00:31:29.135 --> 00:31:31.675

um, uh, work numbers currently is

611

00:31:31.675 --> 00:31:35.315

because, um, uh, effectively some elements

612

00:31:35.315 --> 00:31:38.555

of those parameters sit across multiple work numbers.

613

00:31:39.295 --> 00:31:42.355

Um, I think one thing that we might be able to look at is

614

00:31:43.105 --> 00:31:47.415

looking within that schedule where perhaps in

615

00:31:47.415 --> 00:31:51.095

that table we could indicate which work packages, uh,

616

00:31:51.505 --> 00:31:53.575

those elements, those elements fell within.

617

00:31:53.875 --> 00:31:55.175

And it might be multiple

618

00:31:55.525 --> 00:31:56.525

That, that's fine. I

619

00:31:56.525 --> 00:31:58.655

mean, I myself have found it quite tricky

620

00:31:58.715 --> 00:32:00.615

to cross reference and understand which

621

00:32:01.385 --> 00:32:02.815

parts relate to Rich works.

622

00:32:03.015 --> 00:32:05.655

I mean, I, I do now I've spent a lot of time looking at it,

623

00:32:05.675 --> 00:32:09.615

but, you know, someone looking at it with fresh eyes might,

624

00:32:10.585 --> 00:32:13.155

you know, save them

625

00:32:13.255 --> 00:32:15.555

or maybe the Secretary of State as well to go

626

00:32:15.555 --> 00:32:17.875

through the same processes that we've had to do.

627

00:32:18.575 --> 00:32:21.675

Um, it may be useful if you could have a look into that.

628

00:32:21.985 --> 00:32:23.675

I'll certainly look at how that can be done, sir. Thanks.

629

00:32:25.965 --> 00:32:29.155

Thank you. And, uh, moving on to schedule 16, the,

630

00:32:29.155 --> 00:32:32.995

there's reference for Pink line for H 19 H 20, um,

631

00:32:33.895 --> 00:32:36.875

so noting the change to edge hedge H 19

632

00:32:36.875 --> 00:32:38.275

and 20 on the hedge regulations

633

00:32:38.275 --> 00:32:39.840

and tree preservation plans,

634

00:32:41.025 --> 00:32:43.885

should the word pink in Schedule 16, which relates

635

00:32:43.885 --> 00:32:46.085

to important hedges be changed to the word orange?

636

00:32:48.175 --> 00:32:49.635

It should, sir. Yes. Apologies.

637

00:32:50.385 --> 00:32:54.065

Okay, thank you. So can I just, uh, just, just, just

638

00:32:54.065 --> 00:32:56.945

as a, uh, to, to flag, uh, uh,

639

00:32:57.045 --> 00:32:59.505

the applicant's aware from recent work that done that?

640

00:32:59.705 --> 00:33:01.425

Actually there's a further hedge row that needs to be added,

641

00:33:01.925 --> 00:33:03.425

um, uh, to that schedule.

642

00:33:03.595 --> 00:33:06.145

We'll pick that up in the next, uh, iteration of the DCO

643

00:33:06.145 --> 00:33:08.425

and we'll explain the reasons why, uh, when we get there.

644

00:33:08.495 --> 00:33:09.945

Okay. Is it an important hedge row?

645

00:33:10.165 --> 00:33:11.305

Uh, we are not sure.

646

00:33:11.365 --> 00:33:13.585

So those provisions may need to go back in,

647

00:33:13.685 --> 00:33:16.505

but we will explain, um, when we submit.

648

00:33:17.345 --> 00:33:19.005

I'm conscious that we previously took them out

649

00:33:19.005 --> 00:33:20.005

because we didn't think they were.

650

00:33:20.705 --> 00:33:21.845

It may need to go back in.

651

00:33:23.315 --> 00:33:26.565

Yes, please. Charles Jones Fe Parish Council.

652

00:33:27.065 --> 00:33:31.325

Um, could somebody please show us, um, the, uh,

653

00:33:31.505 --> 00:33:33.845

rep 5 0 20 sheet three,

654

00:33:33.985 --> 00:33:38.905

the hedge rose retained drawing for what purpose?

655

00:33:39.165 --> 00:33:41.585

Uh, I'd like to show you where there's a hedge row

656

00:33:41.615 --> 00:33:44.505

that needs a gap cut in it that's not shown on the drawings,

657

00:33:44.505 --> 00:33:45.665

and so the cut's not shown

658

00:33:46.005 --> 00:33:48.785

and several hedges that are important to us as,

659

00:33:48.805 --> 00:33:50.745

as residents that aren't shown either.

660

00:33:58.015 --> 00:34:00.305

Okay. Are you able to, uh, pick

661

00:34:00.305 --> 00:34:01.865
that or that plan on the screen?

662

00:34:03.365 --> 00:34:05.715
Personally not, no. I wouldn't know how to do it. No.

663

00:34:05.965 --> 00:34:07.235
Sorry, I was talking to the applicant

664

00:34:21.125 --> 00:34:22.125
I's just loading.

665

00:34:24.585 --> 00:34:25.395
Yeah, quite big

666

00:34:48.615 --> 00:34:49.325
sheet three.

667

00:34:59.775 --> 00:35:03.005
Thank you. So the issue, the first issue is,

668

00:35:03.385 --> 00:35:06.805
as you come off the a 14 slip up to what is proposed

669

00:35:06.825 --> 00:35:08.005
as a four-way junction,

670

00:35:08.695 --> 00:35:11.485
there is actually quite a long hedge running all the way

671

00:35:11.485 --> 00:35:12.765
along that embankment.

672

00:35:13.425 --> 00:35:15.565
Um, between the a 14

673

00:35:15.705 --> 00:35:18.205
and, uh, almost the TA lowen drove,

674

00:35:18.515 --> 00:35:19.805

there's quite a decent hedge.

675

00:35:19.805 --> 00:35:21.885

It's got some good trees in it, provides lots of screening

676

00:35:21.885 --> 00:35:23.005

for people on the bridge of

677

00:35:23.005 --> 00:35:26.485

where the proposed works would be that hedge is not shown.

678

00:35:26.945 --> 00:35:30.365

And to build the highway, uh, connection across to, uh,

679

00:35:30.365 --> 00:35:32.245

where the proposed works would be the entrance,

680

00:35:32.505 --> 00:35:34.085

you obviously need to cut a hole in it.

681

00:35:34.105 --> 00:35:35.865

So there's the drawing.

682

00:35:38.285 --> 00:35:41.665

Second point was, um, coming down

683

00:35:41.845 --> 00:35:45.865

to the field south of Poplar Hall, there's quite some,

684

00:35:45.865 --> 00:35:50.265

quite decent hedges along the, um, again on the Hoey Road

685

00:35:51.205 --> 00:35:54.855

west side and on Philly Lane, north side.

686

00:35:55.285 --> 00:35:57.695

Neither of those hedges are shown on the drawing.

687

00:35:58.195 --> 00:36:00.975

And yet the notes on the drawing are quite specific to say

688

00:36:00.975 --> 00:36:04.095

that hedges to be retained are shown in green and,

689

00:36:04.155 --> 00:36:06.975

and then mentions hedges to be removed, shown where cut.

690

00:36:07.435 --> 00:36:11.455

We are a bit concerned that the hedges that are useful to us

691

00:36:11.475 --> 00:36:15.535

as, as, as as residents and are not shown, and

692

00:36:15.535 --> 00:36:17.015

therefore it leaves it rather opaque

693

00:36:17.015 --> 00:36:20.935

or ambiguous as to whether somebody on site might choose

694

00:36:21.075 --> 00:36:23.535

to make further holes or cut down further hedges

695

00:36:23.535 --> 00:36:26.015

because it's not shown as being protected on this drawing.

696

00:36:26.305 --> 00:36:27.695

Thank you. Okay, thank you.

697

00:36:27.715 --> 00:36:29.975

Is that something the applicant can look into and, well,

698

00:36:29.975 --> 00:36:31.935

Certainly, Sarah, I was gonna suggest the relevant members

699

00:36:31.935 --> 00:36:33.975

of our team have a chat with Mr. Jones.

700

00:36:34.115 --> 00:36:36.535

Uh, look at those, uh, look at those particular hedgerows.

701

00:36:36.555 --> 00:36:37.815

If any changes need to be made

702

00:36:37.815 --> 00:36:39.015
or any the clarifications made,

703

00:36:39.015 --> 00:36:40.095
we'll pick that up in our, in our,

704

00:36:40.165 --> 00:36:41.165
Okay. Thank you. We'll, we'll

705

00:36:41.165 --> 00:36:42.535
put that as an action point as well.

706

00:36:43.995 --> 00:36:48.195
Thank you. Moving on to requirement 10, um,

707

00:36:48.415 --> 00:36:50.875
the conservators of the river cam requested they were added

708

00:36:50.895 --> 00:36:54.705
as a consultee on this and because it,

709

00:36:54.705 --> 00:36:58.795
because it, it has implications I guess for the river cam.

710

00:36:58.815 --> 00:37:01.475
Is that something you'd be willing to add?

711

00:37:01.995 --> 00:37:03.435
I, I, I think there's a couple of points to that.

712

00:37:03.455 --> 00:37:07.595
So first, firstly, we, we'd rather took the view that the,

713

00:37:07.735 --> 00:37:10.995
um, uh, the local authority would consult 'em as,

714

00:37:11.015 --> 00:37:13.395
as the local authority considered necessary in the

715

00:37:13.395 --> 00:37:14.595
discharge of the requirement.

716

00:37:14.855 --> 00:37:16.275
But, but, but secondly,

717

00:37:16.695 --> 00:37:18.835
we didn't think it was particularly necessary

718

00:37:18.835 --> 00:37:23.475
because there are a whole raft of consultation, um,

719

00:37:23.775 --> 00:37:26.715
uh, requirements set out in the protected provisions,

720

00:37:26.965 --> 00:37:30.915
which actually go into a lot more detail than is,

721

00:37:31.135 --> 00:37:34.075
is discussed in, uh, in requirement 10 in relation

722

00:37:34.095 --> 00:37:35.435
to, uh, those works.

723

00:37:38.215 --> 00:37:40.145
Okay. Would it, would it harm to add them

724

00:37:40.245 --> 00:37:41.665
to the requirement if Nope.

725

00:37:41.665 --> 00:37:44.105
They're going to be consulting other documents anyway? Nope.

726

00:37:44.725 --> 00:37:46.825
So is that something you'd be willing to I, I do,

727

00:37:47.165 --> 00:37:48.165
Yes. I'm, I'm,

728

00:37:48.165 --> 00:37:49.505

I can, I can do that if required.

729

00:37:49.505 --> 00:37:50.665

But there was, there was a reason

730

00:37:50.665 --> 00:37:52.025

why you didn't think it was

731

00:37:52.025 --> 00:37:53.025

Necessary. Okay.

732

00:37:53.025 --> 00:37:56.865

I think it would probably be useful seeing

733

00:37:56.865 --> 00:37:59.695

as they've requested it and, you know,

734

00:37:59.835 --> 00:38:02.975

it may have implications for the use of the river.

735

00:38:05.615 --> 00:38:09.585

So yeah, that can be included, sir. It's not an issue.

736

00:38:09.615 --> 00:38:13.855

Okay, thank you. Um, as clear,

737

00:38:13.875 --> 00:38:14.935

we would like to comment on that.

738

00:38:16.895 --> 00:38:20.115

Uh, that's fine. I'm glad they've, um, conceded that point

739

00:38:20.115 --> 00:38:22.075

because it, it, it is one

740

00:38:22.105 --> 00:38:24.635

that we felt was quite important and useful.

741

00:38:26.435 --> 00:38:27.005

Okay, thank you.

742

00:38:35.165 --> 00:38:38.015

Requirement 13 refers to the archeological

743

00:38:38.575 --> 00:38:39.815

investigation mitigation strategy,

744

00:38:40.835 --> 00:38:43.375

and there was some matters around flexibility as raised

745

00:38:43.395 --> 00:38:44.655

by Cambridge County Council.

746

00:38:45.115 --> 00:38:49.735

Um, so the county advised in response to AQ two,

747

00:38:49.735 --> 00:38:52.855

that flexibility should be built into the aims

748

00:38:54.525 --> 00:38:58.025

to enable variations to the defined excavation areas.

749

00:38:58.315 --> 00:39:01.585

Could the county council please clarify whether this would

750

00:39:01.585 --> 00:39:03.385

involve a change to requirement 13

751

00:39:04.405 --> 00:39:06.985

or a change to the framework aims?

752

00:39:07.845 --> 00:39:08.905

Um, and whichever it is,

753

00:39:08.905 --> 00:39:10.305

do you have any suggested wording for that?

754

00:39:10.965 --> 00:39:14.265

Um, Mr. Thomas is going to deal with that, sir. Thank you.

755

00:39:16.455 --> 00:39:17.875

Uh, good morning. Andy Thomas,

756

00:39:17.875 --> 00:39:20.395

Cambridge County Council Historic Environment team.

757

00:39:21.105 --> 00:39:24.595

It's, um, I haven't put any specific thought into the

758

00:39:24.595 --> 00:39:25.915

precise wording for this.

759

00:39:26.255 --> 00:39:29.715

Um, I thought I would raise it in response to the submission

760

00:39:29.715 --> 00:39:32.275

to, um, flag it as a potential issue.

761

00:39:32.495 --> 00:39:34.075

Um, as for the reason stated

762

00:39:34.735 --> 00:39:38.835

in the county council's response, it's, um, evaluation isn't

763

00:39:39.995 --> 00:39:44.755

a, um, precise, uh, technique, uh, particularly for the,

764

00:39:44.975 --> 00:39:47.235

uh, type of archeology we're looking at for this one,

765

00:39:47.415 --> 00:39:48.475

but it's certainly something

766

00:39:48.475 --> 00:39:50.795

that we could put some port thought into an advice

767

00:39:50.855 --> 00:39:52.595

for further, if that would help, sir.

768

00:39:55.035 --> 00:39:57.405

Yeah. Is, is this something that you can liaise

769

00:39:57.405 --> 00:39:59.085

with directly over the applicant

770

00:39:59.145 --> 00:40:03.885

and, um, including your statements, common ground, um, and

771

00:40:04.125 --> 00:40:06.325

'cause I, I'm not too sure whether it's the requirement

772

00:40:06.325 --> 00:40:09.205

or the actual document which would need to be changed

773

00:40:09.945 --> 00:40:11.645

or which you are seeking to be changed.

774

00:40:12.195 --> 00:40:14.125

That that's certainly something I would be happy to do

775

00:40:14.125 --> 00:40:15.765

with the applicant's archeological consultant.

776

00:40:15.825 --> 00:40:16.825

Yes, sir.

777

00:40:17.345 --> 00:40:18.635

Okay. And maybe report back

778

00:40:18.635 --> 00:40:21.355

to us at the next deadline on that. Uh,

779

00:40:21.545 --> 00:40:22.545

Certainly. So very, very

780

00:40:22.545 --> 00:40:23.315

happy to do that.

781

00:40:23.395 --> 00:40:24.715

I think from the applicant's perspective,

782

00:40:24.895 --> 00:40:26.835

the applicant envisage that actually that was something

783

00:40:26.835 --> 00:40:30.515

that we could be picked up in the detailed aims, uh, that

784

00:40:30.515 --> 00:40:32.875

that submitted in, in, in, in due course.

785

00:40:33.095 --> 00:40:35.475

But more than happy to, uh, to speak to the council

786

00:40:35.535 --> 00:40:37.315

and see if there's another way that would, uh,

787

00:40:37.315 --> 00:40:38.555

alleviate their concerns.

788

00:40:38.745 --> 00:40:41.355

Okay. So maybe something in the framework needs

789

00:40:41.355 --> 00:40:43.275

to be specified with in that regard,

790

00:40:43.275 --> 00:40:44.275

and then more detail will be

791

00:40:44.555 --> 00:40:46.075

provided in the detailed perhaps.

792

00:40:46.075 --> 00:40:47.075

So yes, Aims

793

00:40:49.245 --> 00:40:51.175

That certainly approach that I would, um,

794

00:40:51.615 --> 00:40:52.895

I would be happy to go with, sir. Yes.

795

00:40:53.845 --> 00:40:56.735

Okay. Thank you. I'll leave that to you two to, to discuss

796

00:40:56.765 --> 00:40:58.495
outside of this hearing.

797

00:40:58.585 --> 00:40:59.055
Thank you.

798

00:41:04.025 --> 00:41:05.245
Uh, requirement 17.

799

00:41:06.135 --> 00:41:08.595
Um, so we asked the issue specific hearing one,

800

00:41:08.595 --> 00:41:10.235
whether there should be a requirement relating

801

00:41:10.235 --> 00:41:11.315
to the decommissioning

802

00:41:11.315 --> 00:41:13.075
of the proposed wastewater treatment plant,

803

00:41:15.015 --> 00:41:16.155
and both the applicant

804

00:41:16.415 --> 00:41:20.195
and local authorities agreed that this was not necessary due

805

00:41:20.195 --> 00:41:22.595
to the long-term nature of the proposed development.

806

00:41:22.855 --> 00:41:24.155
And as this will be governed

807

00:41:24.155 --> 00:41:26.755
by management systems in environmental permits.

808

00:41:28.025 --> 00:41:31.155
However, in response to EQ one point 10.3,

809

00:41:32.025 --> 00:41:33.115

both South Cambridge

810

00:41:33.875 --> 00:41:36.975
and Cambridge City Council suggested

811

00:41:36.975 --> 00:41:38.735
that there should be a requirement in this regard.

812

00:41:39.315 --> 00:41:42.545
Um, could both councils

813

00:41:42.545 --> 00:41:44.425
and maybe the counter council also please

814

00:41:44.425 --> 00:41:45.825
clarify their view on the matter.

815

00:41:59.105 --> 00:42:02.645
The, the position is in fact that the councils would,

816

00:42:02.775 --> 00:42:06.005
would defer to the ea uh, uh, in terms

817

00:42:06.025 --> 00:42:07.325
of any decommissioning,

818

00:42:10.925 --> 00:42:15.195
I don't want, but it may be

819

00:42:15.195 --> 00:42:17.795
that I've not picked up properly on the response

820

00:42:17.855 --> 00:42:19.475
to the question.

821

00:42:21.225 --> 00:42:23.195
Okay. So the May to XQ two, sir,

822

00:42:23.495 --> 00:42:25.915
Uh, is the XQ one point 10.3.

823

00:42:26.695 --> 00:42:28.995

So we discussed at the previous hearing whether such

824

00:42:29.235 --> 00:42:31.035

requirement was necessary and you said no,

825

00:42:32.135 --> 00:42:34.075

but then in response to the recent questions, the

826

00:42:34.615 --> 00:42:36.835

the response seems to change to say yes.

827

00:42:37.335 --> 00:42:39.875

So I was just wanting some clarification as to whether

828

00:42:40.415 --> 00:42:43.435

in your view, notwithstanding the, the A'S view, whether

829

00:42:44.615 --> 00:42:47.075

you wish to see a requirement relating

830

00:42:47.075 --> 00:42:49.795

to the decommissioning of the proposed plant, whether

831

00:42:49.795 --> 00:42:53.525

that's in a hundred, 150 years, whatever.

832

00:42:54.745 --> 00:42:56.845

So my instructions are that, that,

833

00:42:56.915 --> 00:42:59.885

that no such requirement is, and, and

834

00:42:59.885 --> 00:43:01.245

therefore I need to double check.

835

00:43:01.245 --> 00:43:03.885

And if there's an error in our response, then, then we will,

836

00:43:04.145 --> 00:43:05.205

uh, make that clear.

837

00:43:05.785 --> 00:43:07.965

But my instructions are that, that we would not,

838

00:43:07.985 --> 00:43:09.925

and we would defer to the EA

839

00:43:09.925 --> 00:43:11.445

and whatever position they would

840

00:43:11.445 --> 00:43:13.005

take at that particular time. Okay.

841

00:43:13.065 --> 00:43:14.805

So Scrub that idea.

842

00:43:15.275 --> 00:43:16.565

Okay. Thank You. Thank you very much.

843

00:43:17.385 --> 00:43:18.525

And does the applicant want to comment

844

00:43:18.525 --> 00:43:19.925

on anything regarding that?

845

00:43:20.915 --> 00:43:21.975

No, sir. I think the articles

846

00:43:21.975 --> 00:43:23.335

with the applicant's previous position, so.

847

00:43:24.365 --> 00:43:29.175

Okay. Thank you. Requirement 25 2 B relates

848

00:43:29.175 --> 00:43:32.095

to onsite offsite biodiversity net gain.

849

00:43:33.235 --> 00:43:37.075

Um, so the, we understand

850

00:43:37.075 --> 00:43:41.115
that requirement 25 2 B, which is

851

00:43:41.115 --> 00:43:45.675
to secure river units potentially offsite, may involve

852

00:43:48.195 --> 00:43:52.295
in the, in the, at some point a section 1 0 6

853

00:43:52.555 --> 00:43:53.975
and a financial payment.

854

00:43:55.215 --> 00:43:56.795
Um, and that was set out in the, a

855

00:43:59.255 --> 00:44:00.995
q3 your response.

856

00:44:01.175 --> 00:44:04.575
So we asked about how this would meet the relevant,

857

00:44:06.195 --> 00:44:08.945
uh, national policy statement, um,

858

00:44:09.085 --> 00:44:10.825
and planning practice guidance tests.

859

00:44:12.005 --> 00:44:16.465
Um, so could you clarify having regard

860

00:44:16.465 --> 00:44:20.225
to the planning practice guidance, whether without this part

861

00:44:20.225 --> 00:44:24.425
of the requirement IE, that to require offsite river units,

862

00:44:25.255 --> 00:44:26.305
whether the delivery

863

00:44:26.305 --> 00:44:28.225

of the development would be at serious risk?

864

00:44:28.825 --> 00:44:29.825

I,

865

00:44:37.975 --> 00:44:40.195

So, well, I think, I think requirement, the function

866

00:44:40.195 --> 00:44:43.955

of ri the function of requirement 25 is to

867

00:44:44.545 --> 00:44:48.235

require a scheme to explain how, um,

868

00:44:48.355 --> 00:44:50.715

biodiversity net gain will be met

869

00:44:51.175 --> 00:44:55.635

and in relation to, uh, river units, um,

870

00:44:56.105 --> 00:45:00.795

that will comprise details of how those river units will be,

871

00:45:01.495 --> 00:45:06.455

uh, delivered either on e either within the order limits or,

872

00:45:06.515 --> 00:45:08.975

or, or outside of, of, of the order limits.

873

00:45:09.155 --> 00:45:12.615

So the, um, uh, sorry, delivered and, and secured.

874

00:45:13.155 --> 00:45:16.735

Um, now that is the function of, of the requirement.

875

00:45:17.605 --> 00:45:21.775

It's very much the applicant's view that in discharging, uh,

876

00:45:22.275 --> 00:45:26.055

the scheme that's submitted under that requirement, um, uh,

877

00:45:26.365 --> 00:45:28.855

that, that the planning authority would want to ensure

878

00:45:28.855 --> 00:45:32.375

that there was some form of security in relation to any,

879

00:45:32.715 --> 00:45:34.295

any offsite units.

880

00:45:34.955 --> 00:45:37.015

Now, as we don't know where the location

881

00:45:37.035 --> 00:45:40.575

of those units might be, um, there are a number

882

00:45:40.575 --> 00:45:43.895

of potential mechanisms available that might relate

883

00:45:43.915 --> 00:45:47.055

to providing, uh, that, that, that security,

884

00:45:47.555 --> 00:45:50.015

but that would need to be set out in the scheme

885

00:45:50.475 --> 00:45:53.255

and the scheme wouldn't be discharged.

886

00:45:53.295 --> 00:45:54.815

It's the applicant's position, unless,

887

00:45:54.835 --> 00:45:57.855

and until the council were satisfied

888

00:45:57.855 --> 00:46:00.375

that the relevant security was in place, that

889

00:46:00.405 --> 00:46:02.775

that might be a section 106 agreement.

890

00:46:03.155 --> 00:46:05.135

It might be some other form of agreement such

891

00:46:05.135 --> 00:46:06.295

as a conservation covenant,

892

00:46:06.595 --> 00:46:08.535

it might be some other regulatory mechanism

893

00:46:08.535 --> 00:46:11.295

that might be porting related to the provision of, of

894

00:46:12.055 --> 00:46:14.055

BNG credits, for example, or something like that.

895

00:46:15.985 --> 00:46:18.425

Hmm. Yes. But when we're writing up our recommendation,

896

00:46:18.565 --> 00:46:21.965

we have to have regard, you know, to relevant tests.

897

00:46:22.265 --> 00:46:26.045

So if the te if, if the PPG says you shouldn't

898

00:46:26.675 --> 00:46:29.365

have a condition that re that would then require

899

00:46:30.915 --> 00:46:32.775

or result in a section 106

900

00:46:32.795 --> 00:46:36.655

or financial payment, then in order to

901

00:46:37.445 --> 00:46:39.735

include such requirement, there are certain

902

00:46:40.875 --> 00:46:41.975

things which have to be met.

903

00:46:41.975 --> 00:46:44.735

And one is which, um, if the development, if the delivery

904

00:46:44.735 --> 00:46:46.495

of the development would be at risk, then it'd be okay

905

00:46:46.495 --> 00:46:47.695

to include such condition.

906

00:46:48.715 --> 00:46:53.505

If it wouldn't, then perhaps it's not

907

00:46:54.065 --> 00:46:57.315

appropriate to include such a requirement.

908

00:46:58.255 --> 00:47:02.815

Well, I, I would, I would slightly challenge the,

909

00:47:02.915 --> 00:47:07.055

the conclusion, sir, that the condition requires the payment

910

00:47:07.155 --> 00:47:08.175

of a contribution.

911

00:47:08.795 --> 00:47:11.535

The condition requires the submission of a schemes

912

00:47:11.875 --> 00:47:14.135

to demonstrate how 20%

913

00:47:15.235 --> 00:47:18.415

net gain in river units will be delivered and secured.

914

00:47:19.035 --> 00:47:22.255

So, um, as I say, there are a number of ways in which

915

00:47:22.285 --> 00:47:23.415

that might be achieved.

916

00:47:24.815 --> 00:47:29.725

And, and I think in our, in our response to, um, uh,

917

00:47:30.235 --> 00:47:32.405

that, that that was submitted at, at the,

918

00:47:32.405 --> 00:47:35.725

at the last deadline, we identified a number of, um,

919

00:47:36.215 --> 00:47:40.245

other made dcos, which referred to, uh, similar conditions.

920

00:47:40.345 --> 00:47:41.845

Uh, so sorry, similar requirements

921

00:47:41.845 --> 00:47:43.205

relating to offsite provision.

922

00:47:43.455 --> 00:47:45.005

Apolo. If, if, if that's not there,

923

00:47:45.155 --> 00:47:48.205

then it's certainly something that we can, we can provide.

924

00:48:01.175 --> 00:48:03.925

Maybe you can have a look and then maybe later on this

925

00:48:03.925 --> 00:48:06.005

afternoon, the biodiversity section, you could come back

926

00:48:06.005 --> 00:48:08.285

and show us where exactly where you refer

927

00:48:08.285 --> 00:48:09.685

to those on the dcos, please.

928

00:48:09.715 --> 00:48:12.205

Certainly Sarah and Apolo, apologies nodding yet, but,

929

00:48:12.205 --> 00:48:16.045

but, um, uh, the, the, the med worth energy from waste, um,

930

00:48:16.305 --> 00:48:17.885

uh, DCO, uh,

931

00:48:18.035 --> 00:48:19.035

Okay. That's only just come

932

00:48:19.035 --> 00:48:20.085

out recently. Yeah.

933

00:48:20.085 --> 00:48:22.045

So that wouldn't have been in, in your response.

934

00:48:22.195 --> 00:48:24.605

Well, exactly. Drax and, and some other ones

935

00:48:24.605 --> 00:48:26.685

and kbi, for example, refer to those things.

936

00:48:26.945 --> 00:48:27.965

Um, uh, the,

937

00:48:28.605 --> 00:48:30.205

I think We'll go away and check so, and,

938

00:48:30.225 --> 00:48:32.725

and make sure that you have that information, if

939

00:48:32.725 --> 00:48:33.725

Not, okay. And maybe check as well

940

00:48:33.725 --> 00:48:35.285

with med with, for example, whether,

941

00:48:36.265 --> 00:48:37.645

um, a section 1 0 6 was

942

00:48:37.845 --> 00:48:40.005

provided as part of the application rather

943

00:48:40.005 --> 00:48:41.125

than in a requirement.

944

00:48:41.545 --> 00:48:43.685

Uh, indeed. Happy to, happy to do all of that and,

945

00:48:43.705 --> 00:48:44.725

and, and spell it out, sir.

946

00:48:44.755 --> 00:48:45.805

Okay. So we'll come back to that

947

00:48:45.805 --> 00:48:46.885

maybe later this afternoon.

948

00:48:56.495 --> 00:48:59.075

If offsite

949

00:49:01.405 --> 00:49:02.785

wasn't provided, how would

950

00:49:02.785 --> 00:49:05.025

that affect the overall 20% net

951

00:49:05.185 --> 00:49:06.345

gain you are looking to achieve?

952

00:49:08.975 --> 00:49:11.085

Let's say we say the XA came to conclusion

953

00:49:11.085 --> 00:49:14.685

that the requirement without the offsite word,

954

00:49:14.685 --> 00:49:18.135

that word offsite, the delivery

955

00:49:18.135 --> 00:49:20.015

of the development wouldn't be a serious risk.

956

00:49:21.075 --> 00:49:23.055

How would that affect the overall biodiversity net gain

957

00:49:23.055 --> 00:49:26.465

of 20% that you're seeking to provide?

958

00:49:27.285 --> 00:49:29.985

Uh, um, so I think Andrew, prior for the applicant,

959

00:49:30.305 --> 00:49:33.865

I think, um, we shouldn't think in terms of overall,

960

00:49:33.865 --> 00:49:35.385

because the important bit is those high

961

00:49:35.625 --> 00:49:36.665

distinctiveness river units.

962

00:49:37.205 --> 00:49:40.065

So I think it's only not point, not four something,

963

00:49:40.085 --> 00:49:42.985

but those, but those high distinctiveness units would

964

00:49:42.985 --> 00:49:44.105

not be delivered.

965

00:49:44.545 --> 00:49:46.625

I think we would have to do the calculation on

966

00:49:46.625 --> 00:49:47.705

what the overall gain is.

967

00:49:47.705 --> 00:49:49.945

But of course, the overall gain puts

968

00:49:49.945 --> 00:49:51.025

those into those three tiers.

969

00:49:51.025 --> 00:49:52.345

So it would be that high distinctiveness

970

00:49:52.345 --> 00:49:53.505

units which would be lost.

971

00:50:00.065 --> 00:50:01.275

Okay. Would the,

972

00:50:01.275 --> 00:50:03.595

would the proposed development be a serious risk without

973

00:50:04.105 --> 00:50:05.795

that particular requirement?

974

00:50:09.745 --> 00:50:10.925

Uh, well under the current

975

00:50:10.925 --> 00:50:12.165

drafting of the requirement, yes.

976

00:50:12.325 --> 00:50:13.565

'cause it couldn't proceed, could it? So,

977

00:50:16.105 --> 00:50:18.485

But if the requirement was amended, would,

978

00:50:18.495 --> 00:50:19.525

would the delivery

979

00:50:19.525 --> 00:50:22.605

of the project be at serious risk without those offsite

980

00:50:22.605 --> 00:50:26.745

biodiversity net gain units being secured?

981

00:50:30.585 --> 00:50:32.765

No, no, sir. They're just, they, they form part

982

00:50:32.765 --> 00:50:35.045

of our voluntary commitment to deliver that net gain,

983

00:50:35.045 --> 00:50:37.085

but they're not a statutory requirement to deliver

984

00:50:37.085 --> 00:50:38.085

Them. Okay. Thank you.

985

00:50:38.085 --> 00:50:41.835

Um, okay.

986

00:50:42.135 --> 00:50:47.085

And I'm sorry, friends of the river camp?

987

00:50:47.785 --> 00:50:48.005

Yes.

988

00:50:54.735 --> 00:50:55.075

No, I,

989

00:50:55.955 --> 00:50:57.355

I realize that, uh, the issue

990

00:50:57.355 --> 00:51:00.275

of biodiversity net gain is going to come up again, uh,

991

00:51:00.275 --> 00:51:04.305

this afternoon, but I just, um, would like to

992

00:51:05.205 --> 00:51:10.165

ask the, uh, uh, Ang Anglia water representatives if,

993

00:51:10.465 --> 00:51:14.205

in considering and making out the case for, um,

994

00:51:14.205 --> 00:51:18.045

20% biodiversity net gain, maybe on site, maybe offsite,

995

00:51:18.395 --> 00:51:22.325

they are mindful for the fact that these promises, according

996

00:51:22.425 --> 00:51:26.205

to a number of studies, are rarely delivered in practice.

997

00:51:26.865 --> 00:51:30.445

So the requirement is to overcome the problems

998

00:51:30.825 --> 00:51:33.205

of delivering biodiversity knock net gain,

999

00:51:33.345 --> 00:51:37.045

not just putting forward a plausible case that it,

1000

00:51:37.045 --> 00:51:38.725

that it can be de delivered.

1001

00:51:39.005 --> 00:51:41.685

I mean, my own view of biodiversity net gain is probably

1002

00:51:41.685 --> 00:51:45.605

irrelevant here, but I, I, uh, I believe it can rare,

1003

00:51:45.605 --> 00:51:46.605

rarely be achieved.

1004

00:51:46.925 --> 00:51:48.805

Actually, it's on the North Cambridge site

1005

00:51:48.915 --> 00:51:53.205

that biodiversity net gain in theory could be achieved

1006

00:51:53.205 --> 00:51:55.365

because it, it contains a lot of toxic waste

1007

00:51:55.575 --> 00:51:56.725

underneath the site.

1008

00:51:57.185 --> 00:52:00.405

And it's, it's where, where a site contains toxic toxic

1009

00:52:00.495 --> 00:52:03.565

waste that you can actually bring back into operation,

1010

00:52:03.685 --> 00:52:05.685

a site that is, is otherwise, um,

1011

00:52:06.025 --> 00:52:07.525

not supporting biodiversity.

1012

00:52:07.595 --> 00:52:11.125

Generally, when you take a site like the, the, the, the,

1013

00:52:11.125 --> 00:52:15.865

the mo the site to which, um, this, um,

1014

00:52:16.085 --> 00:52:17.905

sewage work is proposed to move,

1015

00:52:18.085 --> 00:52:21.705

you've already got such huge potential in the development

1016

00:52:21.705 --> 00:52:25.785

of biodiversity, which will inevitably be re reduced

1017

00:52:27.355 --> 00:52:28.455

By the shift in sewage works.

1018

00:52:28.475 --> 00:52:30.655

But I, I just wanted to make that ask

1019

00:52:30.655 --> 00:52:32.975

that question really whether you are mindful of the fact

1020

00:52:33.285 --> 00:52:35.735

that, that, that a good case for biodiversity net gain,

1021

00:52:35.735 --> 00:52:38.815

however good it looks, is rarely delivered in practice

1022

00:52:38.815 --> 00:52:39.815

as studies have shown.

1023

00:52:42.205 --> 00:52:44.055

Okay, thank you for that. I mean, I think the point is

1024

00:52:44.055 --> 00:52:48.815

where that would be secured in the DC0, um, anything beyond

1025

00:52:48.815 --> 00:52:52.405

that would most likely be some kind

1026

00:52:52.405 --> 00:52:54.935
of enforcement issue.

1027

00:52:55.695 --> 00:52:57.375
Possibly maybe the applicant can respond.

1028

00:53:00.715 --> 00:53:01.735
Uh, yes. Thank you, sir.

1029

00:53:01.735 --> 00:53:03.255
I mean, o obviously the, the last part

1030

00:53:03.255 --> 00:53:06.455
of the requirement is, is to comply with the scheme, uh,

1031

00:53:06.485 --> 00:53:08.455
that submitted and, and, and signed off

1032

00:53:08.455 --> 00:53:10.455
and the enforcement provisions would apply to that.

1033

00:53:11.335 --> 00:53:14.305
Okay. Thank you. Um, moving on then, the

1034

00:53:15.385 --> 00:53:17.785
examining authority asks to issue specific hearing three,

1035

00:53:17.785 --> 00:53:21.155
whether parameters relating to the bund, uh,

1036

00:53:21.155 --> 00:53:23.635
stroke Earth bank should be included in the DCO,

1037

00:53:24.295 --> 00:53:25.885
for example, in Schedule 14.

1038

00:53:25.985 --> 00:53:27.245
And the applicant considers

1039

00:53:27.245 --> 00:53:29.285

that this is best placed within the design code

1040

00:53:29.905 --> 00:53:33.405

and includes some details at LAN zero two.

1041

00:53:34.645 --> 00:53:36.945

Um, could you just briefly clarify why this is your

1042

00:53:36.945 --> 00:53:40.465

preferred place to include this rather than in the DC0

1043

00:53:40.465 --> 00:53:44.665

and comment on whether land zero two goes far enough?

1044

00:53:45.045 --> 00:53:47.625

For example, should it include

1045

00:53:48.275 --> 00:53:50.745

above ordinance datum heights rather than just a minimum

1046

00:53:50.805 --> 00:53:53.385

of five meters above existing ground level?

1047

00:53:54.205 --> 00:53:58.155

And should it specify the width of the flat top area, which

1048

00:53:58.985 --> 00:54:02.795

elsewhere has suggested a six meter minimum width?

1049

00:54:03.135 --> 00:54:05.795

And perhaps should it for further clarity refer to the

1050

00:54:06.465 --> 00:54:07.555

landscape ecological

1051

00:54:07.735 --> 00:54:10.115

and recreational management plan, which shows a section

1052

00:54:10.115 --> 00:54:11.355

that figure 3.4.

1053

00:54:17.615 --> 00:54:20.595

Um, sir, that tho those are, are matters

1054

00:54:20.655 --> 00:54:22.515

of detailed design, which obviously our local

1055

00:54:22.515 --> 00:54:23.955

authorities would approve.

1056

00:54:24.415 --> 00:54:27.275

Um, I think the sufficient information,

1057

00:54:27.295 --> 00:54:31.195

as you say in in the LRP to, um, which also needs

1058

00:54:31.195 --> 00:54:33.715

to be approved to secure those, those issues.

1059

00:54:33.975 --> 00:54:37.435

Um, I understand that there's a reluctance

1060

00:54:37.455 --> 00:54:40.515

to put the bond parameters into the DCO

1061

00:54:40.515 --> 00:54:42.875

because of uncertainties about compaction

1062

00:54:42.875 --> 00:54:44.155

of soils, et cetera.

1063

00:54:44.535 --> 00:54:45.835

Um, I, I dunno whether Mr.

1064

00:54:45.895 --> 00:54:48.235

Dexter would like to talk a little bit further about the

1065

00:54:48.395 --> 00:54:50.715

rationale for including them within the design code.

1066

00:54:50.775 --> 00:54:53.915

But we would be happy to, uh, tighten the design code if,

1067

00:54:53.915 --> 00:54:56.795

if it was felt by our stakeholders that it was important

1068

00:54:56.855 --> 00:54:58.315

to secure those specific details.

1069

00:55:03.465 --> 00:55:05.645

My Dexter, the applicant, um, yeah,

1070

00:55:05.645 --> 00:55:08.725

within the design code we've um, referenced, um,

1071

00:55:08.755 --> 00:55:10.325

five meters above existing ground level.

1072

00:55:10.325 --> 00:55:12.485

There is quite, there is a fall from one

1073

00:55:12.485 --> 00:55:13.525

side of the site to the other.

1074

00:55:13.865 --> 00:55:16.805

Um, with a maximum parameter being fixed at one point,

1075

00:55:17.345 --> 00:55:18.965

it would possibly be that the,

1076

00:55:19.185 --> 00:55:20.365

the Earth Bank is quite a bit higher

1077

00:55:20.475 --> 00:55:21.605

from one side to the other.

1078

00:55:22.305 --> 00:55:26.205

Um, not being a NA would make it a less natural, um,

1079

00:55:26.365 --> 00:55:27.965

intervention in the landscape.

1080

00:55:28.505 --> 00:55:30.205

Um, so we've kept it five meters

1081

00:55:30.205 --> 00:55:31.565

above the existing ground level.

1082

00:55:31.885 --> 00:55:34.885

'cause the whole rationale behind the Earth Bank is for

1083

00:55:34.885 --> 00:55:37.045

that visual screening, that area being lower,

1084

00:55:37.105 --> 00:55:39.285

the visual screening impact is exactly the same.

1085

00:55:39.725 --> 00:55:42.625

'cause you, you're not virtually higher. So,

1086

00:55:42.925 --> 00:55:44.945

And how do we know what the existing ground level is?

1087

00:55:45.055 --> 00:55:47.025

Like when the, when the, if

1088

00:55:47.025 --> 00:55:50.345

and when it's built, how, how would it, how would

1089

00:55:51.425 --> 00:55:54.525

anyone be able to tell that it is five meters above

1090

00:55:55.885 --> 00:55:57.575

what is now the existing ground level?

1091

00:55:57.775 --> 00:56:00.015

'cause levels will change across the site. I

1092

00:56:02.635 --> 00:56:04.235

May need to put some thought to that Sarah,

1093

00:56:04.495 --> 00:56:05.915
and return back to you on that.

1094

00:56:07.285 --> 00:56:09.685
Hmm. So I think maybe you could look to tighten up

1095

00:56:09.795 --> 00:56:12.685
that part of the design code, um,

1096

00:56:13.815 --> 00:56:16.635
and just consider all those points that I've just mentioned

1097

00:56:17.305 --> 00:56:19.165
and whether you should do some more cross-referencing

1098

00:56:19.165 --> 00:56:23.765
to other documents, please.

1099

00:56:25.465 --> 00:56:27.775
Thank you, sir. As you know, this is a,

1100

00:56:28.055 --> 00:56:30.655
a point which we've been making a number

1101

00:56:30.655 --> 00:56:35.455
of times at earlier stages in our, um, submissions,

1102

00:56:35.455 --> 00:56:37.135
and I don't want to go back over all the

1103

00:56:37.135 --> 00:56:38.535
information that we've just presented.

1104

00:56:38.915 --> 00:56:42.015
Um, I think the point in particular

1105

00:56:42.045 --> 00:56:45.735
that we've been making is that these parameters need

1106

00:56:45.735 --> 00:56:47.255

to be defined in the DCO

1107

00:56:47.275 --> 00:56:50.375

and it's not good enough to suggest that compaction

1108

00:56:50.375 --> 00:56:52.975

of soil may end up with a small abundant we'd,

1109

00:56:53.405 --> 00:56:54.815

we'd previously been promised.

1110

00:56:55.115 --> 00:56:57.375

Um, that I think is a nonsensical position

1111

00:56:57.375 --> 00:57:00.295

that we shouldn't be, um, taking in the DCO.

1112

00:57:01.315 --> 00:57:03.055

The, the other point, Sarah, is that the

1113

00:57:03.695 --> 00:57:05.855

finished floor level of the plant is defined

1114

00:57:05.955 --> 00:57:09.415

as a single flat level a OD

1115

00:57:09.415 --> 00:57:11.695

around 10.0 meters.

1116

00:57:12.195 --> 00:57:16.075

Um, the bond needs to relate to that level

1117

00:57:16.495 --> 00:57:19.155

and it needs to be leveled level at the top.

1118

00:57:20.175 --> 00:57:23.035

And that needs to be specified either in the parameters in

1119

00:57:23.155 --> 00:57:27.155

CHE 14, which the applicant doesn't want to do or prefer,

1120
00:57:27.375 --> 00:57:30.755
or as a second best in, in those parameters in,

1121
00:57:30.775 --> 00:57:31.835
in the design code.

1122
00:57:32.295 --> 00:57:36.105
And it has to define that the top, the top of the bun is

1123
00:57:36.105 --> 00:57:37.745
to be level and not,

1124
00:57:38.205 --> 00:57:41.745
and not sloping in accordance with the ground

1125
00:57:41.745 --> 00:57:45.175
because the finished floor level of the plant

1126
00:57:45.175 --> 00:57:48.055
behind it is going to be at a constant a OD.

1127
00:57:48.675 --> 00:57:53.255
So a 10 meter high building will in effect be only shaded

1128
00:57:53.255 --> 00:57:55.215
by, say four meters at if it happens

1129
00:57:55.215 --> 00:57:56.975
to be at the lower end of the site.

1130
00:57:57.915 --> 00:58:00.575
So that the height needs to be defined as a,

1131
00:58:00.575 --> 00:58:02.695
as an a ODI believe so. Mm.

1132
00:58:03.065 --> 00:58:05.535
Might Mike Dexter for the applicant, if I can respond,

1133
00:58:05.535 --> 00:58:06.695

sorry, should have asked.

1134

00:58:06.695 --> 00:58:08.215

Wait, you asked me. Um,

1135

00:58:08.275 --> 00:58:09.735

we haven't got a fixed floor level across

1136

00:58:09.735 --> 00:58:10.775

the half site of 10 meters.

1137

00:58:10.775 --> 00:58:12.535

We've got multiple different floor levels.

1138

00:58:12.675 --> 00:58:14.015

Uh, the STCs actually one

1139

00:58:14.015 --> 00:58:16.015

and a half meters lower than existing floor level,

1140

00:58:16.035 --> 00:58:17.255

so existing ground level.

1141

00:58:17.675 --> 00:58:21.055

So we do have a, an undulation within the site in

1142

00:58:21.055 --> 00:58:22.095

a, in a negative manner.

1143

00:58:22.355 --> 00:58:23.455

So quite a few of the,

1144

00:58:23.875 --> 00:58:26.575

the largest structures have been sunken into the ground as,

1145

00:58:26.575 --> 00:58:28.815

as far as reasonably practicable for, um,

1146

00:58:28.965 --> 00:58:30.415

from construction perspective.

1147

00:58:30.515 --> 00:58:32.095

So we are not set at 10 meters.

1148

00:58:32.205 --> 00:58:33.975

Yeah, pretty much everything's down.

1149

00:58:34.155 --> 00:58:35.455

But I, I think maybe you do need

1150

00:58:35.695 --> 00:58:38.935

to re-look at the design code, whether it sufficiently,

1151

00:58:39.615 --> 00:58:42.215

I suppose another point you use the word should quite a lot

1152

00:58:42.215 --> 00:58:44.815

in the design code and whether in the design access

1153

00:58:44.815 --> 00:58:48.015

statement you often say, will design code says should.

1154

00:58:48.155 --> 00:58:50.255

And I wonder if that's, that also needs

1155

00:58:50.255 --> 00:58:52.695

to be strengthened throughout the design code, say,

1156

00:58:52.995 --> 00:58:54.615

you know, shall instead of should.

1157

00:58:56.315 --> 00:58:58.655

Sir, sir, thank you for your observations.

1158

00:58:58.975 --> 00:59:03.055

I think if it's of assistance, we should define

1159

00:59:03.955 --> 00:59:05.735

the top of the bank in accordance

1160

00:59:05.735 --> 00:59:06.855

with the Rochdale principles

1161

00:59:06.855 --> 00:59:08.775

and those shown in the landscape and visual assessment

1162

00:59:08.835 --> 00:59:11.775

and make sure it's aligned and secured so that it delivers

1163

00:59:12.565 --> 00:59:13.935

what that assessment shows.

1164

00:59:15.265 --> 00:59:16.355

Okay, thank you. I'll leave that

1165

00:59:16.355 --> 00:59:17.555

with you to thank you, sir.

1166

00:59:17.555 --> 00:59:18.875

Look at in a bit more further detail.

1167

00:59:19.535 --> 00:59:21.035

Um, and we can make a,

1168

00:59:25.995 --> 00:59:28.975

um, so we asked the applicant

1169

00:59:28.975 --> 00:59:32.975

to AQ one whether there should be a requirement relating

1170

00:59:32.975 --> 00:59:35.855

to the demonstration to the secretary state of funding prior

1171

00:59:35.855 --> 00:59:38.255

to the exercising of CATP powers.

1172

00:59:39.485 --> 00:59:40.905

And you said not. Um,

1173

00:59:40.905 --> 00:59:43.505

however, given that the XA has not seen details of how

1174

00:59:44.325 --> 00:59:45.345
the shortfall in funding

1175

00:59:45.365 --> 00:59:47.585
of the proposed wastewater treatment plant will be met,

1176

00:59:47.585 --> 00:59:48.985
does this change your view on the matter?

1177

01:00:07.655 --> 01:00:09.355
So can I take that one away and discuss it with,

1178

01:00:09.415 --> 01:00:11.235
and discuss it with colleagues working

1179

01:00:11.235 --> 01:00:12.355
on the ca side of things?

1180

01:00:12.695 --> 01:00:15.995
Um, and we'll, we'll come back to you, uh, in our response,

1181

01:00:16.335 --> 01:00:18.355
uh, our post hearing

1182

01:00:18.355 --> 01:00:19.355
Submissions. Yeah, so it's not, it's

1183

01:00:19.355 --> 01:00:20.915
not the ca cost necessarily.

1184

01:00:21.025 --> 01:00:23.075
It's the, it's the whole, it's the whole project cost.

1185

01:00:23.275 --> 01:00:25.355
I understood. Thank you.

1186

01:00:27.805 --> 01:00:30.785
Um, so question for the local authorities.

1187

01:00:30.925 --> 01:00:32.705

Um, safe Honey Hill Group has suggested

1188

01:00:32.705 --> 01:00:34.545
that Cambridge County Council

1189

01:00:34.605 --> 01:00:37.305
and South Cambridge District Council should be consultee on

1190

01:00:37.305 --> 01:00:40.715
most requirements and, um,

1191

01:00:40.715 --> 01:00:42.395
because it's the county council

1192

01:00:42.615 --> 01:00:45.715
who would be discharging the requirements.

1193

01:00:46.055 --> 01:00:50.195
And I just wanted to understand the views of the

1194

01:00:51.215 --> 01:00:54.125
local authorities, whether they thought that was necessary

1195

01:00:54.125 --> 01:00:57.035
or whether it had just been automatic, came

1196

01:00:57.035 --> 01:00:58.595
to the county council consulting,

1197

01:00:59.755 --> 01:01:01.005
both the local authorities,

1198

01:01:13.825 --> 01:01:16.525
So said, uh, it, it would happen as a matter of course,

1199

01:01:16.555 --> 01:01:21.365
that the county would consult with both the district council

1200

01:01:21.465 --> 01:01:22.885
and if necessary, the city council.

1201
01:01:23.065 --> 01:01:27.325
So, um, it, it, it, it doesn't need saying,

1202
01:01:28.105 --> 01:01:29.205
but, um, if,

1203
01:01:29.425 --> 01:01:32.245
if you consider it needs saying, then do so, sir.

1204
01:01:32.625 --> 01:01:35.325
But you have no concerns. No, absolutely not. Okay.

1205
01:01:35.325 --> 01:01:37.765
Thank you. Um,

1206
01:01:37.865 --> 01:01:41.245
and, uh, with regard to,

1207
01:01:43.105 --> 01:01:46.835
so yeah, schedule 18 lists all the, uh,

1208
01:01:47.875 --> 01:01:49.395
documents which requires certification.

1209
01:01:50.875 --> 01:01:54.435
Um, so with regard to schedule 18

1210
01:01:54.495 --> 01:01:57.795
and the ES ar RTA document, which is REP 1 0 8 1,

1211
01:01:58.855 --> 01:02:01.195
is it still the applicant's intention to update

1212
01:02:02.455 --> 01:02:06.715
all documents where ar RTA have not yet been included

1213
01:02:08.195 --> 01:02:09.695
before the end of the examination?

1214
01:02:10.435 --> 01:02:14.905

And if not, then is there a need for an updated

1215

01:02:15.785 --> 01:02:17.745

document which would then need to be append to

1216

01:02:19.975 --> 01:02:21.255

relevant s doc document?

1217

01:02:21.255 --> 01:02:23.615

Because the implications are, if the,

1218

01:02:23.675 --> 01:02:27.315

if there's a separate err, someone's gonna have

1219

01:02:27.315 --> 01:02:30.755

to always be cross-referencing a main document to that.

1220

01:02:31.175 --> 01:02:33.955

And I think, and tell me if I'm incorrect,

1221

01:02:33.955 --> 01:02:36.275

but at the beginning of this, of the hearing sessions, you

1222

01:02:37.805 --> 01:02:39.935

indicator that you probably would be

1223

01:02:40.975 --> 01:02:43.335

updating all documents at the end to include Thera List.

1224

01:02:43.335 --> 01:02:44.775

So therefore we could, you would,

1225

01:02:44.835 --> 01:02:47.415

we would not need Thera list effectively.

1226

01:02:48.445 --> 01:02:49.785

Yes, sir. That's still the intention.

1227

01:02:51.755 --> 01:02:53.375

And would that be at the very final deadline,

1228

01:02:53.375 --> 01:02:54.455
or would that be at the deadline

1229

01:02:54.555 --> 01:02:59.395
before the final deadline so that we get an opportunity to

1230

01:02:59.985 --> 01:03:01.875
make sure that it's all included?

1231

01:03:14.895 --> 01:03:16.885
We'll look to do it for the penultimate deadline.

1232

01:03:16.945 --> 01:03:19.365
So I think that that's what our target would be.

1233

01:03:20.005 --> 01:03:22.015
Okay. And I, you, I think you have been updating

1234

01:03:22.455 --> 01:03:24.215
documents as we go along?

1235

01:03:25.245 --> 01:03:26.455
Yeah, that that's correct.

1236

01:03:26.675 --> 01:03:27.775
But there may be some, there may be

1237

01:03:27.775 --> 01:03:28.615
A sweep, yeah. Yeah.

1238

01:03:28.805 --> 01:03:33.205
Okay. Thank you. Okay.

1239

01:03:33.205 --> 01:03:36.485
In that case, we'll move on to, um, schedule 15,

1240

01:03:36.485 --> 01:03:37.845
which is protected provisions.

1241

01:03:39.465 --> 01:03:44.455

And this is about explanations for any differences of view

1242

01:03:44.475 --> 01:03:45.935
and timescales for resolution.

1243

01:03:46.985 --> 01:03:50.685
Um, I think it'd be useful maybe to start with, uh,

1244

01:03:51.085 --> 01:03:52.525
national Highways, um,

1245

01:03:58.575 --> 01:04:00.515
if that's, if that suits the applicant

1246

01:04:00.575 --> 01:04:01.595
and National Highways.

1247

01:04:03.165 --> 01:04:07.615
Certainly, sir. I think, um, since, since the, uh,

1248

01:04:07.725 --> 01:04:10.015
last issue specific hearing, the applicant's had, uh,

1249

01:04:10.015 --> 01:04:11.695
several meetings with National Highways in order

1250

01:04:11.695 --> 01:04:13.135
to progress those protected provisions.

1251

01:04:13.595 --> 01:04:18.255
Um, their largely agreed safe, safe, safe

1252

01:04:18.255 --> 01:04:21.675
for one point, um, which is unlikely to be agreed.

1253

01:04:22.655 --> 01:04:27.445
And, and, and that relates to, uh, provisions around, uh,

1254

01:04:28.305 --> 01:04:32.925
the, uh, exercise of, uh, compulsory acquisition, um, uh,

1255

01:04:33.185 --> 01:04:36.565
powers, uh, without the consent of, of,

1256

01:04:36.585 --> 01:04:40.645
of National Highways, uh, you would've seen, um, I think,

1257

01:04:40.905 --> 01:04:44.125
uh, submissions from both, uh, the applicant

1258

01:04:44.225 --> 01:04:48.605
and National Highways relating to, um, uh, the case

1259

01:04:48.665 --> 01:04:52.165
for the acquisition of, of, of the freehold acquisition of,

1260

01:04:52.345 --> 01:04:56.965
of, of Subsoil, um, under, uh, under, uh, uh,

1261

01:04:57.155 --> 01:04:58.885
well under, under the Strategic Road Network

1262

01:04:58.885 --> 01:05:01.205
that's in the ownership of, of, of National Highways.

1263

01:05:01.665 --> 01:05:05.125
Um, I don't think, um, either party is probably going to

1264

01:05:05.675 --> 01:05:07.325
move, uh, from those positions.

1265

01:05:07.865 --> 01:05:12.485
Uh, I understand we may get further clarity shortly through,

1266

01:05:12.865 --> 01:05:16.885
uh, a, a decision on the high net project, which we may wish

1267

01:05:16.885 --> 01:05:18.475
to make further submissions on.

1268

01:05:18.835 --> 01:05:20.875

I think that's due our next week, sir.

1269

01:05:22.715 --> 01:05:26.715

Okay. So just so I understand it, there's a set

1270

01:05:26.715 --> 01:05:30.255

of protected provisions and effectively, uh,

1271

01:05:30.615 --> 01:05:33.935

national Highways wants to remove certain words from it.

1272

01:05:33.935 --> 01:05:37.055

Is that the, will that be the crux of it?

1273

01:05:37.055 --> 01:05:39.615

Will, will, will the, if you are not going to come to a,

1274

01:05:39.635 --> 01:05:43.555

an agreement, um, are you intending to provide the

1275

01:05:44.515 --> 01:05:48.255

examining authority with your recommended set

1276

01:05:48.255 --> 01:05:49.535

of protected provisions

1277

01:05:49.595 --> 01:05:52.335

or maybe a track change version

1278

01:05:52.475 --> 01:05:54.885

of the applicant's?

1279

01:05:57.755 --> 01:05:59.105

Sorry, is that direction? Sorry.

1280

01:05:59.535 --> 01:06:02.025

It's Swimmer Marshall. Thank you.

1281

01:06:02.555 --> 01:06:03.705

Sorry. Good afternoon, sir.

1282

01:06:03.705 --> 01:06:05.385

Sorry, I thought you were directing that at the,

1283

01:06:05.485 --> 01:06:08.985

at the applicant Sarah Marshall for National Highways.

1284

01:06:09.445 --> 01:06:10.825

Um, thank you, sir. Yes.

1285

01:06:10.965 --> 01:06:13.945

So it is, um, paragraph four, article

1286

01:06:14.855 --> 01:06:19.385

16 in the latest, um, draft ECO.

1287

01:06:20.845 --> 01:06:23.945

We did not agree with the applicant's wording.

1288

01:06:24.075 --> 01:06:28.305

There is a paragraph that when, when we, we last met

1289

01:06:28.975 --> 01:06:32.185

that we said we would want included, now we,

1290

01:06:32.235 --> 01:06:36.025

we've had a similar paragraph, um, that was accepted

1291

01:06:36.025 --> 01:06:38.265

by the Secretary of State on the Med Worth decision.

1292

01:06:38.725 --> 01:06:41.105

Um, I'm, I'm happy

1293

01:06:41.285 --> 01:06:44.705

to forward the Med Worth decision if it would help the

1294

01:06:44.865 --> 01:06:46.505

examining authority with that wording.

1295

01:06:47.425 --> 01:06:50.345

I would, I'm also happy to submit the protective provisions

1296

01:06:50.345 --> 01:06:53.785

with that paragraph or submit that paragraph on its own.

1297

01:06:54.205 --> 01:06:56.305

So it is clear. There's only one paragraph

1298

01:06:56.305 --> 01:06:59.345

that is in dispute on the, this concerning acquisition.

1299

01:07:00.085 --> 01:07:02.705

Um, I don't think the parties,

1300

01:07:02.845 --> 01:07:04.145

we have made many attempts.

1301

01:07:04.225 --> 01:07:08.265

I don't think the parties are expected to, to agree.

1302

01:07:08.725 --> 01:07:12.585

Um, the other point we have raised the issue of nwe,

1303

01:07:12.685 --> 01:07:15.185

and again, national Highways used that the,

1304

01:07:15.205 --> 01:07:17.345

the applicant is a ary, undertaker,

1305

01:07:17.485 --> 01:07:21.905

and ware rights apply to beyond the, um,

1306

01:07:22.915 --> 01:07:24.065

zoner operation of the highway.

1307

01:07:24.245 --> 01:07:27.625

So they, they apply even to the subsoil.

1308

01:07:27.925 --> 01:07:31.105

Um, and we have obtained a Casey opinion

1309

01:07:31.215 --> 01:07:34.145

that opinion was submitted for the high net DC0.

1310

01:07:34.805 --> 01:07:38.945

Um, and I, I was proposing to submit that opinion,

1311

01:07:39.645 --> 01:07:42.225

um, for the next deadline for this, for this,

1312

01:07:42.445 --> 01:07:43.625

for this DC0, sir.

1313

01:07:43.915 --> 01:07:44.915

Thank you.

1314

01:07:46.415 --> 01:07:48.505

Okay. Thank you. I think it would be useful if you could

1315

01:07:48.505 --> 01:07:50.985

take the, so the applicant's sector provisions are

1316

01:07:51.295 --> 01:07:53.945

effectively what you'd like to see in the DC0.

1317

01:07:54.645 --> 01:07:57.665

If you could take those and track change

1318

01:07:57.965 --> 01:08:01.745

or say the, you know, set out the wording

1319

01:08:01.745 --> 01:08:03.625

that you would want to see in those, then

1320

01:08:04.385 --> 01:08:06.005

it sounds like it's going to be up to the

1321

01:08:06.805 --> 01:08:08.525

examining authority to make a decision on that

1322

01:08:09.305 --> 01:08:10.805

or recommendation on that.

1323

01:08:11.465 --> 01:08:15.720

Um, what's wrong with the med, what's, what's wrong

1324

01:08:15.720 --> 01:08:17.305

with using the med with the same med

1325

01:08:17.305 --> 01:08:19.825

with protected provisions, which has just been,

1326

01:08:20.245 --> 01:08:22.305

um, approved by the Secretary of State?

1327

01:08:22.825 --> 01:08:25.665

'cause I think they basically reiterate

1328

01:08:25.735 --> 01:08:28.465

what National Highways are requesting, don't they?

1329

01:08:29.255 --> 01:08:31.465

Well, I mean, I, I I think I'd have

1330

01:08:31.465 --> 01:08:34.745

to re review those points in, in, in more detail, sir.

1331

01:08:34.745 --> 01:08:38.065

But, but, but fundamentally, uh, the applicant's view is

1332

01:08:38.065 --> 01:08:40.185

that the acquisition or the freehold acquisition

1333

01:08:40.185 --> 01:08:44.785

of a subsoil interest at some 20 meters, uh, below, um,

1334

01:08:45.085 --> 01:08:49.225

uh, below the highway, uh, is not something which is, uh,

1335

01:08:49.365 --> 01:08:54.145

to the detriment of, uh, national Highway's undertaking, um,

1336
01:08:54.485 --> 01:08:57.145
and is necessary, uh, in order

1337
01:08:57.205 --> 01:08:59.185
to adequately protect the asset,

1338
01:08:59.195 --> 01:09:01.945
which is a significant asset in, uh, in,

1339
01:09:01.965 --> 01:09:03.065
in the transfer tunnel.

1340
01:09:03.725 --> 01:09:06.305
And, uh, the applicant requires the comfort

1341
01:09:06.335 --> 01:09:09.905
that it can exercise its powers, uh, in order to acquire,

1342
01:09:10.285 --> 01:09:12.505
uh, uh, that interest for those purposes.

1343
01:09:13.005 --> 01:09:15.625
So did Med have any compulsory acquisition of

1344
01:09:17.065 --> 01:09:20.185
National Highways land specifically on the, on the

1345
01:09:21.395 --> 01:09:22.445
land plans, for example?

1346
01:09:23.185 --> 01:09:24.925
Uh, I'd have to look at that in order to be able

1347
01:09:24.925 --> 01:09:26.245
to comment fully on it, so I haven't done that.

1348
01:09:28.345 --> 01:09:30.955
Okay. So in terms of National Highways, we'll,

1349
01:09:30.955 --> 01:09:34.395

we'll put an action point for you to, um, submit

1350

01:09:35.115 --> 01:09:38.085

your preferred protected provisions by the,

1351

01:09:38.345 --> 01:09:39.725

by the next deadline in that case.

1352

01:09:41.205 --> 01:09:44.025

And then as the ex examining authority, we'll have

1353

01:09:44.025 --> 01:09:45.305

to look at the evidence and consider,

1354

01:09:45.305 --> 01:09:49.875

which we think would be the wants to go with. Uh,

1355

01:09:50.215 --> 01:09:52.875

Yes, I think, I think that's probably, uh, uh, right, sir.

1356

01:09:53.095 --> 01:09:56.235

Uh, I'm, I'm conscious Ms. Marshall also, um, referred to,

1357

01:09:56.495 --> 01:09:59.875

uh, a legal opinion, um, which she may wish

1358

01:09:59.875 --> 01:10:01.795

to rely on clearly, if that could come in

1359

01:10:01.895 --> 01:10:04.195

and we could then have the opportunity to respond to it.

1360

01:10:06.395 --> 01:10:09.985

Okay. Thank you. Um,

1361

01:10:11.175 --> 01:10:12.955

Ms. Marshall, did you want to add anything else?

1362

01:10:14.345 --> 01:10:16.155

Yeah, thank you, sir. Sarah Marshall

1363
01:10:16.155 --> 01:10:20.555
for National Highways, um, there was a,

1364
01:10:20.815 --> 01:10:21.955
an incident that occurred

1365
01:10:22.055 --> 01:10:24.315
and it was a, a freight train that derailed

1366
01:10:24.775 --> 01:10:28.155
and that was arising from tunneling under the, under,

1367
01:10:28.285 --> 01:10:29.755
under a road, under the railway.

1368
01:10:30.255 --> 01:10:34.355
And there was, um, land, land heave.

1369
01:10:34.455 --> 01:10:36.595
Anyway, there, there's a formal report on it

1370
01:10:36.595 --> 01:10:39.675
that was submitted for the high net DC0.

1371
01:10:40.015 --> 01:10:42.795
Um, and, and the reason it was submitted is it is

1372
01:10:43.195 --> 01:10:46.075
demonstrates the risk if you have tunneling under a road

1373
01:10:46.135 --> 01:10:50.915
or under a railway, um, of, of changes in land due

1374
01:10:50.915 --> 01:10:52.235
to weather, climate, whatever.

1375
01:10:52.615 --> 01:10:56.075
But there is a, a risk, even if the tunnel,

1376
01:10:56.415 --> 01:10:59.115

the service tunnel is 20 meters under,

1377

01:10:59.115 --> 01:11:02.995

there is still a potential risk to the, to the SRN.

1378

01:11:03.375 --> 01:11:07.475

I'm happy to submit that formal report at the next deadline.

1379

01:11:07.535 --> 01:11:11.035

So along with, um, along with the EKC opinion on ns, well,

1380

01:11:11.345 --> 01:11:12.755

Okay, yeah, I understand that.

1381

01:11:13.025 --> 01:11:17.485

But doesn't, they don't, the protector provisions explain

1382

01:11:17.505 --> 01:11:20.965

how the work would be done, whereas anything to

1383

01:11:20.965 --> 01:11:24.985

with land ownership is, is doesn't, does that relate

1384

01:11:25.005 --> 01:11:26.625

to safety issues?

1385

01:11:26.625 --> 01:11:28.425

Isn't that just a legal thing rather than,

1386

01:11:29.005 --> 01:11:31.865

so when the protector provisions indicate how

1387

01:11:32.045 --> 01:11:33.385

and to your satisfaction

1388

01:11:33.485 --> 01:11:35.105

how the works would actually proceed?

1389

01:11:37.165 --> 01:11:41.025

Yes, sir. Um, I, the, the report was just to demonstrate,

1390

01:11:41.205 --> 01:11:43.225

to demonstrate the risks, but you, as you said,

1391

01:11:43.225 --> 01:11:44.785

you understand those, those risks.

1392

01:11:45.165 --> 01:11:49.065

Um, as we've explained at the, the previous hearing, um,

1393

01:11:49.885 --> 01:11:53.585

the, the difficulty for

1394

01:11:54.505 --> 01:11:59.465

National Highways is once you have works being

1395

01:11:59.465 --> 01:12:04.145

undertaken under the srn, so

1396

01:12:04.205 --> 01:12:05.745

for once those works are completed,

1397

01:12:05.745 --> 01:12:07.625

and those works will need to be completed according

1398

01:12:07.625 --> 01:12:08.745

to the protected provisions.

1399

01:12:08.745 --> 01:12:12.425

And of course, the important paragraph in the protected

1400

01:12:12.425 --> 01:12:14.705

provisions is the, is the paragraph that isn't agreed.

1401

01:12:15.525 --> 01:12:19.745

Um, paragraph 16, which, yeah, so, but

1402

01:12:19.745 --> 01:12:20.945

You are s are you satisfied in

1403

01:12:20.965 --> 01:12:21.905

The way that they, if that paragraph was

1404

01:12:21.905 --> 01:12:22.905

agreed? Sorry, sir.

1405

01:12:23.345 --> 01:12:25.175

Sorry. I was gonna, are you satisfied in the way that,

1406

01:12:25.595 --> 01:12:28.415

so I know you don't, you don't, you, you, you don't want 'em

1407

01:12:28.415 --> 01:12:30.935

to own the land, but are you satisfied in the way

1408

01:12:30.935 --> 01:12:33.855

that they're proposing through the protective provisions

1409

01:12:33.855 --> 01:12:35.575

to actually undertake or, and

1410

01:12:35.575 --> 01:12:38.015

or the parts of the application in order

1411

01:12:38.015 --> 01:12:39.335

to actually undertake those works?

1412

01:12:41.915 --> 01:12:45.415

Yes, sir. Can I bring in my colleague Andrew Rosman

1413

01:12:45.515 --> 01:12:47.195

to provide comment?

1414

01:12:47.615 --> 01:12:48.615

Um,

1415

01:12:53.145 --> 01:12:54.195

Good afternoon, sir.

1416

01:12:54.255 --> 01:12:58.155

Andrew Rosman, national Highways, um, when it comes down

1417

01:12:58.215 --> 01:13:02.995

to the service tunnel under the A 14, uh, we will have

1418

01:13:02.995 --> 01:13:06.195

to go through a geotechnical check of it

1419

01:13:06.415 --> 01:13:07.995

by our geotechnical team,

1420

01:13:08.775 --> 01:13:12.475

and we will have to monitor the surface of the carriageway

1421

01:13:13.095 --> 01:13:14.675

before, during, and

1422

01:13:14.675 --> 01:13:17.515

after the service tunnel is completed

1423

01:13:18.055 --> 01:13:22.595

to ensure no settlement or heave occurs on that carriageway

1424

01:13:22.975 --> 01:13:26.195

and therefore a risk and liability to National Highways.

1425

01:13:27.735 --> 01:13:29.275

So yes, that's all well and good,

1426

01:13:29.295 --> 01:13:31.155

but what does the legal ownership of

1427

01:13:31.315 --> 01:13:35.515

that land 20 meters down, um, how does that implicate

1428

01:13:36.135 --> 01:13:37.155

you being able to do that?

1429

01:13:38.095 --> 01:13:40.475

Um, Probably that's just a legal issue rather than

1430

01:13:41.375 --> 01:13:45.145

one which would affect the operation of the road, or,

1431

01:13:45.735 --> 01:13:47.625

Well, if there is any settlement

1432

01:13:47.645 --> 01:13:52.465

or heave over a certain, uh, recognized level of, uh,

1433

01:13:52.665 --> 01:13:55.745

a matter of probably no more than 15 millimeters,

1434

01:13:56.295 --> 01:13:59.505

that could have a detrimental effect on the traffic

1435

01:13:59.575 --> 01:14:03.105

traveling on that carriageway and could cause an accident.

1436

01:14:04.285 --> 01:14:07.905

Yes. But whether the applicant owns the land,

1437

01:14:07.925 --> 01:14:11.315

the pipe would be going through at what, 18 meters

1438

01:14:11.315 --> 01:14:15.215

below ground level, that's an ownership issue.

1439

01:14:15.555 --> 01:14:19.095

The protector provisions would be the area

1440

01:14:19.105 --> 01:14:22.255

where your concerns there would be dealt with, aren't they?

1441

01:14:26.005 --> 01:14:29.545

So Sarah Marshall National Highways, it would,

1442

01:14:30.445 --> 01:14:34.225

the ownership of the, if in future, again,

1443

01:14:34.905 --> 01:14:37.555

national Highways have to look many years forward,

1444

01:14:38.455 --> 01:14:41.515
if there were improvements, um,

1445

01:14:42.695 --> 01:14:47.085
works been undertaken to the A 14, we don't know what's,

1446

01:14:47.835 --> 01:14:49.845
what type of works would be required.

1447

01:14:51.225 --> 01:14:55.205
But if we, if National Highways did not own the subsoil,

1448

01:14:57.085 --> 01:15:00.545
we are restricted in what improvements can be undertaken

1449

01:15:00.645 --> 01:15:01.705
to the, to the road.

1450

01:15:01.805 --> 01:15:04.905
We have to go through a, a third party.

1451

01:15:05.885 --> 01:15:10.475
Um, I did refer in our deadline five submissions

1452

01:15:10.615 --> 01:15:14.675
to the fact that, um, subsoil of the SRN is

1453

01:15:15.255 --> 01:15:17.355
in the vast majority was Crown Land.

1454

01:15:18.135 --> 01:15:20.555
And for some reason this was submitted, um,

1455

01:15:20.865 --> 01:15:23.555
when National Highways became a, a company,

1456

01:15:23.775 --> 01:15:24.955
um, within Highways England.

1457

01:15:25.455 --> 01:15:30.065

Um, and it is likely,

1458

01:15:30.425 --> 01:15:34.225

I expect, it's likely that, um, the government may look

1459

01:15:34.405 --> 01:15:36.785

to making a subsoil of

1460

01:15:37.695 --> 01:15:39.595

the SRN Crown Land again,

1461

01:15:40.305 --> 01:15:42.835

because there are, it is a different landscape now.

1462

01:15:42.835 --> 01:15:44.635

There are many third party dcos

1463

01:15:44.705 --> 01:15:47.795

that impact the SRN. So thank you.

1464

01:15:48.505 --> 01:15:49.515

Okay, thank you. Um,

1465

01:15:49.935 --> 01:15:51.395

I'm not sure we're going to get any further on this.

1466

01:15:51.415 --> 01:15:53.915

So would the applicant just like to respond very briefly?

1467

01:15:54.615 --> 01:15:56.835

Uh, well, I think a lot of that speculation, sir,

1468

01:15:56.835 --> 01:15:59.835

but I mean, uh, the, the point is,

1469

01:15:59.835 --> 01:16:01.115

and I think, I think you are, you,

1470

01:16:01.175 --> 01:16:04.355

you you're absolutely identified it that all of these things

1471

01:16:05.055 --> 01:16:08.195

and nothing to do with land ownership of the subsoil strata

1472

01:16:08.915 --> 01:16:11.475

19 meters, 19 meters under the ground and,

1473

01:16:11.495 --> 01:16:13.595

and the kind of things that we are seeing, which is

1474

01:16:13.595 --> 01:16:16.475

what worries the, uh, the applicant in, uh,

1475

01:16:16.795 --> 01:16:19.515

national Highway's, previous responses, a reference to lift

1476

01:16:19.515 --> 01:16:20.555

and shift provisions

1477

01:16:20.555 --> 01:16:23.355

and things like that, which are entirely inappropriate

1478

01:16:23.415 --> 01:16:25.115

for this piece of vital infrastructure.

1479

01:16:25.535 --> 01:16:30.315

So that's why, uh, the applicant wants, uh, uh, a freehold

1480

01:16:30.315 --> 01:16:32.555

of the subs Strat in order to provide, to provide

1481

01:16:32.555 --> 01:16:33.635

that asset protection.

1482

01:16:36.725 --> 01:16:39.055

Okay, thank you. Um, I'm going to move on then to

1483

01:16:39.965 --> 01:16:41.975

Network Rail Infrastructure Limited.

1484

01:16:42.335 --> 01:16:45.755

I, I don't have we got anyone from Network Rail?

1485

01:16:46.745 --> 01:16:47.385

I don't think we do.

1486

01:16:54.105 --> 01:16:56.895

Maybe the applicant then could give us an update on, I mean,

1487

01:16:56.895 --> 01:16:59.455

it didn't sound like, it sounds like you were fairly close

1488

01:17:00.455 --> 01:17:01.335

I i, To agreeing

1489

01:17:01.335 --> 01:17:02.895

protective provisions with Network Rail. I,

1490

01:17:02.935 --> 01:17:04.255

I, I, I I think, I think so.

1491

01:17:04.275 --> 01:17:06.095

So I mean, the dis discussions were ongoing.

1492

01:17:06.395 --> 01:17:10.685

Um, the extent of difference between, uh, uh, the applicant

1493

01:17:10.685 --> 01:17:12.285

and Network Rail is really related

1494

01:17:12.425 --> 01:17:15.045

to aligning what's in the protected provisions

1495

01:17:15.385 --> 01:17:17.685

to what's in the asset protection agreement,

1496

01:17:17.695 --> 01:17:20.405

which the applicant has already completed with Network Rail.

1497

01:17:20.545 --> 01:17:23.245

So it's, it's fairly, you know, minor stuff,

1498

01:17:23.245 --> 01:17:25.965

which should be, should be able to be, uh, rectified within,

1499

01:17:25.965 --> 01:17:27.045

within the examination.

1500

01:17:27.395 --> 01:17:31.765

Okay, thank you. Um, in that case came to counter counsel,

1501

01:17:32.225 --> 01:17:33.805

I'm hoping you're gonna tell me that everything's agreed

1502

01:17:33.805 --> 01:17:35.165

and we don't have to worry about it anymore.

1503

01:17:35.775 --> 01:17:39.845

We're nearly there, sir. Excellent. Um, uh, but, but Mr.

1504

01:17:40.015 --> 01:17:43.245

Kafer perhaps should, should just, uh, confirm his view. Um,

1505

01:17:45.315 --> 01:17:49.455

Yes, we, we are, uh, in dialogue, um, with the applicants

1506

01:17:49.455 --> 01:17:51.055

and progressing matters, um,

1507

01:17:51.515 --> 01:17:55.175

and uh, hopefully we'll be able to report positively, um,

1508

01:17:55.515 --> 01:17:56.815

at the next deadline, hopefully.

1509

01:17:57.445 --> 01:17:59.535

Okay. Okay, that's good.

1510

01:17:59.715 --> 01:18:02.215

And so just on that point, does

1511

01:18:02.215 --> 01:18:04.175

that include your concerns around the bridal way?

1512

01:18:06.805 --> 01:18:11.265

Um, it in relation to the, um, it had been

1513

01:18:11.905 --> 01:18:13.145

proposed to be permissive well,

1514

01:18:13.665 --> 01:18:14.665

Previously? Yeah, I think you mentioned

1515

01:18:14.665 --> 01:18:16.105

you need protective provisions

1516

01:18:16.105 --> 01:18:18.705

for the bridal way and you wanted

1517

01:18:18.705 --> 01:18:21.465

that written into the protected provisions rather than just

1518

01:18:21.485 --> 01:18:23.545

the talking about the local highway network.

1519

01:18:26.965 --> 01:18:30.505

Yes, by my understanding is the bridal way is now to be, um,

1520

01:18:31.305 --> 01:18:32.365

public right of way.

1521

01:18:32.985 --> 01:18:36.315

That's the latest position. Yes.

1522

01:18:36.375 --> 01:18:39.905

But are you not

1523

01:18:39.965 --> 01:18:41.665

so concerned about the protected

1524

01:18:41.665 --> 01:18:42.705

provisions for the bridal away?

1525

01:18:42.865 --> 01:18:44.865

I wasn't too sure why you needed them in the first place,

1526

01:18:45.925 --> 01:18:47.505

but maybe you can explain if you are

1527

01:18:47.505 --> 01:18:48.825

still concerned about that.

1528

01:18:49.605 --> 01:18:52.185

Um, I might have to check with my colleagues on that and,

1529

01:18:52.365 --> 01:18:53.625

and maybe confirm back to you.

1530

01:18:54.945 --> 01:18:56.995

Okay, thanks. So we'll wait till the next deadline

1531

01:18:56.995 --> 01:18:58.955

to have an update on that, in that case.

1532

01:19:01.285 --> 01:19:03.185

Um, and then finally, on protective provisions,

1533

01:19:03.285 --> 01:19:06.865

the conservators of the river cam, um,

1534

01:19:07.055 --> 01:19:08.665

some protective provisions were

1535

01:19:08.905 --> 01:19:10.665

provided from the conservators

1536

01:19:11.485 --> 01:19:14.785

and from what I've seen, the applicant appears to be open

1537

01:19:14.785 --> 01:19:19.105

to the inclusion of most of those suggestions with maybe

1538

01:19:20.995 --> 01:19:22.855

the exception of some

1539

01:19:22.855 --> 01:19:24.575

of the articles we refer to earlier on.

1540

01:19:25.155 --> 01:19:28.255

Um, but include, but about the costs

1541

01:19:28.275 --> 01:19:30.015

and expenses, you seem to be fairly open

1542

01:19:30.015 --> 01:19:33.215

to including those in the next DCO, is that correct?

1543

01:19:34.315 --> 01:19:37.175

Uh, certainly Sarah, I think there's, I think there's a,

1544

01:19:37.295 --> 01:19:39.895

a way through to resolving this as, as we indicated earlier,

1545

01:19:40.195 --> 01:19:42.295

um, amended protected provisions were, uh,

1546

01:19:44.475 --> 01:19:46.695

we we're included in in mid-February,

1547

01:19:46.695 --> 01:19:49.215

and we responded some further questions, uh, earlier,

1548

01:19:49.215 --> 01:19:52.095

earlier this week, and we got a meeting in, in,

1549

01:19:52.155 --> 01:19:53.935

in the process of being arranged in order

1550

01:19:53.995 --> 01:19:56.375

to hopefully resolve those outstanding issues.

1551

01:19:56.395 --> 01:19:57.255

The, the applicant

1552

01:19:57.255 --> 01:19:58.815

remains positive that they will be resolved.

1553

01:19:59.525 --> 01:20:00.735

Okay. So maybe it's worth,

1554

01:20:00.805 --> 01:20:04.015

it's worth leaving this till the next deadline if you have a

1555

01:20:04.015 --> 01:20:06.015

meeting, um, in place

1556

01:20:06.625 --> 01:20:08.405

where you can discuss these matters further

1557

01:20:08.585 --> 01:20:10.445

and hopefully come to some kind of agreement.

1558

01:20:11.665 --> 01:20:12.685

Um, unless there's anything

1559

01:20:12.685 --> 01:20:14.725

that the conservators just wish to add at this point,

1560

01:20:17.175 --> 01:20:18.175

Um, good afternoon.

1561

01:20:18.255 --> 01:20:21.955

Um, Han Cleary for the Conservancy, um, I think that's a,

1562

01:20:22.315 --> 01:20:24.755

a summary of the appropriate summary of the situation.

1563

01:20:24.805 --> 01:20:28.315

We've got very fluid ongoing discussions at the moment

1564

01:20:28.575 --> 01:20:32.395

and it would be really inappropriate for us to, to, to say

1565

01:20:32.395 --> 01:20:33.995

what, what the details are.

1566

01:20:34.695 --> 01:20:37.795

We would hope that we would be able to reach a, a conclusion

1567

01:20:37.855 --> 01:20:40.195

to this, um, for the next meeting.

1568

01:20:41.405 --> 01:20:45.495

Okay. Thank you for that. Um, and then one other point.

1569

01:20:45.795 --> 01:20:48.855

So can the applicant please confirm it'll update the DCR at

1570

01:20:48.855 --> 01:20:50.335

the final deadline to ensure that

1571

01:20:51.585 --> 01:20:54.895

protective provision paragraph numbers run consecutively

1572

01:20:55.355 --> 01:20:57.935

as per the guidance at the moment?

1573

01:20:57.995 --> 01:21:01.945

You have, have them starting at number one again,

1574

01:21:02.045 --> 01:21:04.865

but the guidance says to run consecutively.

1575

01:21:09.295 --> 01:21:10.395

Yes, we can do that, Sir. Okay.

1576

01:21:10.395 --> 01:21:12.875

And just in that case, bear in mind that some

1577

01:21:13.255 --> 01:21:15.435

of the protected provisions at the moment refer to

1578

01:21:16.575 --> 01:21:20.415

say paragraph 10 C within that, so that would need

1579

01:21:20.415 --> 01:21:24.155

to be changed to probably, I dunno, whatever it is, 90 C

1580

01:21:24.335 --> 01:21:26.875

or so, if you could just do a run through

1581

01:21:26.875 --> 01:21:28.715

and a check of that as well, please. Uh,

1582

01:21:28.795 --> 01:21:30.075

A absolutely, sir, that's understood.

1583

01:21:30.075 --> 01:21:32.755

Ob obviously these, the reason why it's done like it is at

1584

01:21:32.755 --> 01:21:34.835

the moment is because these are all negotiated separately

1585

01:21:34.855 --> 01:21:37.275

and, and we'll consolidate it all in the final version.

1586

01:21:37.385 --> 01:21:42.215

Okay, thank you. And then, um,

1587

01:21:42.415 --> 01:21:44.895

a quick update on the contents, licenses and agreements.

1588

01:21:45.115 --> 01:21:46.495

The two section one oh sixes,

1589

01:21:47.965 --> 01:21:49.905

can you just gimme a brief update on where they're at?

1590

01:21:50.205 --> 01:21:52.105

Uh, it's now one section 1 0 6, sir.

1591

01:21:52.325 --> 01:21:57.105

Um, uh, which will, uh, deal with, uh, uh, a, a number

1592

01:21:57.105 --> 01:22:01.355

of measures if I can just, uh, uh, uh, turn those up.

1593

01:22:01.815 --> 01:22:05.955

Um, I think there is, uh, uh, a, a contribution towards, um,

1594

01:22:06.255 --> 01:22:09.595

uh, potential traffic regulation order in the event of,

1595

01:22:09.775 --> 01:22:10.795

uh, nuisance parking.

1596

01:22:12.255 --> 01:22:16.795

Um, there is, um, uh, a payment in relation to,

1597

01:22:17.295 --> 01:22:21.275

uh, safety and, and of equestrian users.

1598

01:22:22.615 --> 01:22:26.675

Um, there's, uh, proposed contributions towards

1599

01:22:27.405 --> 01:22:30.395

addressing recreational pressor on the Triple SI.

1600

01:22:30.815 --> 01:22:33.635

Um, I think that might come up in the next, uh, sorry,

1601

01:22:33.735 --> 01:22:34.915

in the agenda item four.

1602

01:22:34.975 --> 01:22:38.875

So potentially any detail around that I suggest we pick up,

1603

01:22:38.975 --> 01:22:40.435

uh, uh, pick up at that point if you,

1604

01:22:40.435 --> 01:22:41.475

if, if you need to, sir.

1605

01:22:43.185 --> 01:22:44.965

So which is the one that's been, are you going

1606

01:22:44.965 --> 01:22:47.125

to withdraw one of them or how, how would that work?

1607

01:22:47.185 --> 01:22:50.085

Uh, it, well, I I I think simply we won't complete one

1608

01:22:50.085 --> 01:22:51.365

of them, sir, and they won't be submitted.

1609

01:22:51.485 --> 01:22:54.045

I mean, it, it was the one that was effectively relating

1610

01:22:54.105 --> 01:22:56.405

to the bridal away being permissive.

1611

01:22:56.405 --> 01:23:00.085

And of course that's now not, uh, that's now not the case,

1612

01:23:00.865 --> 01:23:02.565

um, because it will be a public right of way.

1613

01:23:05.455 --> 01:23:06.755

One was for parking, one was

1614

01:23:06.755 --> 01:23:08.755

for antisocial behavior, wasn't it?

1615

01:23:09.295 --> 01:23:12.435

Uh, in, in, in Indeed, indeed Soso,

1616

01:23:12.435 --> 01:23:15.515

but that was, that was linked to Bri away being

1617

01:23:16.195 --> 01:23:17.275

a permissive bridal away.

1618

01:23:17.745 --> 01:23:21.675

It's not something that, um, uh, is, it needs to be dealt

1619

01:23:21.675 --> 01:23:22.715

with now that it's a public.

1620

01:23:23.545 --> 01:23:26.275

Okay. Could we, will you explain all of this in the,

1621

01:23:26.275 --> 01:23:27.515

your next submissions in that case?

1622

01:23:27.735 --> 01:23:31.035

Uh, yes, we can do so. And with the, the equestrian,

1623

01:23:31.575 --> 01:23:34.595

was that to do with sign, uh, contribution of signage?

1624

01:23:38.705 --> 01:23:42.125

It was also an equestrian signage contribution in one

1625

01:23:42.125 --> 01:23:44.085

of the proposed section one X six agreement?

1626

01:23:44.665 --> 01:23:47.965

Yes. Is that still in there? Yes, it is.

1627

01:23:48.345 --> 01:23:52.245

And will, this is the point we've got down for the, um,

1628

01:23:52.645 --> 01:23:57.125

I think for the community item on the agenda, um, some

1629

01:23:57.125 --> 01:23:59.805

of the application documentation hasn't quite caught up

1630

01:24:00.515 --> 01:24:02.445

with, um, the bridal way.

1631

01:24:02.605 --> 01:24:06.405

I think some of it still describes it as being, um,

1632

01:24:06.405 --> 01:24:10.205

permissive or, you know, there's some doubt in there

1633

01:24:10.305 --> 01:24:13.365

and I wonder whether it's worth looking back over the

1634

01:24:13.605 --> 01:24:15.285

documentation to make sure that it's,

1635

01:24:15.715 --> 01:24:17.005

it's a hundred percent clear

1636

01:24:18.955 --> 01:24:22.005

that it will be, uh, PROW.

1637

01:24:22.175 --> 01:24:23.175

Thank you.

1638

01:24:24.715 --> 01:24:27.645

Okay, thank you. And then there were some permits

1639

01:24:27.645 --> 01:24:32.325

that were expected to have been duly made in December 23,

1640

01:24:32.785 --> 01:24:34.765

for example, industrial emissions

1641

01:24:34.985 --> 01:24:37.445

and medium combustion permit.

1642

01:24:38.105 --> 01:24:42.675

Um, also, I think you said it ish three,

1643

01:24:43.465 --> 01:24:45.235

that there be a water abstraction license

1644

01:24:45.375 --> 01:24:48.555

and water stream pouting license submitted by Deadline five,

1645

01:24:49.255 --> 01:24:50.275

but I don't think we saw that.

1646

01:24:50.455 --> 01:24:52.795

Oh, wait, sorry, I don't, we don't know if that happened.

1647

01:24:58.535 --> 01:24:59.745

Certainly. So I'll, I'll,

1648

01:24:59.745 --> 01:25:01.825

I'll give you some headline points and then Sure.

1649

01:25:01.925 --> 01:25:05.465

Taylor can, uh, uh, answer in terms of, uh, the detail.

1650

01:25:05.885 --> 01:25:10.545

Um, the IID, the IED permit, um, is

1651

01:25:11.425 --> 01:25:15.825

enhanced pre-app, um, understand no, uh, specific issues

1652

01:25:16.245 --> 01:25:20.185

of have been raised, uh, in relation, uh, to those.

1653

01:25:20.185 --> 01:25:22.305

And it's going through, uh, it's going through the process

1654

01:25:22.845 --> 01:25:24.345

in terms of the various sort

1655

01:25:24.345 --> 01:25:26.505

of construction related permits.

1656

01:25:26.805 --> 01:25:29.585

Uh, again, those, uh, submissions have been made on an,

1657

01:25:29.585 --> 01:25:31.905

on an early basis on a sort of best estimate basis.

1658

01:25:32.165 --> 01:25:36.145

And, um, uh, again, we're no issues have,

1659

01:25:36.145 --> 01:25:38.745

have been raised in respect of, in respect of those

1660
01:25:43.465 --> 01:25:46.655
Water discharge permit is that one well,

1661
01:25:46.875 --> 01:25:48.855
So good morning, um, Catherine TE for the applicant

1662
01:25:49.275 --> 01:25:51.335
that's now been submitted to the Environment Agency.

1663
01:25:51.525 --> 01:25:54.695
Okay, thank you. And can I just ask, um,

1664
01:25:54.715 --> 01:25:57.345
the Environment Agency, Mr.

1665
01:25:57.445 --> 01:26:00.665
Ben, if you have aware of any, um,

1666
01:26:02.035 --> 01:26:04.865
major concerns at, at this point in time with regard to any

1667
01:26:04.865 --> 01:26:07.955
of the licenses or consents being applied for?

1668
01:26:08.685 --> 01:26:10.795
Hello sir Neville Ben Environment Agency?

1669
01:26:10.975 --> 01:26:13.795
Um, the applicants have set out what, um,

1670
01:26:13.795 --> 01:26:15.835
the applica the applications that have been made.

1671
01:26:16.295 --> 01:26:17.995
Um, as far as I'm aware there haven't been duly made,

1672
01:26:17.995 --> 01:26:19.955
so there's not been any updates I can provide to you,

1673
01:26:20.015 --> 01:26:22.355

but as far as I know, they're just going through the system.

1674

01:26:24.395 --> 01:26:25.725

Okay. So you're not aware of any

1675

01:26:26.785 --> 01:26:29.605

sub substantive substantive impediments at the moment?

1676

01:26:30.065 --> 01:26:32.005

No, sir. No. Okay. Thank you.

1677

01:26:37.595 --> 01:26:39.885

Yeah. Can you update the consents registered

1678

01:26:39.885 --> 01:26:41.445

by the next deadline as well, please, in that case

1679

01:26:41.445 --> 01:26:43.765

with all the updated details? Uh,

1680

01:26:43.765 --> 01:26:44.765

Will do sir.

1681

01:26:48.025 --> 01:26:51.165

Uh, section 1 3 5 of planning Act 2008

1682

01:26:51.165 --> 01:26:55.555

and crown consent, um, are we going

1683

01:26:55.555 --> 01:26:56.795

to get something soon

1684

01:26:56.975 --> 01:26:59.515

and what are the implications if they're not forthcoming

1685

01:26:59.575 --> 01:27:00.875

by the close of the examination?

1686

01:27:01.465 --> 01:27:03.395

Well, we certainly anticipate that, uh,

1687

01:27:03.535 --> 01:27:04.555

you will get something soon.

1688

01:27:04.615 --> 01:27:08.115

So, uh, we, we are, we are chasing hard, uh, to, to,

1689

01:27:08.135 --> 01:27:10.275

to get those in terms of the Secretary of State defense.

1690

01:27:10.415 --> 01:27:12.835

We, we are in contact with them

1691

01:27:12.835 --> 01:27:14.035

or in contact with them over,

1692

01:27:14.145 --> 01:27:15.555

over the course of the last week.

1693

01:27:16.055 --> 01:27:17.075

Um, and and

1694

01:27:17.075 --> 01:27:19.235

likewise in respect to the Secretary of State for transport,

1695

01:27:19.235 --> 01:27:24.145

we understand that's, um, uh, that, that sort of is, is

1696

01:27:24.145 --> 01:27:25.385

with the Secretary of State at that level.

1697

01:27:25.385 --> 01:27:27.625

There has been some personnel change in the relevant lawyer,

1698

01:27:27.805 --> 01:27:28.865

uh, within the department,

1699

01:27:28.885 --> 01:27:30.985

but we are, are chasing hard to get those, uh,

1700

01:27:43.175 --> 01:27:44.175

Okay. Thank you. Before I move

1701

01:27:44.175 --> 01:27:45.345
on, does anybody have any comments

1702

01:27:45.445 --> 01:27:46.545
on agenda item two?

1703

01:27:48.945 --> 01:27:51.655
Okay, so no hands up and nothing online.

1704

01:27:52.515 --> 01:27:55.985
In that case I'll move on to agenda item three,

1705

01:28:00.675 --> 01:28:04.845
which is agricultural land and soils.

1706

01:28:05.265 --> 01:28:07.685
Um, just bear with me a second. I need to check something.

1707

01:28:43.975 --> 01:28:47.545
Okay, so the first point was clarification around effects on

1708

01:28:48.655 --> 01:28:52.605
farm holding GEO 40, which is Pop hole farm.

1709

01:28:54.615 --> 01:28:57.715
So yes, so just, I'll just, I've got a question first

1710

01:28:57.735 --> 01:28:59.555
and then you can respond.

1711

01:28:59.655 --> 01:29:02.965
So the applicant updated ES chapter six

1712

01:29:04.395 --> 01:29:07.255
at Deadline five and the agricultural impact assessment

1713

01:29:08.555 --> 01:29:13.055
in response to written questions 2.3 0.3 and 2.3 0.4

1714

01:29:13.755 --> 01:29:16.375

and also to accurately reflect the submitted land plans.

1715

01:29:17.155 --> 01:29:21.985

Um, you identify an ES chapter six at paragraph 4.2

1716

01:29:21.985 --> 01:29:26.105

point 12, that there would be a low impact on Geo 40

1717

01:29:27.305 --> 01:29:29.155

from permanent acquisition of land

1718

01:29:29.785 --> 01:29:32.075

with 3.8% affected by this.

1719

01:29:33.175 --> 01:29:36.315

You also report to paragraph 4.2 0.49

1720

01:29:37.455 --> 01:29:39.435

and 4.2 0.62,

1721

01:29:40.065 --> 01:29:43.635

that temporary acquisition would have a low impact with 17%

1722

01:29:43.635 --> 01:29:46.675

of land affected, albeit

1723

01:29:46.675 --> 01:29:48.115

that this would result in a significant

1724

01:29:48.115 --> 01:29:49.555

effect due to disruption.

1725

01:29:52.325 --> 01:29:55.185

In ES chapter six tables 5.51

1726

01:29:55.185 --> 01:29:57.945

and five two, you report that the effect

1727

01:29:57.945 --> 01:29:59.225

of permanent acquisition

1728

01:29:59.225 --> 01:30:01.785

of land from Geo 40 would be moderate adverse

1729

01:30:01.785 --> 01:30:05.805

and significant, Which seems

1730

01:30:05.905 --> 01:30:09.245

to not be the same as what you were saying in the paragraph

1731

01:30:10.115 --> 01:30:11.205

with a low impact.

1732

01:30:12.465 --> 01:30:14.405

Um, and there was no mention in these tables

1733

01:30:15.275 --> 01:30:16.285

regarding the effects

1734

01:30:16.285 --> 01:30:18.525

of temporary position possession on Geo 40.

1735

01:30:19.585 --> 01:30:21.405

So I was hoping you could clarify the reasons

1736

01:30:21.505 --> 01:30:23.205

for the apparent inconsistency.

1737

01:30:26.165 --> 01:30:27.755

Thank you very much sir.

1738

01:30:28.175 --> 01:30:32.755

Um, we may have to return to you on the

1739

01:30:33.315 --> 01:30:35.355

specifics of the tables, um,

1740

01:30:35.975 --> 01:30:40.795

but we do have online, I hope we've still got Dr.

1741
01:30:40.925 --> 01:30:45.555
Emily Mar who can talk to the substance of this,

1742
01:30:46.215 --> 01:30:50.435
uh, which I hope you might find helpful and, uh, uh,

1743
01:30:50.495 --> 01:30:55.475
and will then, um, it enable the, um, uh,

1744
01:30:55.655 --> 01:30:58.395
the examining authority to, to be, um,

1745
01:30:58.625 --> 01:30:59.755
well informed on this.

1746
01:31:00.175 --> 01:31:02.075
Dr. Ma, are you still with us somewhere?

1747
01:31:02.865 --> 01:31:04.915
Good afternoon. Um, Emily Ma,

1748
01:31:04.925 --> 01:31:07.075
still scientist on behalf of the applicant.

1749
01:31:08.255 --> 01:31:12.595
Um, so I would need to refer to the table you mentioned.

1750
01:31:12.895 --> 01:31:14.475
Um, but the, you mentioned

1751
01:31:15.135 --> 01:31:18.395
an overall moderate significant effect, um,

1752
01:31:18.525 --> 01:31:21.195
which would apply to the landholding, um,

1753
01:31:21.285 --> 01:31:22.555
based on disruption.

1754
01:31:23.215 --> 01:31:27.515

Um, as um, according to the assessment, the level

1755

01:31:27.535 --> 01:31:32.315

of disruption necessitates, um, a change to the nature

1756

01:31:32.375 --> 01:31:36.115

of scale of the, um, landholding land use or enterprise.

1757

01:31:36.935 --> 01:31:40.435

Um, and this is the largest overall effect for

1758

01:31:40.435 --> 01:31:41.955

that farm holding, which leads

1759

01:31:41.955 --> 01:31:43.595

to a moderate significant effect.

1760

01:31:44.375 --> 01:31:48.475

Um, I would need

1761

01:31:48.475 --> 01:31:51.795

to double check the table to see whether, um,

1762

01:31:53.645 --> 01:31:57.945

the, a moderate significant effect has been reported

1763

01:31:57.975 --> 01:32:00.125

regarding permanent land use.

1764

01:32:01.145 --> 01:32:05.405

Um, because that would be a negligible impact, a low impact,

1765

01:32:05.865 --> 01:32:08.445

um, and is not

1766

01:32:08.445 --> 01:32:10.165

therefore the determining factor

1767

01:32:10.945 --> 01:32:13.245

for the overall significance of effects.

1768

01:32:13.665 --> 01:32:18.365

Um, in fact, it's not permanent land use

1769

01:32:18.365 --> 01:32:20.925

that is causing the overall significant

1770

01:32:20.925 --> 01:32:22.485

effects, it's the disruption.

1771

01:32:23.515 --> 01:32:26.925

Okay, thank you. So in ES chapter six, tables five one

1772

01:32:26.925 --> 01:32:29.845

and five two, where you report that the effect

1773

01:32:29.845 --> 01:32:33.435

of permanent acquisition of land will be moderate adverse

1774

01:32:33.435 --> 01:32:36.395

and significant, is that, does that need to be changed then

1775

01:32:36.415 --> 01:32:39.035

to reflect, uh, paragraphs

1776

01:32:41.945 --> 01:32:43.395

4.2, point 12,

1777

01:32:45.815 --> 01:32:47.235

Um, Of the ES in that case?

1778

01:32:47.515 --> 01:32:49.355

'cause I dunno which ones do I report

1779

01:32:49.355 --> 01:32:50.555

that it's significant adverse

1780

01:32:50.615 --> 01:32:52.475

or do I report that it's not significant adverse?

1781

01:32:52.475 --> 01:32:55.075

Depending on where I'm looking in the ES chapter,

1782

01:32:56.175 --> 01:33:01.135

Uh, the permanent acquisition of land

1783

01:33:02.265 --> 01:33:05.135

would overall have a significant

1784

01:33:05.725 --> 01:33:09.775

adverse effect based on disruption to the farm holding,

1785

01:33:10.555 --> 01:33:13.455

not based on the area of land acquired.

1786

01:33:14.475 --> 01:33:18.725

Um, so I don't believe anything needs

1787

01:33:18.725 --> 01:33:23.645

to be changed other than maybe wording to clarify that

1788

01:33:24.185 --> 01:33:28.645

the significance is based on the disruption caused

1789

01:33:28.705 --> 01:33:29.845

by permanent acquisition.

1790

01:33:30.765 --> 01:33:33.615

Okay. Maybe it would be easier if I set out an action

1791

01:33:33.615 --> 01:33:35.815

point and just reiterated the points.

1792

01:33:35.875 --> 01:33:37.935

Yes. And maybe you can just check that it's that

1793

01:33:37.935 --> 01:33:39.015

what I'm reading is co

1794

01:33:39.525 --> 01:33:41.375

that the table is consistent with Yes.

1795
01:33:41.795 --> 01:33:43.055
The paragraph numbers that I've read.

1796
01:33:43.155 --> 01:33:44.415
I'm sure we're very happy to deal

1797
01:33:44.415 --> 01:33:45.735
with it like that, sir. Thank

1798
01:33:45.735 --> 01:33:46.735
You. Okay, thank you. Yes,

1799
01:33:46.735 --> 01:33:47.535
Ms. Coston.

1800
01:33:50.045 --> 01:33:52.345
And would it be possible for there to be clarification

1801
01:33:52.925 --> 01:33:54.745
now we're talking about the, as a result

1802
01:33:54.745 --> 01:33:56.425
of the permanent acquisition of the land

1803
01:33:56.845 --> 01:34:01.385
and having a significant disruption to the, uh, land use it,

1804
01:34:01.535 --> 01:34:03.425
what exactly will be that,

1805
01:34:04.665 --> 01:34:06.315
what it will mean for the farmers?

1806
01:34:06.665 --> 01:34:09.915
What does that mean in reality, that disruption for, for,

1807
01:34:10.455 --> 01:34:11.555
for forever?

1808
01:34:12.295 --> 01:34:14.395

Yes. And the permanent land,

1809

01:34:14.415 --> 01:34:18.795

the permanent acquisition we're talking about is 0 21 B

1810

01:34:19.455 --> 01:34:23.365

and the two parcels of land where the,

1811

01:34:23.465 --> 01:34:27.285

the shafts would be covered over effectively. Yeah,

1812

01:34:27.625 --> 01:34:28.685

That's, that's because

1813

01:34:28.685 --> 01:34:30.205

Everything else, the permanent acquisition

1814

01:34:30.205 --> 01:34:32.165

elsewhere would be Yes. Below ground level.

1815

01:34:32.545 --> 01:34:34.245

Yes, that's right. Okay.

1816

01:34:34.405 --> 01:34:36.005

I think it's probably best if I do an action point

1817

01:34:36.025 --> 01:34:37.485

and just settle all of that. So

1818

01:34:37.485 --> 01:34:39.565

We'll, we'll deal with all of that Yeah.

1819

01:34:39.665 --> 01:34:41.925

In a written replies, your action point.

1820

01:34:42.665 --> 01:34:45.405

Um, and certainly we, we can do that. So yes.

1821

01:34:45.595 --> 01:34:46.605

Okay. Thank you. Thank you.

1822

01:34:50.855 --> 01:34:53.795

Um, and then just in ES chapter six, table five one

1823

01:34:53.795 --> 01:34:56.725

and five two, sorry.

1824

01:34:57.005 --> 01:34:59.865

No, that wasn't it. In ES chapter six, table two 12,

1825

01:35:01.045 --> 01:35:03.625

it was updated at deadline five to include the back filling

1826

01:35:04.285 --> 01:35:06.225

and reinstatement of shaft four.

1827

01:35:08.745 --> 01:35:10.765

Should this also make the same provision

1828

01:35:10.765 --> 01:35:12.445

for shaft number five as well?

1829

01:35:18.335 --> 01:35:20.595

Why, why only shaft four not shaft five when

1830

01:35:20.595 --> 01:35:22.075

they're on the same land? Yes.

1831

01:35:22.455 --> 01:35:25.275

So I'm instructed that, uh, you are right about that

1832

01:35:25.495 --> 01:35:26.675

and the answer is yes.

1833

01:35:28.295 --> 01:35:30.205

So we will need

1834

01:35:30.265 --> 01:35:33.725

to amend that.

1835

01:35:34.075 --> 01:35:35.075

Yeah.

1836

01:35:35.595 --> 01:35:36.965

This may be just being missed out.

1837

01:35:41.015 --> 01:35:42.715

Yes. So if we confirm

1838

01:35:42.715 --> 01:35:44.715

that at the next deadline in writing.

1839

01:35:45.635 --> 01:35:46.805

Okay. Thank you very much. Thank you.

1840

01:35:47.785 --> 01:35:50.085

And then moving on the,

1841

01:35:51.695 --> 01:35:52.995

we haven't got natural England here,

1842

01:35:52.995 --> 01:35:54.515

so I had a question from Natural England.

1843

01:35:54.855 --> 01:35:55.075

Um,

1844

01:36:03.625 --> 01:36:04.995

just, oh,

1845

01:36:04.995 --> 01:36:05.995

Sorry. We are moving to

1846

01:36:05.995 --> 01:36:09.475

item four biodiversity now. No, we're

1847

01:36:09.475 --> 01:36:10.475

Not. We're moving to consideration

1848

01:36:10.475 --> 01:36:11.235

of updates

1849

01:36:11.355 --> 01:36:13.355

to the outline soil management plan. Right.

1850

01:36:13.525 --> 01:36:15.915

Thank you. Um,

1851

01:36:16.055 --> 01:36:17.075

and on that matter,

1852

01:36:17.875 --> 01:36:20.275

I know Natural England has some concerns over the management

1853

01:36:20.275 --> 01:36:22.835

of peat soils and some other things,

1854

01:36:23.055 --> 01:36:26.275

and I did have some questions to ask them

1855

01:36:27.295 --> 01:36:28.515

if they were here, but they're not.

1856

01:36:28.735 --> 01:36:30.355

But have you seen the submission

1857

01:36:30.355 --> 01:36:32.955

that we received this morning from Natural England,

1858

01:36:34.365 --> 01:36:35.985

Um, Catherine Taylor for the applicant?

1859

01:36:36.045 --> 01:36:37.065

Yes, we have seen it.

1860

01:36:37.645 --> 01:36:40.785

Um, and we, um, have looked through it.

1861

01:36:41.565 --> 01:36:43.225

Um, the majority of the points they

1862

01:36:43.225 --> 01:36:44.545

make probably be accommodated.

1863

01:36:44.645 --> 01:36:46.825

We just had one point that we wanted to clarify with them,

1864

01:36:46.825 --> 01:36:49.625

which was a disagreement about the reference

1865

01:36:49.645 --> 01:36:51.425

to the guidance that they refer to.

1866

01:36:52.175 --> 01:36:54.395

Um, we're actively talking to them about that as to whether

1867

01:36:54.395 --> 01:36:55.955

that's just an error

1868

01:36:55.955 --> 01:36:57.195

because we don't think it relates

1869

01:36:57.195 --> 01:36:58.275

to this particular project.

1870

01:36:58.685 --> 01:36:59.995

Which guidance is that? Um,

1871

01:36:59.995 --> 01:37:03.395

that's the guidance relating to the agricultural use, um,

1872

01:37:03.415 --> 01:37:05.755

an application of mineral extraction, um,

1873

01:37:06.175 --> 01:37:07.755

and landfill raising sites.

1874

01:37:09.195 --> 01:37:12.495

So we, we, we sought clarification on that yesterday.

1875

01:37:12.915 --> 01:37:15.255

Um, and hopefully they'll come back to us quite quickly.

1876

01:37:17.255 --> 01:37:18.745
Okay. So in terms of land, um,

1877

01:37:19.125 --> 01:37:20.985
the outline soil measurement plan, you are,

1878

01:37:21.685 --> 01:37:24.305
you think you can accommodate what Natural England is saying

1879

01:37:24.325 --> 01:37:25.785
and your in discussions with them

1880

01:37:26.205 --> 01:37:29.785
and hopefully by the next deadline you'll be in a position

1881

01:37:29.805 --> 01:37:32.545
to well submit a updated version.

1882

01:37:33.285 --> 01:37:33.705
So yes.

1883

01:37:38.695 --> 01:37:39.425
Okay. Thank you.

1884

01:37:45.425 --> 01:37:46.445
Um, okay. In that case,

1885

01:37:46.445 --> 01:37:49.045
they were all the questions I had with regard to

1886

01:37:49.045 --> 01:37:50.125
that. Um, thank

1887

01:37:50.125 --> 01:37:51.125
You very much. So

1888

01:37:51.125 --> 01:37:55.605
can, can, um, Dr. Ma, um, go now? Yes.

1889

01:37:55.665 --> 01:37:57.965

She was just, thank you very much. One item. Thank you.

1890

01:38:01.375 --> 01:38:04.955

So before I move on to take, um, a break for lunch,

1891

01:38:04.985 --> 01:38:06.675

does anybody else have any comments they wish

1892

01:38:06.675 --> 01:38:08.235

to make on agenda item three?

1893

01:38:15.185 --> 01:38:20.145

Okay, in that case, uh, oh, I've got Ms. Sharp again.

1894

01:38:21.725 --> 01:38:22.745

Thanks. R sharp.

1895

01:38:22.845 --> 01:38:25.825

Um, Bidwell on behalf of Common Keys, um, it was just to us

1896

01:38:25.825 --> 01:38:28.705

that in that specific reply, um, around, um,

1897

01:38:28.705 --> 01:38:32.225

Popler Hall Farm, that that specifically, um, addresses

1898

01:38:32.225 --> 01:38:36.695

that, the point around, um, the, the, the effect of,

1899

01:38:36.795 --> 01:38:38.895

of the freehold acquisition of, of the shafts

1900

01:38:38.895 --> 01:38:39.975

after their reinstated.

1901

01:38:40.315 --> 01:38:42.855

Um, but I'd, I'd refer to our, our comments

1902

01:38:42.855 --> 01:38:44.655

that we raised at the last, at the last round.

1903

01:38:48.095 --> 01:38:49.355

I'm sorry, could you just repeat that?

1904

01:38:49.355 --> 01:38:53.225

I didn't, I didn't get the whole, um, thing that you said.

1905

01:38:53.225 --> 01:38:56.225

Sorry. Um, it was, it was just to ask that the specific,

1906

01:38:56.565 --> 01:38:59.985

um, clarification that angling water are to provide that,

1907

01:38:59.985 --> 01:39:03.705

that, um, contains clarification, um, specifically

1908

01:39:03.705 --> 01:39:06.585

around the disturbance caused by the freehold acquisition

1909

01:39:06.585 --> 01:39:08.465

of, of the reinstated shaft areas.

1910

01:39:09.345 --> 01:39:11.465

I understand it. So the same point as what Ms.

1911

01:39:11.515 --> 01:39:12.665

Cosen was making. Yeah,

1912

01:39:12.665 --> 01:39:13.665

Exactly.

1913

01:39:13.825 --> 01:39:17.745

I think yes. And we'll, uh, as we've said, we will confirm

1914

01:39:17.745 --> 01:39:19.905

that at the next reinstate. Great.

1915

01:39:19.905 --> 01:39:20.945

Okay. Thank you very much.

1916

01:39:22.035 --> 01:39:25.495

Um, in that case, we're banging on time at the moment.

1917

01:39:25.605 --> 01:39:28.615

It's 1259 and, um, I think is everyone happy

1918

01:39:28.675 --> 01:39:30.095

for 45 minutes for lunch?

1919

01:39:31.365 --> 01:39:32.895

Okay. Unless anyone says

1920

01:39:32.895 --> 01:39:37.415

otherwise, then we will adjourn until, um,

1921

01:39:37.475 --> 01:39:39.655

one 40, uh, yes, 1 45. So,

1922

01:39:39.675 --> 01:39:43.055

So could I just before you adjourn, uh, we're going

1923

01:39:43.055 --> 01:39:46.735

to run, we hope with items four to eight today,

1924

01:39:47.715 --> 01:39:50.735

and then pick up again in the morning with item nine.

1925

01:39:50.835 --> 01:39:52.415

That's the idea. Yes. Thank you very much.

1926

01:39:53.165 --> 01:39:56.175

Okay. So the hearing is adjourned till 1 45. Thank you.