

TEXT_LittleCrow_ISH2_Session2_29062021

Wed, 6/30 8:37AM • 2:31:33

00:01

It's now temper three. Welcome back, everybody.

00:06

The hearing is now resumed. Can I just check that? Mr. Male? Yes. Mr. Law. Excellent.

00:18

So turning to agenda item three a lot. You know, just before I do that there's a general point, which revolves around second written question 2.1 point one.

00:36

And that is the status of the outline construction environmental management plan, the outline decommissioning strategy and the outline landscape and ecological management plan.

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Because revised versions of those documents were all submitted at deadline three.

01:00

But they on their front covers, they don't cover the badge as forming part of the environmental statement, unlike their original counterparts when the application was first submitted, so can I just seek clarification as to whether those documents should still be considered as being part of the environmental statement?

01:23

Mr. Mehra? Was that something that you can assist with or is that for? Possibly, Mr. Roberts? No, I think I think it is one that sits with me. So yes, I think they should be considered as part of the environmental statement. I think for the purposes of the order, what we will do is that we will make some amendments that make it clear

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that when we are either talking about the environmental statement, those documents form part of it, or do they just need to be rebadged and resubmitted?

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Well, I think I'm, I'm content to do it either way. So I mean, if you would like them to be rebadged and resubmitted, then I'm quite sure that that's something we can facilitate. Because one of the things we're supposed to be watchful of is if they are going to evolve further during the examination,

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then it's only really the final version that might need to be fully rebadged, as long as it's clear that the rebadging will take place. And that, you know, from your perspective, how you're having to draft the final version of the draft order. I don't really mind how you do it. But I just wonder whether it would be simpler, that they are the final versions are rebadged? Because that's, um, that would mean you're unlikely to have to do much redrafting. Yes, I mean, certainly. So at the moment, Article 14 refers to the dates on which they were updated. So we all know what it is that we're doing. But I take the point. And

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yeah, I think in those when we get to a final version, obviously, we've just probably inferred in the last round of answers, there will be further updates to the lamp,

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for example, so yes, when we get to those final versions, we'll make sure that everything is everything is clear.

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Thank you.

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Okay, so turning to agenda item three A, which is a series of questions revolving around solar energy generation technology.

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The first little batch I'd like if we can have, first of all take up or at least have available

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the applicants technical Guide, which is ret 1011, which is the document that was submitted

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following the

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issue specific hearing, and I suspect Mr. Harlow was possibly the main author of

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indeed, So would it be helpful? Mr. Scan has already done it. He's already

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appendix two, which is even better.

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Mr. Bell, do I take it that Mr. Harlow is likely to be the most active member of the team for this sequence of questions or indeed sir He

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is Mr. Harlow there

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Good afternoon sir. Often name is to hollow

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right my my first quiz question. Now most of these questions, hopefully are quickfire ish although, as I indicated earlier, some of them are a little bit wordy to actually

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Built to get you to the vision of of giving an answer.

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Now, I think the key bit for this sequence of questions is, if you can't answer this afternoon, then just please indicate that you can't. And you'll take it away and respond as opposed hearing submission. And I think probably what I'm going to suggest

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is, I think what's going to come out of agenda item three, again, is potentially the need for you anyway to submit

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virsh awak

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technical guide two, which will build upon what you said in technical guide, one, and will deal with the questions I raised this afternoon, it may also pick up some of the questions that are in second written

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the second round of questions

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that there might be a bit of overlap. But as indicated earlier, part of the reason for asking these questions this afternoon, is hopefully,

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if my written questions weren't clear, this might assist and ensure that

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when you submit those second written questions revolving around these sorts of issues,

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in any

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lack of clarity, and in the written questions becomes clearer.

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So with that said, My first question

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revolves around whether or not

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the modular area for the solar panels that have been quoted and used in

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In fact, the simulation for

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the 420 megawatt panels, so that simulation one, which is in appendix two, in

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appendix two, there's reference to an area of 793,594. I'm going to say m two at the moment,

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which is which is given as

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the area for the modules, however, in the technical guide, rep 111.

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earlier on,

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sorry, in Rep. 1008, which is the the note of the hearing, an area of 924,346 square metres is referred to so did the simulation use, included in appendix to use the right

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area?

07:58

To be about a 14% difference? Yes, thank you, sir. It's Tom Harloff, the applicant. So these simulations are based on just a module, and there are so many modules out there, they all have different dimensions. And in our layout plan, we just chose a dimension

08:21

that would be kind of, within reason suitable to cover many, many different module manufacturers. And that's what gave us the square meterage. Within those documentation, in the simulation, then you actually pick a module and that module's dimensions are what are used. So in this 420 watt module that's in simulation one, its physical dimensions are 2.115 millimetres or metres by 1.052 metres. And if you multiply that out, and then by 356,617 modules, you get a module area of 793,584 square metres. In simulation three, which is actually appendix three, it's a different module, and there you get a larger area, you know.

09:21

So the physical characteristics in simulation, will appendix three, it's simulation, Appendix three, and it's simulation three.

09:30

That module, which is 535 watts has larger physical dimensions than the 420 watt module. Its physical dimensions are 2.256 metres by 1.133 metres. And using the same number of modules you would guess 911,666 square metres.

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The modules come in different sizes and every simulation will

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probably give you a different figure, despite the same number of modules, because that is, you know, they're they're not a standard item. No.

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I'm sorry, can I just

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you gave the dimensions for the 420

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megawatt the 420 watt.

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panel that's been using the simulation, I got the first, what can I just ask you to repeat

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those dimensions again? Because you gave them in millimetres the first time? Sure. Yeah. So I'll give it to you in metres. So the 420 watt module is 2.115 metres

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by 1.052 metres.

11:16

Thank you.

11:31

I think we'll leave that point, I may need to come back to it as we go through the questions. But that's helpful at this point.

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Now, I just like to look at some of the terms that have been used

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in this simulation,

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just in a little more detail.

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Just so I've got a better understanding. Again, there's a second reading question that picks up on a lot more of the terms, but there are there are just a few that stood out that I'd like carried. So can you explain what p num ratio 1.5 Mini means? That's in the part of the simulation on page one under grid power limitation? Sure. So P num is the ratio between the actual power

12:26

and the output power. So the installed capacity. So in that section, where you're reading is where it is 1.5. So you have active power of 99.9 megawatts, let's call that 100 megawatts, and we have an installed capacity of 150 megawatts. So you have 150 megawatts divided by 100? gives you 1.5.

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So what is p norm? Actually, the acronym stands for

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wireless nominal power.

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And you'll see her burst in terms of normal. Yeah. Just

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Yeah.

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You will see further down that you have a different ratio, which is 1.25. Yeah, I was gonna ask about that one next year, you beat me to it.

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So that's the same ratio, again with the installed capacity, but this time as to the actual AC power output of the inverters. So you have 26 inverters. Each of those inverters is 4.6 megawatts, giving you a total of 119.6 megawatts.

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And when you divide the installed capacity of the solar, which is 149.8 megawatts by 119, point six, you achieve 1.25.

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And that ratio will change you will see and simulation three, it's different.

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Because it's a it's a factor of the total installed capacity versus the AC power output.

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Yeah.

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That was the math that I could work out. I just wasn't sure what the actual p non

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phrase meant. And at least at least I thought I'd picked out what it meant and I kind of got there.

14:39

Right, can we say I should have asked before I started, have you presumably got the technical guide in front of you or readily to hand? Yeah, well, yes, I have a printed copy here.

14:53

If we can take a look at page four.

15:00

And particularly the table at the bottom of page four, which sets out the main result the balances and main results.

15:09

You mean page four of the appendix? Yes. Sorry. Yeah. Because in in the simulation, at the top right hand corner, each page is numbered. Yeah.

15:23

Is this simulation? simulation one? Yeah, sure. Okay. Yeah. Really, for this sequence of questions, I've kept to simulation one, because that is your

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I'm gonna say preferred design, but it's certainly the design that's been run through the years.

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Yeah, my, my first question, looking at the table at the bottom bottom of that page, is

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what is the performance? What performance ratio which is shown in that final column as PR?

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And how is it calculated?

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Now, if explaining how it's calculated, is going to take quite a lot.

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It might be easy if we just defer that to explain it in writing. But

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no, yeah, look at it. It's not. It's not very difficult. It's. So it's a ratio of offence, essentially, how well the solar Park is working. So what's the ratio of the power actually produced against the power that theoretically should be produced?

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And when I say theoretically, should be produced that will be based on standard test conditions?

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Yeah, and

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so presumably, it is just basically a straight

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division, again, output versus at what the theoretical output might be? Yes. So the calculation is essentially, the energy produced, which you'll see on that page is 134,529 megawatt hours. So you will convert that to kilowatt hours to keep everything the same. So it becomes 134,529,000 kilowatt hours. And you have to divide that by the total installed capacity multiplied by the global inclined.

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If you look at the main results below, there is a figure

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down there, which is essentially the global incidence and the collector play. And it's a definition you requested under questions too.

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And that's the total irradiance reaching the surface, though essentially, if you installed 149 megawatts in this location, the global incidence is what you would multiply that by based on the the meteorological data, and that should give you x power output. But then we have energy actually produced. So the energy actually produced is divided by the power you would theoretically produce, and it will give you the performance ratio. So performance ratio, typically above kind of 80 to 83%, is considered a good quality while working.

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solar farm.

18:57

Thank you. Yeah, I think that explanation is definitely something that should find its way into

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technical guide to

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now,

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I think what might be out for is maybe a fourth appendices that just gives a real breakdown of an actual PV system report.

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Yeah.

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Whatever you think is going to assist a lay person to work its way around

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these numbers

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and

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remaining on it sort of similar

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threads

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remaining on the same page, within this this

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simulation. Above the two graphs, there's a performance ratio of 84.46 quoted.

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So in round terms about 84 and a half

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now,

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presumably,

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that is the same figure

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that's appearing in the extreme right hand corner of the table below, which is rounded up to the 8.45.

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Right? Yeah. And it's the same graph that's on the right hand side of what you're looking at.

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Now, my only slight query is the supplemental question to that is that when you look at the table,

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and you look at the peoc, the performance ratio column and the total, the A, the 08, point four, five,

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is that number, in effect, the average of the figures given for each of the months above? Yes, yeah. Then I think there might be a slight problem with that nought point 845 figure.

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I've bashed it out on a calculator a couple of times. And I think the figure in the table should be naught point 815.

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Okay, now, we are discouraged from doing mathematics.

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In case we get it wrong.

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But I think

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outside of the hearing, I'd ask that you go away, and you or the consultants have a look at that number and see whether it's right, because if that numbers, right, wrong, and should be the lower figure of naught point 815. I think those numbers add up to

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would would that affect how the simulation has been run?

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It's not something I could answer, because actually, this is run by software. So you only put in certain parameters. And it produces the data based on the information you put in, which is location, number of megawatts number of inverters type of modules.

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And the software has algorithms that actually produce the information you're looking at. So I wouldn't be able to comment, but I'll take that away. It may be more that it's something to do with the spread over

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the days of the month as well.

23:00

Thank you.

23:17

All right,

23:19

continuing to look at that table, or at the foot of page four in the simulation, but also looking at page six of the simulation, where the there's a lot of diagram shown.

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Now like I could kind of make some of the maths work

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for the lower part of of that chart or that figure or that diagram, the top bit where you get from 955 kilowatt

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per metre square

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to the 981 kilowatt per

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metre square

24:11

running through those losses.

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And actually addition, I kind of got lost, or is that something that you can talk me through? Or is it again, is that something that might usefully just be explained? In what you refer to as appendix four to the technical guide? Then you appendix four to the technical guide? Yeah, I think it'd be a lot easier to explain that in written form.

24:43

losses and their effect on the irradiation are

24:48

a bit complex, I suppose score quite difficult to I don't think it might be that there's percentages on percentages which affects what you what drops out at the bottom. Yeah, and and

25:00

loss factors are at different times of the year because some of the losses aren't effective in summertime, but they are, are effective in summer but not a winter, for example, with you know, temperatures of modules increasing and things like that. So it's not a sometimes it's not just a simple math.

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Right, if we can revert back to the table on page four in simulation, one

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stack Mr. Hanlon is doing a great job of keeping

25:57

scanning in terms of keeping a pace.

26:03

Now, if I'm understanding

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the table correctly.

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And if I also look at the hourly output projection, shown in the graph on page two, earlier on in, in the technical know, which is the one that shows

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in effect between six in the morning and six in the evening, a kind of profile for

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when the park might be generating electricity.

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If we were to use may and December

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as two examples, because they seem to represent in terms of exporting from the site to the grid, the two extremes, main is simulation run being the highest output at for the month

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18,944 megawatt hours, whereas December is 2415 megawatt hours.

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If we were to look at noon, as just one example, again, that from the graph on page 10, that would seem to be

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when peak out what there will be peak electricity generation on the site?

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Are you able to do a quick calculation?

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Or

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I can run you through the calculation that I've done? And you can tell me whether or not it seems reasonable.

28:03

But then I'd ask you to confirm it.

28:06

In the post hearing submission,

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but are you able to confirm for noon in both May in December,

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for that new peak hour what the output might be?

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Well, it's,

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it's not exactly

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an exact science, the main reason being that you can be out in a nice day in July, and this can be quite Sunny, and you can be out a week later in July, and it can be quite dark. And we think in terms of at least in terms of basic principles.

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I mean, I think if I just run through the quick maths that I did, and you can tell me whether there's any sort of logic to it, or whether I've got it completely wrong, but if we take May,

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which is got a figure of 18,944 megawatt hours, there are 31 days in May.

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So if you divide the monthly output by 31 days,

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I think that gives you for each day, on average 611 megawatts, so that would be for the whole day.

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But then, if you were actually to look at noon,

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and in the graph on page 10, that suggests that around about 13% of the daily output would be from that noon period.

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If the daily output of 611 is

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multiplied by 13%, or you take 13% of 611, you get something of the order.

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Order of 80 megawatt hours

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for noon on a day in May. Does that sound about right? It's not bad actually.

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So we have actually, as part of questions, questions, too,

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created the hourly output for the 420 watt design, as well as the 535 watt. And I just opened the page here, actually, on the 20th of May, at 12pm.

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The if this is a limited, I'll explain this in a minute. It will, it is producing 98.9 megawatt hours.

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Now, what you're looking at when you look at your yellow graph is the ideal scenario, the sun is at its peak at 12pm, which it is

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what that is all theoretical.

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So what you have is theoretical, and then you have actual, or the actual data that we have for the hours and hourly data

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gives you the specific days, where, on average, based on meteorological data over decades, when actually, the peak production is expected.

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And it's interesting when you look and break down that data because it's not often you actually need to do it. And if I was to just quickly tell you so the first day is the 28th of May, the next day is the 28th of August, the 18th of August, and the fifth day is the fourth of September.

31:44

So that gives you an idea of the variance. So yes, looking at the yellow graph can say well, that's what it should be. But actually, the real time data which is collected for the creation of these pvcs reports will tell you slightly otherwise.

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So in terms of second written query, you you are putting something in that that has that will deal with with some days. Yeah, we, yeah, we have broken down to 365 days under 24 hours. So there's 1760

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pieces of information.

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which must be spreadsheet somewhere. Yes, yeah. Yeah. Yeah, what we have done, I suppose, look. So what you're looking at here with regard to the appendices is the PV cyst report for 420 watts on a 535 watt module,

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and the grid at 99.9 megawatts.

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So even though the solar firm can produce more, it is capped at 99.9 megawatts, we will have a second spreadsheet that shows the 420 watt module with an uncapped grid, which essentially allows any additional power to go to the batteries. Now, just to give you some high level numbers on that, so if we were to uncap, so no grid constraints of 99.9 megawatts for 420 watt modules, there will be 64 days where we would exceed the grid capacity.

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And if we were using 535 watt modules, using this same process, there will be 111 days where we would exceed the grid capacity.

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So to capture that additional power, that's essentially where the batteries come into play.

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And ultimately, the final exercise is, you know, when all technologies are known,

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that you know, you sit down and you find where the sweet spot is between the size of PV and the size of the battery.

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It sounds like what was probably quite a clumsy written question, you've actually managed to one pick.

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And

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we'll be able to present something intelligible

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and will give me a more assistance and understanding

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what what your proposed might be capable of producing and how the battery feeds into that.

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Which was really the, the object of the exercise.

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Sure, yeah. And look, the

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Ultimate object of the exercise of as a project is to maximise the,

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the solar element within the environmental parameters.

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Similarly, like, likewise with the battery and to, you know maximise the size of the two technologies that to compliment that the batteries can complement the solar sufficiently to maximise the solar as output.

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And, you know, at the end of the day, what we're talking about is, you know, it's now the end of June.

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You know, if if a consent order was made, and you would be looking at, you know, maybe 18 months from now or a project would commence, hold you there, because actually, I'm going to come to that question.

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In a in a second or two,

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you've quite neatly preempted, but if I can, just to keep the run going to make sure. Either I can.

36:07

Actually, I don't need to ask some of the questions that I might have had for you.

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Yes, just because of the way I've divided my questions up, and

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I'll hold you on that on that timescale point. And we'll come back to that in a minute.

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I'd like to change tack slightly to doing sort of vein

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and ask a few questions revolving around

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the assessment of the carbon footprint for the proposed development, which is covered in Section six of the air quality and carbon assessment, which is wrapped to 012.

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It

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It seems that the consultants that have prepared the carbon assessment may have been using different numbers to others within the project.

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Because in

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the latest version of the carbon assessment, which was similar to deadline two that's wrapped to 012, there's a table 6.1.

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And

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in that table, those consultants seem to be using a different range of monthly outputs.

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And their bottom line figure is 128,834

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megawatt hours, they've actually presented it as kilowatt hours, but and I hopefully got the conversion. Right. But it's about 125,834 megawatt hours, which is less than

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certainly the simulation for the candidate design got shown in

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appendix two of Rep. One, hyphens 0111. Are you able to explain or advise whether or not the consultant to get the carbon and whether they've been using the same numbers or they've been using? Possibly older numbers are and they're now not quite up to date?

39:02

Yeah, I actually don't know the answer to that. I'd have to look at that report and see where the discrepancy is. Because the other thing is, they talked about

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efficiency

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of around 10%. Whereas I think in the technical guide, you indicated technical efficiency is now about 21%.

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And maybe about to start advancing.

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Yeah, I can't, I'm not sure I'd have to look at that report. But what I will say, I think what might need to be done is the consultants who prepared the carbon assessment need to be asked or to speak to whoever on your side is it has been dealing with with the numbers make sure the two lots tally and it might be that the carbon assessment needs

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To be redone,

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if they are using out of date

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numbers,

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because I think there were that, when you look at the version dates in their report, they started working on it in 2019.

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And it was then submitted,

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one at the end of 2020 when the application was lodged, so it might just be that they've, they've just got an old set of numbers that haven't quite caught up with the rest of the project.

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Yeah, I've just managed to open it here that they have based that on a 135 megawatt peak installation.

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So it's a different size scheme.

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Yeah, I think, therefore, that there needs to be consistency.

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So that we know

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what the predicted carbon reduction from what you're now proposing might look like.

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Mr. Mel, do you agree that it sounds like the carbon report needs to be

41:12

looked at again and properly resubmitted? To make sure it's up? It's caught up with the rest of what's going on with this project?

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Certainly, so I mean, it strikes me that the you might want a consistent approach along with the various of candidate scenarios that we are talking about here. And I will emphasise, as Mr. hollows explained, these are sort of only candidate simulation scenarios. So if it helps you to have something that is aligned across the piece, as it were,

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to give you those figures, then I dare say, that's something that could be provided, but just bearing in mind that it will only still be considering one particular scenario. Yeah, I think as as carbon saving is quite an important aspect of the applicants case.

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That side of the case is present does need to be considered consistent,

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particularly with what I think has emerged through the technical guide, and what's been done in that.

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Otherwise, potentially, if I start quoting numbers in the report to the Secretary state, some inconsistencies would start to reveal themselves, which I would find difficult to explain. I think this is probably the only area where

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the two things need to catch up with one another.

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Certainly, so, again, I think any any numbers that you do end up quoting to the Secretary of State do obviously need to be caveated in the way that that that I explained, but Oh, yeah, and the important thing, and as the environment statement says is the 420 megawatt panel is a candidate design. Yeah.

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And it seems that there are multiple ways you could play that card in on the ground in terms of what you finally end up with

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albeit within the the envelope

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of the array shown on the works layout.

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Now I turn to item three, B, which is

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the battery storage as associated development.

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So

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associate

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within section 115 of the Planning Act 2008. There is then some guidance about associated development,

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which the Department of communities and local governments produced in April 2013.

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Which helpfully i think is

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what Yeah, we've got the act on screen.

44:26

Really, what I'm looking for, and again, I think this was was covered in a yes it was covered in second written question 2.1. Point two

44:39

is

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what what assurance can the outcome provide that the battery electrical storage system can be considered as associated development for the purposes of Section 115 of the Act and also paragraph five, three of the guidance

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The guidance talking about issues of cross subsidy and that needing to be avoided.

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This is a question that would not have arisen had battery storage not taken out of the inset regime.

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Certainly so I mean, in terms of what the applicant intends to do

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in its submissions for the next deadline, in response to that question is to explain by reference to these principles that are set out in the guidance how,

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how the how the battery storage element meets those criteria.

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What I would emphasise, I think, just in response at this stage is that paragraph five three there

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says it shouldn't be associated development, if it is only necessary as a source of additional revenue in order to cross subsidise the cost of the principal development. And that it doesn't mean that it can't cross subsidise as part of a proposal. So, the

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the, the thrust of of the applicants response will be to demonstrate that the the primary purpose of the storage element is to effectively store energy that is generated by the solar plant. And so we will explain that by

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in more detail and by analysing these various elements. Yeah. Because the important thing, in effect is to be able to demonstrate that the battery storage system can remain within the inset regime and doesn't slip into the town and country Planning Act regime because of the way the legislation was changed.

46:58

tail end of 2020, wasn't it? Yes, it was. Yeah.

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Okay, well, I think that that deals with item three be on the agenda.

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Right. So we now now look up item three C. And I think this is back to Mr. Harlow. And actually, it's

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it's the timescale point that he was about to start explaining.

47:51

So, Mr. Harlow having having regard to the examination reporting and decision periods for this application, which you will if they all pan through to their absolute maximum, and the Secretary state is minded to make an order that would mean that the order would be granted in April 2022, or thereabouts. If examination runs to full term, I take the full three months to submit my report and the Secretary say takes the three months in which to make the decision once he's got my report. So I think if we just stick to April 2022

48:35

as an easy date.

48:38

So presuming consent with the orders, granted, when do you think panels might first start to be installed on site?

48:50

Thank you, sir. It's Tom Harlow for the applicant. And I would say typically once consent for a project is granted. The period for kind of implementation on site is typically somewhere between circa six to nine months depending on

49:10

equipment

49:13

orders, this project being 132 kV connection is slightly larger than some of the others. So some equipment lead in times are longer.

49:23

But I would suspect you know, it would be a reasonable suggestion to say that q1 2023 is likely to be in around the start date on site.

49:41

And

49:44

wood panel installation start pretty quick soon after that.

49:49

Given the nature of the development, yeah, so without going into, you know, a full breakdown so obviously, health and safety is first on site.

50:00

Thereafter, diversion of the public footpath.

50:05

And once the site is safe, then it's initially access tracks and setting out of the support posts.

50:14

And the project as the site is quite large, it will be done in phases. So there will be parts of the site that will have modules or panels being fitted, probably within the first four or five months.

50:28

And then they once module or panel installations commenced, that will continue for a period of a few months.

50:40

And really the reasons the Ask asking when panels first might start to be installed is really

50:48

looking

50:51

at the, the timetable that you set out for the advances, advances in technology,

51:01

which I think you've indicated in the technical guide, so that's rep 1011, that within 12 to 18 months, there might start to be a move towards

51:19

panels that that were more efficient than that 21% figure that you gave

51:27

it within this timescale for this project.

51:33

Is there much scope for you starting to look at panels that would be more efficient?

51:41

Yeah, I think that that is probably one of the most dynamic markets within the renewable industry.

51:51

So I think it's quite likely that

51:56

you will certainly be looking at modules somewhere around the 550 watts, maybe up to 600 watt, and the efficiencies may be still at 21 22%. I think ultimately, there is a trade off, you know,

52:12

against trying to secure higher efficiencies and higher outputs.

52:18

But, you know, the industry is working hard, obviously to,

52:22

to,

52:24

I suppose to, you know, produce, our manufacturers are always looking to be ahead of competitors to produce higher output modules with higher efficiencies. You know, it'd be difficult to put a finger on a module today, just just just it wouldn't make sense, you would be curtailing your ability to secure the best technology that's available to you at the time.

53:15

So do I take from that, that you think that the LAN tape for the proposed development, even if there is

53:24

some advance in efficiency

53:28

in the next year or so might not change much?

53:33

Well, ultimately, you end up in a position where you cannot stack more modules on top of each other because you end up with shading.

53:42

So you have to keep spaces between the modules between the rays? Yeah, no, I'm thinking of the other way that if things get more efficient, whether the land area actually reduces?

53:53

Well, ultimately, what happens is that becomes a trade off between deciding to increase the amount of battery to store the additional capacity and then release that to the grid later.

54:05

So that's back to kind of my earlier comment regarding finding that sweet spot. Ultimately, when it comes down to the commencement of construction as to, you know, the size of module that best suits the project, and the size of battery that best complements the solar.

54:33

So from the simulations that have been done so far,

54:38

and the output from which you're going to be submitting at deadline for AI next week.

54:49

Are they showing that you're likely to need a battery store of up to the 19 megawatts that has been referred to in the initial application documentation

55:00

Or might the battery storage be less than that, depending on where you are hitting that sweet spot?

55:07

So using the 535 watt modules, we'd certainly need the 90 megawatts of batteries, and probably a little bit higher.

55:33

And if, if the candidate design of a 420 watt panels was used, where would the battery storage be there?

55:44

Well,

55:46

it's, I suppose this is back to a question as to what you, you know, the use of the batteries. So

55:54

if you wanted purely to use the batteries to take the excess power from the solar farm,

56:01

then you will probably be down something like maybe a 20 megawatt battery.

56:08

But then you would lose the opportunity to use batteries for balancing mechanism or national grid contracts, whereby you could actually charge more battery. So instead of utilising the full 99.9 megawatts of grid, you may decide to send, you know, part to the grid and more to the batteries,

because you've entered into contracts with national grid to balance the network, the transmission network,

56:38

or it may be that there's a corporate PPA that requires less, less power per hour, so you need to store some unreleased it to the grid as a lower level. So battery storage allows you to do that. So I wouldn't turn around and say that, you know, a 420 watt module is x size battery, and a 535 watt. Here's why sighs

57:05

what I would say is that, you know, at a minimum, to store the excess power from the grid from the PV, you would need for the 20 watt for 20 watts, you would need about a 20 megawatt battery.

57:53

Thank you. Mr. Heiss thing you'll be pleased to hear. That's the end of the run of questions.

58:03

On

58:06

on the technical stuff, actually, I think

58:14

that brings us a winner. So there's one new item,

58:21

the economics fair, I'll come to that in a minute.

58:27

I appreciate your the team is working on answering written the second written questions. And there's some bits and pieces that have come in this afternoon through your responses to my questions.

58:45

As as we talked about at the last issue specific hearing, where there may be an overlap between what might go in to the

58:54

revision to the technical guide, or however you want to describe it, these are the what might go into answers to CIP secondary written second written questions. I don't mind where you put it.

59:09

I don't particularly want to see duplication. So I'm happy for you to decide where you think

59:16

answer. Answers should sit. And if you elect to put more into the the second version of the technical guide, rather than into the table of responses or secondary written questions, that's fine. If you go down that route, though, if against the second written question, and you say, Well, if that answer has been given in document XYZ, just flag it up that it's been given somewhere else, and I will I will find it

59:47

but certainly please avoid duplicating

59:50

in effect, the same, the same material, but but putting it in two places.

59:56

Okay.

1:00:05

Thank you Miss to holla ice. I don't know whether

1:00:12

there'll be anything for you later on or whether

1:00:16

the rest of the team will will will pick up the button and respond.

1:00:23

Well, I have no I have no plans to go anywhere. So you mean you're not you don't want to watch a certain football match. We're not part of that extravaganza.

1:00:34

But we'll be cheering for England, of course.

1:00:41

Yeah, I've just got one question. And, in fact, what I've called agenda item three, eight, which is, which is a new item and it is around economic effects.

1:00:52

And it picks up on.

1:00:58

Yeah, there's a reference paragraph 11 point 4.2 of chapter 11 of the environmental statement, which deals with socio economic matters.

1:01:11

And that application, that examination document is a double p 068. In that paragraph, there's a reference to the proposed development having a capital cost of 160 million pounds.

1:01:31

And that being based on it, costing around 800,000 pounds to instal

1:01:39

one megawatt, actually, this might be a question for Mr. Harlow. Thinking about it.

1:01:48

Is the figure of 800,000 pounds per megawatt in the environmental statement? Correct? Given that in the technical guide at paragraph 5.7, so that's rep one. hyphen 0111.

1:02:05

a cost of around 450,000 pounds was quoted to instal a megawatts.

1:02:14

Yeah, I don't have the environmental statement in front of me, but

1:02:19

so you have two figures. And so one figure would be relating to the 450,000 relates to the PV solar element.

1:02:29

And I suspect the battery element is approximately 350,000 megawatt to instal

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the total figure will obviously the, you know, subject to the final design, so it is a guide rather than a

1:03:08

key thing is what you've just explained is actually there is no internal inconsistency or changing changing circumstances. It's just how

1:03:19

that global capital cost is it's not just the salary is picking up other things, including battery storage with sounds quite expensive to instal.

1:03:32

Yes.

1:03:34

But, you know, it's a bit like solar costs have dropped substantially. And it's something that's continued to be worked on with, you know, more projects entering the market. So it is

1:03:46

it is improving.

1:03:50

I really just wanted to flag that as checking for an income internally, but there isn't. So that's helpful. Thank you.

1:04:01

Well, I think this genuinely will be a hand over the baton to someone else because we're now heading into agenda item four, which is all about national and development plan policy. But Mr. Malley, are you going to lead for that? Or does this brings to Roberts or somebody else into play?

1:04:19

It's most likely to bring Mr. Roberts in sir. So

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I would assume that he will be answering probably most of your questions, but I may will chip in

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this this section is likely to involve some use of the planning statements. So that's a WP hyphen 109

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but also some reference particularly to the National Planning policies, statements, n one, which is the general one for electricity generation.

1:05:00

And also n three, which is the one of course it deals with renewables.

1:05:08

And we will have a brief excursion into the National Planning policy framework.

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It reminded me I need to get my very battered version.

1:05:33

And Mr. Law, you will be ISIS

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after very important also to park in this section, so please don't feel left out.

1:05:45

Afternoon, Mr. Roberts. Good afternoon, sir. I'm Kathy Roberts here on behalf of the applicant.

1:05:57

Where would you like me to start? Well, I'm going to I'm going to ask a few questions revolving around. I'll call it for shorthand n one.

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And I like

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to look

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at paragraphs 1.1 point one.

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And also paragraph 1.4, point five.

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And those two paragraphs together effects cover the scope of what no one covers, but of course, then influence what the the other technical

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and gases deal with. So that's

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one, sorry, in two in

1:06:55

five.

1:06:58

Yes.

1:07:00

Now, in essence, if I just sort of

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set the background and get to the nub of the question that's about to come

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in paragraph 1.11. of in one.

1:07:21

The text is very specific about what does or does not fall within the scope of

1:07:31

the NPS is?

1:07:36

Yes.

1:07:38

And then when we look at 1.4, point five, and I'll read it out, because it's a it's a short quote, the generation of electricity from renewable sources other than wind, biomass or waste is not within the scope of this NPS.

1:07:58

So the question

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and this revolves around what's been said in the planning statement at paragraph 5.15.

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In the planning statement, it's it's clear that there is a need for these types of infrastructure and scale and urgency ensure that there must be no upper limits on capacity, decision makers must give substantial weight to the contribution onset projects will make towards satisfying this need.

1:08:37

And now, the issue there is,

1:08:43

is it clear, when you're dealing with a solar scheme, that substantial weight should be given to this form of renewable energy? Given that it is not within the scope of no one?

1:09:01

Yes, sir, if I can kind of go back a couple of steps First, if I may. So, kind of with reference to the Planning Act 2008.

1:09:12

Section 1041, there has states if an NPS has effect in relation to developments or the description to which the application relates irrelevant national policy statements, then in such case, the Secretary of State would have to determine that application in accordance with the relevant national policy statement. So I think the applicant and the council and itself are all in agreement. So he says there is a specific NPS that covers Seoul ground mounted solar. So in that case, we have to turn into

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the putting actors in each section

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105

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which goes on to state where section

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104 does not apply an application falls to be decided under Section 105.

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Section 152 requires that the Secretary of State have regard to any local impact report. And here we have the local input reports submitted by North linkshare Council.

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Any matters prescribed in relation to the development or the description to which the application relates. And the third criteria and the other matters, which the second Secretary of State's things that are both important and relevant to the determination. I think the key word here important and relevant. So in terms of

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yen one,

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if I could

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start off really by kind of

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look, looking back at the North earnings Council, local impact report.

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They've confirmed there that there's no specific policies, national policy statements programme governed solely looking back further similar to the cleaver Hill. This was the position set out in the colleyville solar Park examination authorities report at paragraph 3.3 point one eight.

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And obviously, we've presented the Cleve Hill information authority reports

1:11:31

as appendix three of the applicants response to the examining examining authority questions one document treff 9.2 for LC, O th, and pins reference are EP slash zero to two.

1:11:55

So just kind of having a look at what Ian one does, it sets out to the general principles and generic impacts to be taken into account. When considering applications for energy and sips.

1:12:10

It provides a primary basis for determining if developments consent should be granted the overarching policy objectives and depending on one includes meeting the demand for energy generation in the United Kingdom and transitioning to a low carbon sources and reducing greenhouse gas emissions.

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So kind of

1:12:34

quite straight to the point really the opposite, because it is us that one is important and relevant to the determination of the scheme. Because first of all, the post weldments is a change generating station with a capacity of more than 50 mega mega mega watts.

1:12:56

And the policies of the unworn device specifically for such and such schemes

1:13:03

and such, secondly, here one contains paragraphs that emphasise the national need for electricity and electricity infrastructure including

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electricity storage.

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So, therefore, those are the kind of the key reasons that will be preferred to say why you and one is relevant, important to the determination. I fully understand the

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references important and relevant consideration. Really, it's

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it's

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the references that you've made to it being clear that substantial weight should be given to N one, when

1:13:55

this particular form of energy generation

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is out with

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in one, because the way certainly I'm reading in one

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it's a closed list, which has excluded. So that doesn't mean to say that even when, of course, is, as you say, is not an important and relevant consideration. It's the issue about the weight that can give be given to that or this policy document versus other documents or other policy that needs to be taken on board. And it's the substantial Wait, wait, I suppose I'm looking for do still hold by that?

1:14:44

Is the substantial moderated a bit because of the exclusion.

1:14:50

Yes, I still hold by the way to which the applicants gives Yes. I think in terms of where we take, take your Nexus to

1:15:00

Paragraph 3.3 point nine of the Cleve Hill examining authorities recommendations, which kind of you know clearly set out their way they also consider he had wanted to be both important and the rail route relevant to the the determination of the hill. And in terms of other waiting, obviously, drawing from

1:15:23

aspects as well in terms of M nppf. That there's

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there's more than one reference really, which kind of draws me to the conclusion that the scheme should should be given significance weights are not rules as well, that were the end ones should should be given weight as well.

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I can pick on those when we perhaps discuss the nppf.

1:15:47

policy.

1:15:49

I said I couldn't resist chipping in here, occasionally. So so I'm about to be true to my word. The It may also be helpful for you to consider paragraphs 7.2 and 7.3 of the Secretary of State's decision letter

1:16:10

on Cleve Hill, in addition to the references to the examining authorities report there, those paragraphs specifically fall within the the overall conclusion section of the Secretary of State's letter.

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And

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they follow on and say that national policy statement n one which gives support to renewable energy, electricity generating nationally significant infrastructure projects is relevant and important to the consideration of the application. So that's the position that the Secretary of State's adopting which chimes with with that, with Mr. Roberts just articulated, and then the following paragraph. In addition, the Secretary of State acknowledges and adopts substantial weight the XA gives to the contribution to meeting the need for renewable energy energy infrastructure given by the proposed solar farm elements. So there's there's a continuity there,

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between the Secretary of State acknowledging what anyone says in relation to the need for renewable energy, and then adopting the position of the examining authority and giving substantial weight to how the projecting Gledhill

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responding to that need.

1:17:36

Thank you, Mr. Male.

1:17:41

Miss law. Have you got any observations about the weight that might be attached to lan one?

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Thank you, sir.

1:17:50

Yes, I suppose it's a difficult question to answer, but it does come come down to that that question of weighting. And I mean, ll n one, by its very nature is a bit general document. It's an overarching policy.

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And it does delegate a lot of the more specific advice to the

1:18:10

subsequence of MPs is that deal with the the specific technologies.

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So

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in itself is useful is relevant and is important consideration in the dangers established that national state for promoting the low carbon agenda, low carbon production, and

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that would include

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schemes such as such as this, but in terms of of weighting, obviously,

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my view would be, it would be less so then if there were a specific

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NPS with with regards to solar and that'd be a very straightforward situation, but I think the

1:18:54

the CIO case or there's been quoted there, with regards to Cleve Hill and the Secretary of State's decision seems to make it clear that significant weight should be attached to E n one,

1:19:10

which really relates to the principle of, you know, low carbon energy production and

1:19:18

presumption in favour of that type of development and subject to the other guidance set out in the MCs which relates to the assessment of the impacts in the environmental considerations etc. So, I do tend to agree that

1:19:34

significant weight should be given to anyone in terms of establishing the principle of development.

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It is always a risky thing to do so but having

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searched how many times z and one appears, for example, within the Secretary of State's decision letter, it appears 31 times compared to the MP.

1:20:00

TF which appears seven times. So that will give you I think, a reasonable indication of where the Secretary of State sees the weight should lie.

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Thank you. I mean, this might be

1:20:37

a situation that is going to change,

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either at the tail end of

1:20:49

when I'm writing my report, or when the Secretary is in decision mode,

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given the review of the MPs, has been commenced.

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And there is a suggestion that

1:21:09

there will be designation by the end of 2021.

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Although,

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I mean no certainty about what the review is going to do, and where it's going to

1:21:23

put solar.

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On a similar vein, in terms of paragraph 4.1 point two,

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which talks about the presumption in favour of granting consent,

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again, that is specific to the types of

1:21:56

generation covered by

1:21:59

the MPs is collectively that relate to energy.

1:22:10

Does that presumption apply? Now I've had a look at paragraph four, five of the Cleve Hill decision issued by the Secretary of State. And his view in making that decision was that it did not apply.

1:22:25

Planning. I think the planning statement suggests that it does apply. Yes. So it does apply? Yes. But but the kind of the source of that is from the nppf.

1:22:40

And not specifically, yeah, and one.

1:22:53

I won't go into detail about the mtbf. Now in case

1:22:59

you would like to discuss that.

1:23:04

We'll come back to the framework.

1:23:28

But certainly, in terms of want a better way of explaining in the pot of material considerations.

1:23:36

There are the presumption in E n, one, that's referred to at paragraph 4.1. Point two

1:23:46

strawbs do accept should not apply

1:23:54

a presumption in another element within the pot, I guess, in the framework that might apply. But as far as n one is concerned, that reference to a presumption

1:24:06

should or should not apply. So as a standalone, you are correct in saying that there's no specific national policy statements for grand multi social for the pack. So then in terms of the mech mechanism there, there's no presumption because there's no specific policy to dock dock documents. But the kind of

1:24:33

the kind of

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pre pre presumption here, which kind of makes it which we, which is born from the MVP, so we can therefore apply that to anyone. Yeah. Well, I'll hear what you've got to say in that when we get to the framework, but I just want to stick to dealing with Yes, yes. Yes. going on from paragraph 4.1 point two

1:25:00

What is material and railroads here as well as paragraph 4.1, point three, paragraph 4.1 point four.

1:25:21

So paragraph four point before, say certain examinee thority should take into account the environmental, social and economic benefits and the adverse impacts of the national, regional and local level. And these may be identified in this MPs or technology specific MPs, which are that isn't in this case, in the application or elsewhere. And here we have the local impact local impact report, which kind of really kind of considers rental, social and economic benefits of the scheme and also the applicants here, statements clearly set those sets those out, and is summarised in the planning statement.

1:26:04

Thank you.

1:26:06

Right, if we can just have a quick and it will be a quick

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look at n three.

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And most particularly paragraphs 1.8. point one and 1.82, which, as I read them when they're taken together, expressly exclude

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solar. So my question is, should any regard be paid to MPs in three in this instance,

1:26:41

I would go along here with with a clean Hill, and which kind of the examination report on this second Secretary of State's office formula to be able to confirm the exact power power panel progress with us. But yes, em three

1:26:58

is not material in terms of the termination that was the view as the Keville excelling authority. And we stand by that, yes.

1:27:15

We've discussed that in the planning statements as well.

1:27:36

Hello, is Eddie right. I asked you the same question. But

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do you share Mr. Roberts view? Or do you take a different view? Read

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in three, Thank you, sir. I share the view I think it was set out clearly in the authorities local impact report that

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is considered that mpac and three is

1:28:02

little relevance to the proposal before us because it doesn't relate to

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two solar developments.

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Thank you.

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In terms of MPAs on five electricity networks infrastructure.

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Now that is,

1:28:41

in part

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relevant to develop in so far as it relates to

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the connection to the grid via the transformer.

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Do either the applicant or

1:28:59

the council want to say anything more about being five over and above what's already been said in the planning statement that accompany the application and any other submissions that have been made?

1:29:13

So I'll just I'll just confirm that paragraph 4.34 to 4.36 kind of covers em five on the applicant stance

1:29:24

on that

1:29:45

Mr or anything on in five. Thank you so not, not a lot to actually know. That's fine.

1:29:54

standard fare I have to give you the opportunity just in case there wasn't that you wanted to say that was a bit different.

1:30:03

Within the planning statement, particularly tower, paragraph 5.4, to 5.21, that there's quite a lot of reference to various documents and reports

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that outline

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where the direction of travel is in terms of

1:30:26

decarbonizing the existing

1:30:29

generating portfolio, replacing it, and also potentially expanding to me additional

1:30:38

demand. Now, a lot of that documentation is quite old.

1:30:45

Mr. Roberts, do you consider it remains relevant? Or is there anything else that the government's published that might be more up to date, and potentially more informative? And I'm wondering whether, say the energy white paper of December last year

1:31:04

might assist in in terms of the background information?

1:31:11

Yes, yes. Yes. So, in terms of the planning statements, it doesn't contain all the policy all the guidance, which is relevant to this scheme, references made to the statement of need. And also the environmental statement itself contains additional guidance and popular policies which are relevant to this scheme. What we haven't got here is one single consolidated list of all the relevant policies and guidance and plans that the applicants deem as kind of rare relevant to this scheme. And would it help yourself so if we kind of did provide a single, consolidated list of everything that we consider is kind of material relevant for the scheme?

1:32:06

It might, but if there are documents in that list that are

1:32:14

rather

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and potentially being overtaken, then they may be of all that much assistance?

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Yes, just really, that

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it will be helpful rather than having to refer to a lot of documents that say, are 10 or 12 years old, whether there's anything

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that is more up to date,

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that is clearly

1:32:47

dealing with what the government

1:32:52

is now believing

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the policy environment might be sort of heading towards? Yes. So things have progressed since the application was submitted to pens. I know that the climates

1:33:11

committee and climate change, they

1:33:15

released policy guidance last week,

1:33:19

as an update, so where the UK was in terms of energy generation and reaching its targets.

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And of course, that would be the kind of the very latest reference really,

1:33:32

which I haven't referred to, to date, but be willing to kind of provide. Yeah, I think what I was suggesting,

1:33:41

you've obviously got a lot of documents or potential documents available to, I think it will assist if Yeah, if you're able to, in effect, review, whatever your long list is, but then shortly, and really looking at and pick from it, those that you think are the most up to date, and likely to be the most informative. They will need I'm afraid to be submitted as examination documents, so that I can see them, I can then cross refer to them as necessary. In reports.

1:34:25

It's slightly tricky dealing with this particular form of technology and load because I suppose, for want of a better way, there is a bit of a policy vacuum at the national level in terms of the MPs

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and even some of the content of em one for instance, which sets out objectives. Of course, some of those have happened. A lot of them haven't. And it's difficult to even rely on

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Some of that, because

1:35:04

certain dates that were referred to have long since gone, and

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what were targets or objectives may or may not have been met. So yeah, if you're able to do some sort of review,

1:35:18

I prefer not to be swamped by documents. But yeah, if there isn't anything that's coming up at a higher level

1:35:29

that helps with the direction of travel, I think that should come in to the examination. Oh, yes, yes, sir, we will do that. And also kind of buying next month, they will that add documentation, which we refer to

1:35:44

an expert will be able to date that's the date digest that it Kingdom energies, that's that's

1:35:51

referenced in the statement of need, paragraph 2.26. So that's an annual release as well. So that was last used in July in July 2020. So we would expect another version or the latest version that's released next month. So again, that will be supersuit, the tax we have in our status will need will be superseded here. So we'll make sure at the appropriate time, we'll give you a complete list.

1:36:20

I'm wondering, so whether this might be something that you could potentially introduce into the timetable at a later deadline, I'm conscious that things are evolving here, we've referred to the potential release of a draft national policy statement for the purposes of consultation, perhaps in the next, you know, in the next few weeks or months.

1:36:47

And it seems to me there's a risk of whatever we might produce within the course of the next couple of weeks, might then again need to be refreshed before the end of the examination.

1:36:59

So it might be one of those things that we should produce a submission on towards the end of the examination period, so that there's not a nice effectively to

1:37:08

refresh for the most up to date information.

1:37:44

That seems a sensible suggestion.

1:37:51

Just have a think about

1:37:54

when either that's allied to an existing date in the examination, or whether entirely new data is created,

1:38:04

which might be triggered,

1:38:08

possibly,

1:38:10

by the publication of a consultation, draft a series of drafts for the MPs

1:38:21

out because as I understand it from what's sitting in the white paper, the government has committed

1:38:28

to designation by the end of 2021, which means that

1:38:34

if that timetables to be meant, meant something is likely to pop be published fairly soon, data.

1:38:49

I mean, in that regard, it might be something that you might wish to discuss saying in a September round of hearings, where you minded to hold those.

1:39:00

And

1:39:02

that might may be something if there is a consultation, albeit because that in itself would have to be treated with some caution because it will be subject to change.

1:39:14

But yes, it might be

1:39:17

that that would be something that would have to be covered in hearings, as you say in September.

1:39:25

But that is something out of all of our hands at the moment.

1:39:42

Okay, I've got one final question which kind of feeds into where we were going to be heading with the framework

1:39:49

and

1:39:52

the development plan in minutes

1:40:05

Now on Oh, yes, sorry, a paragraph 4.6 of the planning statement.

1:40:12

what's been said by the applicant is our view has been expressed that the National Planning policy framework and the extended development plan policies for North Lincolnshire are also

1:40:30

material, but do not override the policies set out in the MPs.

1:40:39

The application must primarily therefore demonstrate accordance with the relevant aspects of n one, n three and n five.

1:40:51

Is that proposition, correct?

1:40:55

Yes,

1:40:57

obviously, for the reasons we've discussed earlier, so, yen three should should be removed.

1:41:05

You can't assess the scheme using the criteria applied for wind turbines lbs.

1:41:14

But

1:41:16

it wouldn't be a fair comparison of how you apply

1:41:21

the N three. So I think in a nutshell, really, as we have sort of built up to this point,

1:41:30

the N one,

1:41:33

n five are in the pot. What am five

1:41:40

E's even play? Because there's there's an element of the scheme that is covered by it in one

1:41:51

effect is in a pot, but it's in a pot with some other countries, which include the framework and which include the development and plan.

1:42:01

But I don't I guess Yes.

1:42:05

of itself outcome.

1:42:09

Using an analogy, the framework or the development plan, because of its its status, or where Cerner is within the in one.

1:42:19

Yes, yes. So in terms of the pot, it's quite, it's quite a large pot, in terms of the end wanna replace that in the neater pot. And obviously, there's, there's streams of governments and kind of guidance from policies, which say, sets out the urgency for this type of scheme which the application delivers.

1:43:00

Story, is that a sort of property or a position that you will concur with?

1:43:09

That

1:43:11

what the outcome is setting the opening statement?

1:43:17

isn't correct, that in effect that the suite of NPS

1:43:23

overreach the development plan and the National Planning policy framework in this particular scenario?

1:43:32

Yes, that's correct. You know, in line with section 105 of the planning out, there is no specific MPs in this instance.

1:43:42

So we need to look at those matters that are important and relevant. As we've gone through, I think, you know, all parties are in agreement that no one any and five are relevant for consideration, as Indeed, the nppf and relevant development plan policies and as analogy that's already being used, those matters are in that part of issues that are relevant and should be considered. But

1:44:15

you know, there is no overriding policy that trumps the rest.

1:44:21

Because there is no specific MPs in this in this instance.

1:44:25

Suppose the fortunate thing and no doubt we'll come on to in a minute is it doesn't appear within that pot. There's a lot of conflict.

1:44:37

I would agree with that. So yes.

1:44:50

Cool, so whilst we still on the end, one can also draw your attention to paragraph

1:45:00

3.1 point one

1:45:06

and 3.1 point four

1:45:09

3.4 states that this extra state should give substantial weight to the contribution which projects would make towards satisfying the needs that a nubile energy need. Yeah, so I think that's caveated by the fact that it's referenced somewhere in that section to coming back to those forms of energy that are within scope for in one because solar, as we stand or sit here today is not within scope. Given what said in section one of in one, he would kind of draw attention there to paragraph 3.1 point two, which kind of states each state which is for the industry to propose new energy if the structure project and this is what we have here we have a solar new energy efficient, efficient infrastructure scheme. So, the guidance does density very how the industry will kind of will move new schemes, new tech technology to deliver concepts.

1:46:58

Okay, can we now look at the National polling, National Planning policy framework?

1:47:10

And also, sort of, really related to that is the planning practice guidance on renewable and low carbon energy, which is section five of

1:47:25

excuse me, the planning practice guidance.

1:47:29

If we can look at section 11 of the framework first, which

1:47:41

talks about making effective use of land and particularly paragraphs 117 and 122?

1:48:03

Yes, so I kind of emphasise

1:48:06

for paragraph 117. The emphasis here is

1:48:12

effective use of land for other uses, while safeguarding and improving the environment on the fence. My question, and it's for both the outcome and then the council.

1:48:25

Do you consider the proposed development is an effective and or efficient use of land?

1:48:34

Mr. Roberts?

1:48:37

He Yes, sir. We do.

1:48:59

And Mr. Law?

1:49:02

Yes, the local authority does believe in this instance, that the scheme represents an effective and efficient use of the land, I think in in part that relates back to and it might be something that you're planning to go into later. But back to the fact that

1:49:20

part of the site itself is governed by local designation with regards to ions

1:49:28

ironstone reserves,

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and that development on that, I think, I believe it's about half of the site

1:49:37

has to be of a nature that it doesn't stymie those reserves. Therefore, there are only certain types of development that could be proposed,

1:49:46

that are of a more temporary nature, and it would be appropriate for for that part of that part of the site that is covered by that

1:49:56

ironstone reserve designation.

1:50:08

Yes, if I can expand on that, okay if the applicant so chapter 17 of the framework deals with minerals extraction,

1:50:18

the application is supported by a review of the potential mineral extraction or the site documentary f 7.7, LC ta 3.5 and reference a pp. 076. To summarise that, in a nutshell, really, it states that the middle extraction is not feasible at this site, in line with

1:50:44

the framework, the development is temporary and I searched will not represent the constraints for future future potential use of mineral workings after decommissioning. So, we can satisfy the requirements of chapter 17 of the framework with regard to minerals extraction,

1:51:13

claims going back to chapter 11

1:51:17

making the effective use of land references made to paragraph 118 criteria a

1:51:26

sets out how they should encourage multiple benefits from rural land, including taking opportunities to achieve a net environmental gain.

1:51:37

Obviously, that is achieved with this application.

1:52:08

Thank you, can we now take a look at paragraphs

1:52:14

150 and 151 in the framework

1:52:20

in the planning statement, so, that's ap 1109 paragraph four point 44

1:52:32

there's a reference to

1:52:36

paragraph 150

1:52:39

I suspect that actually should be paragraph 151.

1:52:45

And I say that because paragraph 52 criteria in it, whereas

1:52:51

15123 and the text is referring or quotes three?

1:52:58

Yes, yes, it is 151 that is an error there in the Texan before for the planning statement.

1:53:14

Following on for that

1:53:17

is 151 relevance as it's within a plan making section or

1:53:25

part of this section within the framework.

1:53:32

Because if you look at the opening sentence 2151 to help increase the use and supply of renewable and low carbon energy and he plans should.

1:53:44

Yes, yes. So it's Yeah, so it is set out where power policy needs to be. And that is to increase the use and supply of renewables and low carbon energy. So it is relevant in terms of the scheme of where policy should should be. So for example, in terms of E n, e and three, there's no specific

1:54:10

kind of reference there to scam it. So so so, so solar, but

1:54:16

one by one just kind of acknowledged that plans should plan but

1:54:26

should we actually not be looking at 154

1:54:30

paragraph 154, which is the part of this section of the franc, which is relevant to determining planning applications. And yes, I also have that out as well. But I see it's not in the last section or the planning statements yet but

1:54:48

paragraph 154 states when determining applications for removal and low carbon developments local planning authority should they not require to demonstrate the overall need for removal or low carbon energy

1:55:00

recognise that even a small scale project provide a valuable contribution to cuts in greenhouse gas emissions. Obviously,

1:55:10

we haven't got the small scale project here. So the valuable factor of this scheme is amplitude in terms of when reading paragraph 154. And

1:55:25

exon two states.

1:55:28

The criteria be approved the applications of its impacts on can or can be made acceptable. Here, the local impact report verifies that the impacts of the developments are acceptable ownership and as such the scheme favours approval.

1:55:54

Mr. law as far as section 14 of the framework is concerned.

1:56:02

Do you do share the view that the emphasis for the consideration of this proposal would be a paragraph 154?

1:56:13

Yes, my view will be 154 is the most relevant paragraph as it relates specifically to the determination of proposals rather than the plan making stage.

1:56:38

So within chapter 14, oh, I would also say that paragraph 148 also applies on is railroad relevant to the scheme.

1:56:50

The first sentence, their planning system should support the transition to a low carbon future and support general and low carbon energy and associated infrastructure. That's also relevant in this case.

1:57:18

Not the first part, the last part, yes to the Associated.

1:57:22

Apologies.

1:57:30

Thank you. Well, that was all I thought I needed to explore in terms of the framework.

1:57:39

I know what's been said by the applicant about the flat the front end of the framework.

1:57:48

And I understand what you're saying, and I don't think we need really to explore that. I just wanted to, to get to grips with,

1:58:00

particularly in Section 14,

1:58:03

the parts of the framework that you think I should be looking at in the context of making a recommendation? I think we've we've explored that

1:58:14

if you like the front end framework, is generally now well known.

1:58:21

To all practitioners,

1:58:24

if this were a housing case, we might be having some discussion or arguments about

1:58:30

whether paragraph 14 was or was not engaged, but we're not really in that territory.

1:58:37

Yeah, I'm content. I understand what's what's happening up front in the framework. It was these latest sections that I really wanted to go through. But is there anything from the applicants, and then the council that you want to draw to my attention in the framework? Yes. That's been discussed. Yes. Yes. So it says or the the issue of the presumption in favour of sustainable development, I won't, I won't discuss the front end, or the framework that's accepted by reference really is made to paragraph 177.

1:59:17

Which kind of state states the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effects on the habitat site? Well, we've

1:59:30

demonstrated in the environmental statements, and yes, we need to take away and look at in terms of the shilka Cuba Cuba tims impact of the new scheme that has just been presented to peds but as things stands in environmental statements at the moment, there is no

1:59:48

significant effects on habitat site and therefore, their presumption in favour of sustainable developments applies for this scheme.

2:00:11

And that really is kind of one of the same posts that I referred to when we were discussing yen one, trade perception where it's drawn on from from a framework

2:00:23

other than the kind of front end of it.

2:00:47

Thank you, Mr. Roberts, Mr. Law, anything that you'd like to draw to my attention in other parts of the framework?

2:00:54

No, I don't think so. So I think we, you know, everybody is probably well read up by now and the nppf, and probably doesn't want to pay me running through random chapters of it, I'm quite happy to take the rest as read and that, you know, we all understand the presumption in favour of sustainable development that runs, runs through through the framework and the, you know, the nature of renewable energy schemes, and that sort of inherent sustainability as it were.

2:01:29

Thank you, then I think that takes us to agenda item four, B, which is the development plan. We are quarter past five, I think, America, I've got a series of questions, but actually, some of them are requests for documents,

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rather than actual questions. I think it would probably be useful to

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go through this part of the agenda, and then probably adjourn,

2:02:03

for tomorrow morning to have a look at the

2:02:07

draft and consent order, as that's a completely different topic area.

2:02:14

But I looking at where we are timewise I think there's probably a bit too much in and around

2:02:23

my questions for agenda item five to wrap up

2:02:29

this evening, without rushing and not doing full justice

2:02:36

to those

2:02:38

matters. So is everybody happy that we deal with the development plan?

2:02:46

And then we look at the journal and reconvene tomorrow morning?

2:02:52

Yes, that's fine with me, sir.

2:02:55

I'm fine when they say Yes.

2:02:59

Good.

2:03:04

Here's all the ways away by the end, by the end of one of these sessions, you get an awful lot of documents collected that aren't relevant anymore.

2:03:26

Mr. Ram, there's just a few questions for you that I'd like to start with. I'm

2:03:34

looking at your local impact report. So that's rep two hyphen, zero 26. a paragraph 2.5. point one. There's a reference to policies CS three of the core strategy. Now policy CS three hasn't been submitted deadline three amongst the various different planning documents that policies that you submitted?

2:04:04

Is the reference to policy CS three an error? Maybe? Should the reference being to CS two, or did you intend

2:04:15

the reference to CS three and therefore should CS three be submitted as a document?

2:04:22

Yeah, thank you. So yeah, CS three should have been submitted as a document. And the policy is

2:04:30

so general policy relating to development outside of defined development limits.

2:04:36

So it's a policy that relates to Well, he sets out where development limits will be defined and then carries on and

2:04:46

sort of gives you an overview of the type of development that will be considered outside of development limits. So it is a policy that is those broadly relevant and I did intend to submit a copy of the document is not an error.

2:05:00

And in the impact report that it's, it's quoted there, so I will ensure that a copy of that policy sent across. Yeah,

2:05:09

there are a number of actions arising out of this hearing, which I'll gather up overnight and will possibly add to in the morning. But I'll, I'll put that in the list.

2:05:23

Thank you.

2:05:31

In a source of similar pot, but

2:05:35

the applicants in the in their planning statements are paragraph 4.58, as referred to some preamble.

2:05:46

That goes with policy CS a team that's the policy on sustainable resource use and climate change.

2:05:56

What came through in the deadline three submission

2:06:00

is the explanatory text that follows the policy.

2:06:06

But the preamble text,

2:06:10

which must come in, I presume, an earlier part of the chapter within which policy CSS 18, six wasn't submitted.

2:06:20

Could you submit that preamble, please?

2:06:25

Yes, sir. I can submit that it's not a preamble to policy see at CSA teen, specifically, it's a premium ball to the to the whole last chapter of the section of the cost strategy. So yeah, that's not a problem, I will,

2:06:44

I will be able to provide a copy of that. Thank you.

2:06:48

Staying with yourself in the applicants, planning statement, paragraph 4.63. There's reference to a supplementary planning document planning for renewable energy of November 2011. And then some supplementary planning guidance, planning for solar solar, photovoltaic development of January 216.

2:07:15

Are those documents still extend? And if so?

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Should they be submitted as examination documents?

2:07:27

I may have to refer back to our spatial planning team on that point. The

2:07:33

I am aware of the documents. But they're not they've they've not been brought through in any up to date lists of our development plan and adopted documents, which would lead me to believe that they they're no longer

2:07:48

relevant or adopted documents, but I would need to check that before confirming and then give me the wrong information. So I'd say that points away and we'll be able to confirm whether or not they're still live documents in effect. And if they are, then of course, I'd be able to provide a copy. I mean, if they are still extend, they're not the action point I'd sort of noted down here was whether the council would submit all the applicant. Well, you've offered. So I presume you're you're content to do it rather than the applicant? Yes. In some ways, I think generally the Inspectorate favours local authorities submitting all policy documents, because some of these documents have a habit of being amended changed, or versions on websites get have errors in them and the local authorities usually on top of what are the most up to date versions.

2:08:51

Okay, if we can look up policies CSAT we don't necessarily need to bring it up. Because I suspect that it's both familiar, both

2:09:04

to Mr. Roberts and to Mr. Law.

2:09:12

But can you comment on whether you consider the pros development as far as policy CSAT is concerned, would efficiently and sustainably utilise natural resources? Which is in effect the opening sentence to policy CSAT

2:09:32

Mr. Roberts, do you want to kick off with that?

2:09:41

That was an extremely unfortunate plan, wasn't it? Because certainly football game has probably kicked off now.

2:09:50

No, sir. Yeah, so to kind of to set the scene. papo CSA teen is going to kind of wind region and covers leading

2:10:00

risk issues. And specifically for this scheme, I would turn to criteria 11. Whereby policy CSAT supporting renewable sources of energy in approaches locations.

2:10:17

And I keep on referring back to the local temporary reports and apologies, but I'll do this again here is that report confirms that the developments is acceptable in terms of was proposed, and the location it's in as well.

2:10:37

In terms of your question regarding, utilises natural resource as efficiently as sustainably sustainably. Well, he So, we've heard earlier, Mr. Tom Lowe is looking at look looking at making the most efficient scheme possible on the site taking into account that the ground area the evangel parameter, other scheme, and also the key factor is that they they liked I was so in effect.

2:11:13

The calculations which he discussed will kind of

2:11:17

be used to create the most efficient scheme here and therefore making the most efficient use of the natural race reef reef resources. In other words, that the daylight

2:11:32

so I would say, yes, the developments fulfils that requirement.

2:11:49

Thank you, and, excuse me?

2:11:53

It's Thank you, sir. Yeah, I mean, I will concur that, that the proposal does accord with policy CSAT and making it an efficient, sustainable use of natural resources. I think I'll just add to

2:12:09

what Mr. Roberts has said there, just by confirming, obviously, that the proposal itself is temporary nature

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with

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the ability to, for the land to revert back to agricultural use, you know, once that date has passed, the proposal, as we've heard earlier today, for maintenance of the site is for for grazing the sheep, which will still retain

2:12:37

agricultural use of the land as it stands.

2:12:40

And the local authorities are happy that given the sort of temporary nature of the development that it wouldn't

2:12:49

stymie the iodine deposits on the side, which we understand them currently. not viable, but may become so in the future. So I think,

2:13:02

yeah, maybe the simple answer is yes. So we do believe that the proposed development would be an efficient and sustainable use of natural resources.

2:13:13

Thank you, Mr. Lowe.

2:13:19

My next question is for Mr. Law,

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concerns policies CS two.

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And my, my quick question here revolves around the eighth bullet point,

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which is referred to in paragraph four point 51 of the applicants planning statement. And really, the question is, does the development come within the scope of the eighth bullet point?

2:14:00

Yes, so just apologies for just catching up and reading the bullet points. It's a policy that we use quite a lot, but it's there's a fair bit of text to it. So yeah, so we constructed an operator using the minimum amount of non renewable resources. And yes, I mean, I think, yeah, and the sort of second part of that, including increasing the use of renewable energy and in construction and operation, I mean, it's, it's a part of a policy that we

2:14:29

we normally apply to sort of large scale,

2:14:33

commercial and industrial operations and require them to have you know, renewable energy included in those schemes

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to offset sort of the energy demand, etc. But I believe that a renewable energy scheme in itself would,

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you know, would comply with the

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suppose the aims of that bullet point there, which is

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I'm kind of to avoid non renewable

2:15:05

uses of non non renewable sort of sources of energy and, and promote the use of renewable energy and where possible in new schemes. And so I think we would tend to take the view that a renewed in renewable energy scheme in itself would,

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would comply with that, that bullet point.

2:15:28

Thank you.

2:15:32

Again, for Mr. Law,

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do you consider the development would be in conflict with any of the policies of the development plan that have been drawn to my attention.

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And that, I mean, that there are

2:15:56

dated policies of the local plan, including sort of policy rd two, which relates to development

2:16:05

in the open countryside outside of defined development limits,

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the local plan was adopted in 2003. Therefore, a number of the policies within that

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within that plan are written in a very restrictive manner, which doesn't necessarily accord with

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more modern sort of policy documents in the nppf. And then relevant guidance. And our policy, it too does set a very restrictive list off

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development types that would be

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that that would be considered appropriate in the urban countryside. And

2:16:48

it's, it's written in such a way as it doesn't allow for any other uses any of the uses of the land, rather than more, you know, recent policy documents or a non exhaustive list or, you know, less specific in terminology. So

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I think that the way that we apply that policy now,

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you know, is tempered by

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more recent policies, such as the previously mentioned, policy, CS, three of the core strategy,

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which states are less restrictive sort of view on on development in the open countryside,

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and policies as two of the core strategy as well. And so I think the local authority or if the view that there are certain types of development, such as in this instance,

2:17:42

for renewable energy development, where the very nature of the development

2:17:48

does mean that it has to be located and is appropriate outside of development limits.

2:17:55

So,

2:17:57

it's not a very simple answer. I suppose.

2:18:00

There are conflicts with policy it too, in that it's not it's not specifically listed as an acceptable type of development. But I think I think probably what you're saying is that there is conflict with rd to Bart,

2:18:16

because of

2:18:20

the potential conflict with rd do with other policy,

2:18:24

you apply less weight to it. That's a very succinct way of summarising my rambling there. So yes, that's it. Exactly.

2:18:34

And we have

2:18:36

a face challenge on policy it to previously appeals, due to the age of the policy and its very restrictive nature. And I think we, as an authority, we have

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given more limited weight to that policy more recently due to

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Yeah, the evolution of over the wall is being done Yes. It's in part of the policies or other considerations might have more sway. Yeah, yeah. And I think consistently with renewable energy developments and solar

2:19:10

development specifically, we have taken a view that that type of development

2:19:16

is appropriate in the open countryside given its very nature there aren't many sites within development boundaries that could actually accommodate such development. So then the I've already provided yourself with the decisions and the reports relating to the raven Thor solar farm suite in thorns and conisbee Farm solar farms and

2:19:39

they were sites located outside of development boundaries also, technically in conflict with with policy it to but were, the way given to the policy was limited because of the nature of the development.

2:19:55

Thank you Miss law.

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We have

2:20:00

Arrived at the my final question, which is, again for you, Mr. Law, and that this really just revolves around the

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review of the development plan, which you briefly touched on

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during issue specific hearing, too.

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Do you know what sort of timetable that review is on?

2:20:26

I mean, it the long the short of it it? Is it progressing at a pace that might affect the policy pot?

2:20:38

That is having to be considered as part of the consideration of this application? Or is it? Is it still evolving, and it's in its infancy, and certainly won't

2:20:51

have advanced such that it might start to become a material consideration? While either I or the security state? are considering this proposal? Yeah. Yeah. Thanks. Thank you. So I think, given the

2:21:08

the, the timescales for your consideration of this project and the Secretary of State to make a decision, it's extremely unlikely that it has anything been submitted for examination yet? No, no, no, it hasn't. And it's extremely unlikely that, you know, beats moving at such a pace that it would become a material consideration.

2:21:52

Do you know whether there is a tentative date yet for submission for examination?

2:22:00

Every time I'm updated, the date changes. So I wouldn't even like to hazard. You know, at a tentative date, at this point, I can revert back to our spatial planning team and ask for a more but yeah, the most up to date date that they can give But well, so I put it another way. Aren't you the dates that you've been given for submission in 2021? Not recently. No.

2:22:27

They were originally.

2:22:31

I think that that is sufficient for my my purposes.

2:22:38

Because it might well be as we indicated earlier with the review of the MPs that might change the situation anyway, visit the local plan on an emerging local plan, it seems that this scheme is is has a a move policy arena in which to be working on at the moment.

2:23:03

Sir, if I can go back to policy rd to just to set the applicant's stance on that policy.

2:23:13

Yes, Mr.

2:23:15

Roberts.

2:23:17

So, so, in terms of the

2:23:20

what the local impact report lists in terms of the relevant

2:23:24

planning policies, we are broadly you know, confirmed by the accordance with the mtbf. The exception is policy are the two. This clearly conflicts with the framework which seeks to policies maximise renewable and low carbon schemes. And I say that I can now refer to paragraph 151 of the framework in terms of plan making. So

2:23:52

that is the correct reference with regards to policy are the two.

2:24:04

And picking up on what Mr. law said earlier in terms of you've got the appeal decisions for Raven Thorpe law Lodge.

2:24:15

pins ref are ep 1021.

2:24:21

Within that appeal, the inspector also acknowledges that policy Addy two is out of date.

2:24:43

Thank you for any comments on the emerging

2:24:48

framework to implant.

2:24:55

Thank you that that was the end of the questions that I had.

2:25:00

on national and local planning policy.

2:25:09

As I said a little while ago,

2:25:12

I think it would be right to hold agenda item over agenda item five, the development side the draft event consent order, over until the morning.

2:25:27

That said, I think I'd like to give the applicant a bit of a steers for something that you might be able to look at overnight,

2:25:36

which might reduce the amount of time that we need to spend looking at the ECU.

2:25:47

And so I'm just trying to find the right

2:25:57

question that yeah, this, this all revolves around the interaction

2:26:03

between article 18

2:26:06

in the draft, direct consent order, and I'm always going to refer

2:26:14

today or tomorrow for that matter to

2:26:18

rep three hyphens 003. So it's article 18, which is the one that deals with requirements and appeals. And then part two of schedule two,

2:26:32

have the order, which is the part that deals with the procedure for discharge of requirements.

2:26:40

I've got a feeling that part of the reason why I've sort of latched on to particularly part two of schedule two is that there may be a

2:26:54

drafting error in it.

2:26:59

Which might having now had the opportunity to look at the order that was made in respect of Cleve Hill, because that's included in a member right lead, rep one, hyphen 008.

2:27:21

The Anatomy of the schedules for Cleve Hill is different to what's been proposed for little Crow, in that there's one scheduled hit one that's got three parts in it.

2:27:36

The the first part for cleave Hill, in effect defines what the development is.

2:27:43

The second part then goes on to deal with requirements. And the third part then goes on to deal with the discharge process.

2:27:52

It looks having looked at the draft for

2:27:57

little CRO, and then compared it with

2:28:03

cleave Hill, there might have been a lifting of text from Cleve Hill into

2:28:13

the draft order.

2:28:15

And what that has done is it introduced references in part two,

2:28:23

of schedule two, when in fact they should be part one.

2:28:30

And given the part two of the little crow order is dealing with required the discharge of requirements. But if you look at

2:28:42

Cleve Hill, the numbering is different.

2:28:45

In Cleve Hill, the requirements are on to the discharge mechanism is in three. So it looks like there might have been a slip I

2:28:54

I'm guessing that there might have been a bit of lifting of text,

2:28:58

because that then seems to explain why there's an awful lot of referencing to part two, in part two,

2:29:08

when requirements are being talked about, and it just doesn't seem to tally.

2:29:23

Mr. Male, is that something that might have happened that some text was lifted from Cleve hill? It may have done sir, but I'm also mindful that a lot of that is based upon the appendix to advice night 15. So

what I'll do overnight is I'll go back through it and, and and look into it and we can have a discussion. I just thought if I flag it up this evening, that gives you the opportunity because it does mean you have to, I think bring up claim to next to or, or whatever, but have the two side by side and I think you then start to unpick what might be happening

2:30:01

I was struggling at times for a while and it was only when I saw the key pill order. And I thought that might explain why I've struggled a bit with with the anatomy at that part of the order.

2:30:15

Okay, well, we'll we'll check it there and be ready to discuss tomorrow.

2:30:20

That's good.

2:30:23

Right. Are there any procedural matters that either the applicant or the council wants to raise with be now before we adjourn to 10 o'clock tomorrow morning?

2:30:36

Mr. Law start with you. First. Anything of a procedural nature? No, no procedural matters, Teresa. Thank you, Mr. Male.

2:30:45

Now, what I will do overnight is I'll

2:30:49

compile what I think are the actions that have arisen out of the discussion this afternoon. And be ready with that add to to talk to you once we've been to agenda item five in the morning.

2:31:04

So there will be an arrangements conference for you which will commence at 940 tomorrow morning.

2:31:13

And the hearing will then resume at 10.

2:31:17

So with that said,

2:31:20

Thank you for your assistance this afternoon. And the hearing is now adjourned until tomorrow morning. Thank you. Accept