



## Hearing Transcript

<b>Project:</b>	East Park Energy
<b>Hearing:</b>	Issue Specific Hearing 3 (ISH3) - Part 2
<b>Date:</b>	09 June 2026

**Please note:** This document is intended to assist Interested Parties.

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

# TRANSCRIPT\_ISH3\_SESSION2\_EAST PARK\_ENERGY

Tue, Jun 09, 2026 10:00AM • 55:11

The time is now ten past 12, this meeting is now restarting. If everybody could take their seats, please. Could a member of the case team confirm that I can be heard clearly in the room, and it live stream has restarted. Okay. Thank you. Could I ask everybody to take their seats, please? Excuse me. Thank you. Okay, before the break we were invited to hear a submission by the local authority, so I'll take that now, and then we'll move on to item three. See,

thank you, Sir Daniel Steadman Jones. For the host authorities, just before I invite contributions from my colleagues, just by way of preface on this point on landscape, the host authorities would highlight paragraph two point 10.43 of En three, the National Policy Statement, which states applicants are encouraged, where possible, to minimize the visual impacts of the development for those using existing public rights of way, considering the impact this may have on any other visual amenities in the surrounding landscape, and of course, footnote 89 to that gives the example, for example, screening along public right of way networks to minimize the outlook into the solar park may impact on the ability of users to appreciate the surrounding landscapes, so as I say, the host authorities just want to highlight those, those policy principles, and with that preface, I will invite first of all Miss Condiac, who should be online, Miss Rebecca Condiac, to speak to some of the landscape issues that have been discussed already. Thank you,

sir. Thank you,

thank you, Rebecca Condillac, ACOM for the local planning authorities. I've undertaken a review of the landscape and visual assessment, APP 041 and there is some disparity in the assessment susceptibility and value that are combined to conclude levels of sensitivity and the assessment of magnitude and significance within Appendix five four effects of viewpoints APP 072 It is noted that wherever there is a moderate effect on visual amenity, this is taken to be not significant. Noting the methodology indicates it could, and in some cases, should be a significant effect. The overall conclusion is that there is some slight under representation of significant effects, and that the screening of views as a result of mitigation planting has generally been assessed as an improvement to magnitude of impact and not being assessed as a potentially adverse change, effects on visual receptors are broadly accepted as appropriate, noting there is a heavy reliance on the landscape mitigation to screen the solar panels, but any effects of obstructed or truncated views are not referenced and will adversely change the experience of users of public rights of way. There are a number of viewpoints where mitigation encloses views alongside public rights of way and are assessed as significant for the duration of proposed development, but there are a number of viewpoints where mitigation encloses views alongside public rights of way, and impacts are assessed to reduce to non-significant levels for the duration of the proposed development. I note the applicant's response in relation to viewpoint 12 and the reason as to why this is assessed as moderate, adverse, not significant relating to the retention of part of the open view, but for a number of public right of way impacts reduced to not significant at year 10 when there is a total enclosure of the view, and that's within the chapter five viewpoint 15 footpath 29 represented bar on figure a pp 131 is assessed to have a major adverse significant effect during construction, but it's assessed to be moderate adverse, not significant during zero year zero, reducing to minor to moderate verse at year 10. The view to the northwest along much of this footpath will continue to contain views of solar PV panels, and then will be enclosed by

hedgerows, reducing the extensive views. Viewpoint 77 right away 1127 represented on figure a pp 142 view proposed this mitigation would enclose the view although I note that there are gaps which allow for buried utilities but they largely restrict views along the line of the public right of way, and then viewpoint 2878 footpath 1125 represented by figure a pp 142 During year zero of operation is assessed result in moderate effects that are deemed to be non not significant, although there would be solar present on the majority of the route, although it is noted that there's an existing solar farm located to the south.

Does that conclude?

Yes.

Thank you. Have the local authorities finished in there,

Daniel Steadman Jones, for the host authorities. Sir, there I will.. there are further comments to make. I don't know if you wanted to ask the applicant if there was any response to those questions. We will, of course, put in writing after the hearing of the points that have been made as well.

Okay.

Thank you. Would the

applicant like to come back or wait until

the Tom Rose made for the applicant. We're just going to clarify that, yeah, I don't think we've had those comments in writing yet, so yeah, we'll provide a response.

Okay,

thank you, sir. Daniel Stedman Jones, for the host authorities, I'm just going to turn to my right now and invite mr. Ashman, Dan, Daniel Ashman, on behalf of Cambridgeshire County Council, to make some further comment.

Hello, sir. Yes, Daniel Ashman, Cambridgeshire County Council. Cambridge County Council, we share concerns about the loss of visual immunity, and we acknowledge that in some cases the negative impacts being able to view solar arrays in the near or middle distance might be offset by screening planting, and we acknowledge that that's essential in softening views of the development. However, what it doesn't do is remove the fact that the local landscape is being transformed, and that's not just by the array, that's by the screening itself, and we feel that this does impact the landscape legibility to borrow return used by the applicant by having an impact on receptors, and I think Miss Condor Lack has summarized some of those impacts. I was going to refer to viewpoint 77 that's been addressed. We've also looked at viewpoint 60 to get a representative idea of this, that's on footpath 213 slash two to the south of Great Stoughton, the applicant has produced some visualizations of the 10 year impact in this location, and what that does is it demonstrates the effect, isn't it, the effectiveness of the screening in concealing the solar array from public rights of way users in that specific location. However, what those visualizations also do is demonstrate a considerable truncating of the countryside views that by the time the trees have grown to a considerable height, the view of the ridge in the background is completely obscured. So, what we can discern from this is that while screening planting can be effective in reducing visual impacts, it can have a side effect, and it can alter the receptive experience of the landscape short shortening sight lines, truncating views, and then funneling views into a narrower aspect. So, while we acknowledge that the screening planting does mitigate some of

the impact, it doesn't go far enough in actually fulfilling the other side of the coin under the national policy statement, which is providing something to enhance the local environment and public rights of way. The county council, you know, we can see that across the development there are numerous locations and viewpoints where the impact I've described is going to be very similar. So we would really welcome if the applicant came forward and engaged with us and colleagues at Bedford Borough to discuss how the applicant can support protection and enhancement of the wider rights of way network in the facility in the vicinity of the application site. Thank you.

Yes, thank you. The applicant might come back on those points.

Thank you, sir. John, mean, for the applicant, just to reiterate mr. Rose by comments that this is new information that we will respond to in writing. There's obviously various viewpoints have been referred to, and I would like to just pick up on a few points, so sort of on the record now, the applicant has been explicit that screening, so the screening at year 10 in some instances would contain currently open views, that is absolutely explicit in the LVA in various locations, and again we will respond on that point, that doesn't necessarily result in a significant effect, particularly where the. The development is screened, and again, reiterating, you know, this is a location with, with low value, effectively, or local value in landscape terms. Also, a point on moderate adverse that mr. Kondiak made, the methodology is explicit, the threshold is within the LVIA is typically moderate to major. Adverse would be a significant effect. There is some flexibility in the assessment that we apply that does allow a moderate to potentially be considered specific and significant. We have already responded on this point, but the LDIA is explicit on that, on that, and I mean, overall, as well, just the response that has been provided by the applicant, in terms of a comprehensive landscape design or an environmental mitigation set of measures, is a reasonable response in this situation, that the introduction of new hedgerow, plant trees, grassland is an entirely reasonable response. So, as I say, we will respond indeed to those points when put to us in writing, but I just wanted to make a few points there. Thank you, sir.

Thank you for that. Anything else, mr. Stedman Jones,

Sir Daniel Stedman Jones for the host authorities. I am conscious that mr. Dake, as he was sitting next to me, was, I think, hoping to make a couple of comments in relation to design principles. However, he's not here, so perhaps he can contribute under 3c and chip in if he needs to add anything in relation to that point under 3c

Okay.

Thank you. Okay,

so that concludes that agenda item. So, if we can move on to the next agenda item, which is the advancement of the position between the applicant, both authorities, and any other interested parties, so ask the applicant to give a brief presentation of that, please.

Thank you, Sir Lee Kendall, for the applicant. The applicant has very recently provided a series of written submissions and responses to comments made by various parties, including the host authorities, the local access forum, and the British Horse Society, amongst others. The applicant recognizes the concerns raised in terms of the potential for impacts on Brow users, but maintains that the measures proposed within the outline public rights of way management plan, which is our EP 058 will adequately ensure the safety of all prowl users whilst providing a proportionate approach. I mentioned earlier the extract from NPS EN three paragraphs two point 10 point 40 and two point 10 point 42 I don't propose to repeat those, but they are relevant to this considering these considerations.

Now, during the construction phase, the principal concerns being raised are in relation to the bridal way within East Park Site A, referred to as Bonehurst and Keyso 37 and Perth and Hall 26 To address these concerns, the applicant has strengthened the measures and protections for equestrian users to provide clear protections and specifically to ensure greater separation distances between construction traffic using the bridle way and equestrian users, as well as all prowl users. Now the applicant recognizes that horses can be sensitive to sudden noise of movement, and the measures and driver protocols in the in the management plan are intended to minimize that risk by preventing close interaction between moving HGVs and equestrian users. Delivery drivers would give way to equestrian and other prowl users, and HGVs would be required to maintain or stop at a minimum 50 meter separation distance of any horses, however, drivers should increase this distance to 100 meters where forward visibility allows. 50 meter marker posts would be installed along the route alongside the route to assist drivers in judging this separation distance, or these distances, rather these distances reflect and actually exceed the British Horse Society's own advice note on construction sites and horses. Warning signage would always would also be provided for both prowl users and drivers and banksman. May be deployed during periods of intense or more intense construction activity. I say more intense is the actual intensity is in absolute terms very low. We're talking about insight here around an average of five HGVs per day. A banksman will be deployed to maintain safe passage for prowl users, including equestrian users, during periods when construction vehicles are actively crossing Bondhurst and Keyso Bridal Way 40. When cabling works, temporary surface works, or any localized diversions are in place at or in the immediate vicinity of the bridal way 40 slash bridal way 37 crossing, or when other construction activities in the immediate vicinity of the crossing require active management to maintain safe equestrian passage, where deployed the banksman will marshal vehicle movements, communicate with drivers and prowl users as necessary, and ensure that equestrian users are given priority until they have safely passed through the crossing area. The requirement for a bank fund will be determined by reference to the detailed construction program and the assessed risk interface at the crossing. Now, as suggested by the British Horse Society, the final prowl management plan, which is a requirement of is a requirement 11 of the DCO, will also consider whether any short managed closures are required during specific works immediately adjoining the northern part of Balmhurst and Keys, so Broadway 40, where safe passage cannot be maintained through signage, segregation, banksman control, communication, and the driver protocols or localized diversion. Now the applicant maintains that the proposed approach will ensure the safety of riders during the construction phase and beyond, as mentioned earlier, the proposed approach to the management of all prows within the site is in the prowl management plan. The final plan will provide more specific details, including a detailed program containing a timeline for condition surveys, reporting actual works, and management interventions.

The host authorities will have approval of the final management plan in accordance with the requirement 11 in relation to comments made by the host authorities regarding condition surveys and surfacing of the prows we did discuss this, this slightly well tangentially earlier, but in the applicant updated the management, the proud management plan at both deadline one and deadline three to provide additional comments, which we consider addressed the host authority concerns, concerns have also been raised by interested parties in relation to whether more could have been done to reduce the impact of vehicles using public rights of way or sections of the public highway. We talked about the construction strategy, construction traffic strategy in the previous hearings, as you'll recall, sir, but the applicant respectfully disagrees that the construction access strategy has failed to minimize use of the public highway. The applicant has had to balance practical safety, land control, landowner agreements and environmental considerations in developing the construction access strategy, and this has included the need to avoid unsuitable routes and settlements where practicable, and to provide safe and deliverable access to each part of the site, to limit unnecessary land take that cannot be justified, and to minimize other environmental impacts. Now the applicant has assessed the impact on the public highway, including to non-motorised users within ES Volume One, Chapter Nine, which is Traffic and Transport, which is R E P 010. which is supported by the ES volume two, appendix 9.1 which is the

transport assessment, which is our EP 2019. The conclusion of these assessments, also supported by the outline construction traffic management plan is that there would be no significant adverse effects that the proposed access would not result in any unacceptable impacts on users of the public highway. The applicant has also provided further information or commitments in relation to the proposed. Permissive access incorporated as part of the scheme. Concerns have been raised in relation to the means of closure of permissive access, the surfacing and width of permissive access routes, and that further permissive access should be provided. The applicant has recently updated table two of the outline landscape environmental mitigation, sorry, landscaping ecological management plan, which is REP 3056 that was updated recently at deadline three to include minimum widths for each permissive path, as well as to set out the proposed surfacing of each permissive route at deadline three. The applicant has also recently amended the proposed approach in the outline prowl management plan to show that any future closures of permissive book paths, there's extra explanation in there to make the approach clearer. This sets out that should incidents of anti-social behavior be identified in connection with the permissive path, including through routine site inspections, maintenance visits, reports from local users, from users or local residents, the community liaison group that Mr. Rose Blade mentioned earlier, the police, or the relevant local hire authority, such incidents will be recorded by the site operator in an incident log. Material or repeated incidents will be reported to the local hire authority and planning authority, and the site operator will consult with those authorities on any proportionate management response. This could include, for example, additional signage, increased inspections, localized repairs, vegetation management engagement through the CLG, or, where justified, temporary or permanent closure of the affected permissive path. Now, closure will only be considered where there is a substantiated pattern of repeated anti social behavior or a single serious incident which gives rise to an unacceptable risk to use a safety, wildlife, neighboring land, local amenity or scheme security. In general terms, however, the aim will be to keep the permissive path open for all but one day per year. The applicant has set out in written submissions at deadlines one, two, and three. Why further permissive access is not being proposed at this time. The applicant is willing to work with the host authorities and other stakeholders, including landowners, to bring forward further enhancements to the prowl network, but only in so far as the applicant is able to. The applicant feels that there should be an understanding from the host authorities and other stakeholders that enhancements of prows and or new permissive paths, both within and outside of the order limits, are not at the sole discretion of the applicant, and they are subject to landowner agreement.

At present, however, the applicant is of the view that no further mitigation measures or enhancements are needed to make the scheme acceptable in planning terms. The applicant knows, however, that the community benefit fund, the so-called East Park Legacy Fund, could be potentially used for the future creation or enhancement of prows, should the beneficiaries of the fund choose to fund such improvements. It should be emphasized that the seven new permissive paths that are included as part of the scheme are very much considered to be enhancement measures rather than mitigation measures. The applicant respectfully disagrees with the host authorities that the permissive paths should be afforded neutral weight in the planning balance. They will undoubtedly increase recreational opportunities in the landscape, and therefore provide obvious benefit. The applicant does, however, accept that the benefit, which should be attached, is limited due to the relatively limited scope of permissive access agreed thus far, and that they are not to be dedicated as permanent access improvements. Finally, the applicant has noted concerns in relation to the monitoring of prows during the operational phase, and has set out further detail on commitments in the prowl management plan recently updated and submitted at deadline three. This includes a commitment for the site operator to undertake regular monitoring of the condition of the public rights of way within the order limits. Monitoring would be undertaken at least quarterly, either as part of the landscape and ecological management plan site walkovers, or as part of dedicated prowl inspections, and additionally, following any operational maintenance activity, severe. Weather event or prowl user reports that could materially affect route condition inspections will record the condition of the root surface, drainage, rutting, bonding,

trip hazards, vegetation encroachment, signage, gates, dials, way marking, and any of the root furniture, and whether the definitive width remains unobstructed, any defect or obstruction within the control of the site operator that affects safe and convenient public use will be made safe as soon as reasonably practicable and remedy remedied within a reasonable timescale where the matter falls outside the control of the site operator, it will be reported to the relevant highway authority or landowner, as applicable. Overall works within, across, or adjacent to public rights of way, including bridle ways, are not unique to this scheme. Bridle ways and footpaths routinely pass along or across farm tracks on working agricultural land, working yards, roads, and other locations where vehicles, machinery, and operational activity may be present. The test on the applicant is not to ensure that all stimuli and risks can be completely removed, but instead to ensure the foreseeable risks can be appropriately controlled through a proportionate and enforceable management regime that concludes the presentation from the applicant for this agenda item. Sir, okay.

Thank you, Mr. Kendall. We just mentioned the possibility that the community fund could fund enhancements at a later date. How would the environmental impacts of those enhancements be captured and controlled? | |

suppose it might. It depends entirely on the scale and nature of the improvements, whether they might require planning permission at Yeah, it's a good question. It's one we will take away and consider further, and come back to you in writing, if that's okay. So, yes, please. Yeah,

can I ask the local authorities for their position, please, noting that has there was a scheduled meeting on the 17th of April, which has been fed back on, but interested know how far that from a local authority perspective has bridged the gap in terms of some of the issues and whether there's still active dialog going on, so

Thank you, Sir Daniel Stedman Jones, for the host authorities. Just before we make our comments, it's just important to note that the host authorities are still working through the detail of the documents that have been put in at deadline three, so some have been considered, some haven't yet. So there will be full consideration of all of those in due course, and we will put responses in writing in respect of those. Just to begin with, by way of high-level overview or summary. The host authorities want to draw attention again to some of the key principles in the national policy statements in regards to public rights of way, in particular paragraph paragraphs five point 11.24 and five point 11 point 30 of En one 511 two four speaks of the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network and to improve that network and other areas of open space, including, among other things, public rights of way. Paragraph five point 11 point 30 refers to the Secretary of State's should be expecting applicants to take appropriate mitigation measures to address adverse effects and to consider what opportunities there may be to improve or create new access. This is a key concern for the host authorities. Just touching on EN three, paragraph paragraph two point 10.41 It refers to the points that I think that the applicant referred to earlier, that there may need to be temporary closure or diversion to enable construction, but importantly applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed development site open during the construction period, during construction, and to protect users where a public right of way borders or crosses the site. Paragraph two point 10.42 refers to the need to ensure continued recreational use of public rights of way, where possible, during construction, and in particular during operation of the site, and 32.4 10.44 Again, a very important point for the host authorities, applicants should consider and maximize opportunities to facilitate enhancements to the public rights of way and the inclusion through site layout and design of access of new opportunities for the public to access and cross proposed solar development sites and two point 10.45 also points to the need to ensure that they are safe to use, which we are, which is something that we are conscious that the applicant has been

doing all it can to protect. So, sir, with those principles in mind, the four headline points of concern, before I pass to colleagues to speak to some of the detail of this. The four headline points of concern for the host authorities have some of which are well, they have already been set out in detail in the host authorities' responses or response documents to the ALAM and to the public rights of way management plans and to the other comments that have been exchanged. The first point, bearing in mind these policy requirements in the national policy statements, the host authorities consider that proposal. The proposals at the moment don't currently consider and maximize opportunities to facilitate enhancements for the public rights of way, so pursuant to that concern, the host authorities are keen to see that the opportunity provided by this application is not missed, and to maximize connections to the local and strategic public right of way network, and to improve connectivity for residents. The second, the second headline point of concern, while permissive paths are being provided, there is an opportunity in the host authorities' view to provide greater new opportunities for the public to access and cross the development site, and again, pursuant to that concern, the host authorities would hope that there can be further progress on achieving more in this regard, notwithstanding that the host authorities do understand what the applicant has said regarding the land ownership issue of the site. The third headline point of concern, sir, relates to accessibility and active travel.

The host authorities are concerned regarding the potential limitations in the permissive path provision as it stands in terms of the type of user or the potential limitations on the type of user due to the proposed widths and constraints in respect of both the permits, whether in respect to the permissive paths that have been offered, and again the host authorities are keen to work collaboratively with the applicant to improve the proposed offering in relation to those issues, and so the fourth headline point is that the host authorities have noted the applicant's approach in respect of firstly antisocial behavior, secondly the proposed priority given to construction and maintenance traffic in the management plans and the other sweet suite of documents, relevant documents. Thirdly, the proposed diversions or potential closures of the public rights of way, and fourthly the use of public rights of way for construction vehicular traffic, and the way that those four different elements or issues are treated again across the different suite of documents, so the management plans on the one hand, but also other documents which deal with these issues, and in relation to that fourth point, the host authorities are concerned that these are currently insufficiently clearly defined, and or they're not sufficiently underpinned at the moment by host authority oversight, or in certain instances the need for authorization from the host authorities post consent, given the important potential impacts on public rights in the first instance, but also in relation to potential access to permissive routes as well, and so in relation to that fourth issue as well, the host authorities consider that this is a significant issue that needs to be resolved in order both to ensure the protection of public rights through a proper process that incorporates the oversight or appropriate oversight of those authorities, and of course the smooth operation of the solar farm for the 40 year lifespan of the project, so those headline concerns, notwithstanding that the host authorities do what they would, and they do welcome the discussions that are ongoing, and in order to continue to try to reach solutions to these shared concerns that are acceptable both to the applicant and the host authorities, so, so, those are those are the headline points, and the summary overview, if I can put it that way, but I'm going to turn first, if I may, to mr. Dake House on behalf Bedfordshire County, Bedfordshire Borough Council, and he, in particular, that we, he's produced, or Bedfordshire have produced a map, which we would hope to introduce, but I'll allow mr. Dakehouse to speak to that, if I may. To

thank you, Peter Day, case for Bedford Borough Council. We are addressing item 3c which is the current position of the local authority, and I want to refer to the very first document that was mentioned today by the applicant, which was their design approach document. We hear what they have said regarding the design principles of the scheme, but what we haven't heard in greater detail are the design principles specifically dealing with the public rights of way, and I refer to their own document 5.4 point 12, where they state the following opportunities were identified, the opportunities it is to upgrade

public footpaths to bridleway status, and the second point, or one of four, the opportunities to improve public rights of way expand the public rights of way network across the site, we are supportive of both those two ideas, because they tie in to a strategy that Bedford has, both in terms of a concept of routes, existing routes, and promoting active travel and access to the countryside, which is embedded in public policy, in terms of what we have before us. We are still unclear as to how the applicant intends to upgrade public footpaths, and we are unclear at this stage how they intend to expand the public rights of way. We note their points regarding permissive pathways, but I think to a certain extent we want to bank that as a separate discussion and focus on public rights of way. To date, it is unclear as to how they define the public rights of way in terms of the widths, the standards, surfacing materials, the overall corridor in which that public right of way occurs, and why we bring this out is that while it is stated that this might be set out in the management plans to date, we do not have a clear understanding from a design point of view how and what it looks like. We have worked with other applicants on exactly the same on solar farm applications, mostly under five megawatts, so they are local schemes that are determined locally, where we have gone to the detail working with apps. In setting out the materiality, the width of those corridors, and how they will be maintained over the life of the application. To date, we have a commitment in principle from the applicant, but not a clear understanding in terms of technical details of what they actually are, and why that's important is because at the end of the day we as local authorities will be tasked with enforcing these should they not occur. I also want to delve into the whole aspect that was mentioned in terms and raised by the inspector himself regarding early planting what we hear regarding the public rights of way in all cases is about mitigating harm rather than the other leg to that, which is about enhancing the impact and the experiences of public rights of way. The inspector raised the issue of early planting. What we would like to understand, in regard to early planting, is worth the planting to occur over what you state as a 30 month period. There is a concern that the planting might either not occur, or, as we have seen on very other large major infrastructure schemes, that landscaping fails in totality, and I'm talking about a major road scheme in this area, due to lack of maintenance regimes and lack of water to ensure that the landscape effectively was established. So, while we understand your commitment to instating the landscapes, we need to ensure effectively that if there is failure, the very reasons that you're putting in the landscape to mitigate harm, we can ensure that there is a delivery mechanism within that. At present, again, the management plans are light in that. So, from a totality point of view, from the local authority, while we are understanding where the applicant is going, we do feel it is a point where we need absolute clarity in terminology, intent technical specifications, when the phases will occur, and maintenance managements of the scheme. And at present, we feel that we do not have that sufficient clarity to be supportive of where we are. Thank you, Inspector.

Could I just ask, are you envisaging some sort of design codes to be put in place for both parties to agree to the treatment of

public rights of way we have on a plan, which we can distribute, of indicating a strategic network of footpaths that the scheme could deliver, or effectively, that the scheme could enhance public rights of way. We all have a through our colleagues at Cambridge, that is a technical specification of what public rights of way should be in terms of permitting all forms of active travel to use public rights of way. I think what's important to recognize that public rights of way are about active travel. It's not just the able-bodied people that we want to use in these areas. We're talking about disabled people, we're talking about people in wheelchairs, we're talking about elderly people. It's not just about a known pathway that should be seen as a public right of way. And as a council, we've had great success working with other applicants in improving and enhancing the public rights of way to ensure all forms of active travel can actually use these pathways.

Thank you,

sir. If I could just invite mr. Ashman, in case he wants to add any further contributions on on this. Thank you.

Thank you. Yes, Daniel Ashman, Cambridgeshire County Council. I'm fully supportive of what mr. Dacus has just outlined from the perspective of Bedford Borough Council. Cambridge County Council definitely would agree that the this application is currently missing an opportunity that may not come by very often to contribute to improved connectivity and accessibility within the Kim Valley and the 645 corridor. The site is proximate to the National Cycle Network Route 12. The site is proximate to local centers, such as St. Nick's, Graf, and Water, Kim Bolton. The opportunity to contribute towards how we can improve accessibility to these locations is one that we wouldn't like to miss. Thank you,

sir. Can I just also just chat or invite mr. Ashman to comment. There was reference made by the applicant's comments on antisocial behavior. I don't know if you'd like to comment on that, mr. Ashman. Thank you.

Yes, thank you. I mean, I think I can refer to the permitted path offering in. Relation to the antisocial behavior in the proposals to to close the permissive path and I welcome what the applicant has outlined this morning in terms of measures that might be introduced to help reduce our concerns about about the potential to close the permissive path within within Cambridgeshire I think we are very concerned that permissive paths offer a precarious mitigation by their nature they can be taken away. So, from our perspective, we will be very keen to enter into a formal agreement for managing the permissive path arrangements, whether that be through a deed, some sort of legal commitment from the from the applicant in relation to when, when the route might be closed, what threshold would need to be reached to do that, with the understanding that permanent closure would be the absolute last resort.

Thank you, Daniel Stedman Jones, for the host authorities. Just to underline having had all these contributions, that the host authorities very much are open to ongoing discussions and dialog around all of these issues, but obviously it's important to set out of our concerns at this stage.

Okay. Thank you very much for that. And as we've said, follow the issues up in writing with the plan. Yes,

absolutely. So, thank you for too.

Could I ask the applicant to if they would like to respond on any of those issues, please?

Tom Rose played for the applicant. I'm conscious of time, so I'll just cover a few points for briefly, and we'll follow up and continue dialog with the host authorities after the meeting, and a couple of key ones. Firstly, in giving the headlines at the beginning, mr. Steadman Jones mentioned the applicant's ability to use the public rights of way by vehicles without necessarily having mitigation in place through the DCO. If I understood that point right, I don't think I don't agree that that's correct on the basis that we have to have the outline public rights of way or a final public right of way management plan approved by the local authority before we can begin the construction phase of the project, so that hopefully provide would provide some assurance if I've understood that that point correctly in relation to mr. Dykehouse's comment comments in relation to the there being a lack of detail in relation to some of the routes across the site compared to other applications, principally TCP applications. I think it's a product of the application process that you go through in that in in a TCP application, though the applicant is applying it in detail for full planning permission at that point in time, and so would be required to provide drawings for approval, and so on. Whereas in this application, the detail of that would be provided for

approval by the local authority in accordance with, for instance, requirement three of the DCO, which is the detailed design approval, and again we can't commence any phase of the scheme without having that approval from the host authority, which includes for the layout scale, finished ground levels, fencing, external appearances, vehicular access, lighting, those sorts of points, and then the final point, there's continues to be a few references to permissive footpaths being, for instance, a precarious mitigation or mitigation of the scheme, whereas a view is very much that these permissive footpaths permissive access is not required to mitigate the effects of the scheme. It has been, it's an enhancement, and there are opportunities there, and we're looking to deliver on opportunities for increased access, but they're not essential mitigation for the scheme, and we are somewhat limited. I shouldn't say we're somewhat, it's not that we're somewhat limited. There is limitations into what can be done in the wider landscape by the applicant through the DCO. So, where we're talking about connections to graph and mortar and other features beyond the site, whilst we wouldn't disagree that there are some great opportunities there in the wider area, is not necessarily the purpose of this DCO to deliver on those opportunities, although we are willing to continue discussions with the host authorities around around those points.

Okay.

Thank you very much. Welcome, continued discussion with. Been both parties to try and get as far as possible in agreement before the end of the examination. Acknowledge there might be some areas of distinct disagreement, but if we could move that journey along, please, that would be greatly appreciated. I am conscious of time also, and that we have another hearing scheduled for 2pm this afternoon, so I will propose to move to closing. What I would say is, if anybody does have any comments or questions on that final agenda item to put them as a post hearing submission into the case team, and that will be responded to as part of the examination process, so if I could now move to next steps, I did ask if the applicant could keep a list of action points, which we can run through in a second, but I just ask if anybody believes that something isn't mentioned or is different, or your understanding that the police say so after the applicant has run through the action point list, but we could ask the applicant to do so. Please,

hello, Leticia Mandar, for the applicant. Action point one: applicant to comment on the exam authority's query regarding regarding approach to public rights of way and compliance with EN three, paragraph 210 61 for deadline four. Applicant to provide a written response to Sean Woodward's additional submissions. Applicant to sign post Councilor Syria to any relevant materials relating relating to the questions raised, but for a local access forum to submit plans relating to viewpoint 12 applicant to confirm whether a stock used for trees hedgerows would be British sourced, applicants to respond to comments raised by the host authorities in relation to LBIA assessment and impact of screening applicant to confirm in writing how the environmental environmental impacts of new permissive path would be captured and controlled if delivered through the community benefit fund and the final one host authorities to confirm concerns relate really relating to public rights of way and permissive footpath in writing.

Thank you. That is okay. Could ask the local authorities first if they help you with that action point list? Yes. Thank you. Okay, I noticed a couple of hands raised these issues relating to the action point list.

Not really, Sarah. Okay,

if I could ask you

about not being able to respond to the construction traffic point, which I put off when Sharon, when Councilor Sierra raised it, and I'm now not being given an opportunity to respond, so

I'd like to

put in writing, but I am really very, very disappointed.

Okay, I'd like to remind people that the principal means of assessing information before this examination is through the written form. The hearings are to supplement that. We have a, as I said at the start of the meeting, if time doesn't permit, we would ask for further information to be submitted in writing to the examination.

Gillian Lane, local resident. Just an observation on point 3b where you asked a question of the applicant regarding the use of mature trees. There was no answer given to that.

Is there any issues on the action point list that you wish to raise?

I'd like that to be on the case, because they didn't answer it, I said,

anybody online that would like to raise an issue about the action point list? Okay. Thank you. So, I've now covered all items on the agenda. Thank you all for your. Assistance during this hearing. This issue-specific hearing is now closed. Thank.