



## Hearing Transcript

<b>Project:</b>	EN010148 - Tween Bridge Solar Farm
<b>Hearing:</b>	Issue Specific Hearing 1 (ISH1) - Part 4
<b>Date:</b>	15 April 2026

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# AUDIO\_TWEENBRIDGE\_ISH1\_SESSION4\_1 50426

Wed, Apr 15, 2026 4:35PM • 1:37:26

00:04

Okay, thank you.

00:08

So it is quarter to three and the hearing is now resumed.

00:15

Can I confirm that the live streaming has commenced?

00:19

Yes, thank you. Okay, we're about to move on to cultural heritage. But I think,

00:27

Mr. Campbell, did you have your hand up, and I don't think I've realized you're participating virtually. I

00:35

don't know if you're still there, because we've obviously moved on from flood risk now. Yes, I have. It was just the final Well, Richard Campbell, city of Doncaster, council lead local flood authority. I was just going to take the opportunity to share my thoughts on the drainage strategy, but I had taken your point. You wanted to move on from flood risk. But no, no, I'm happy to hear from you now. Excellent. Thank you very much. I thought I'd share my reflections on the surface water drainage before we move on, if I may, we are content with the surface water proposals that were put forward and, by extension, have not raised any significant issues. These proposals are considered to be compliant with national standards and local guidance. In our point of view, we have, however, raised a few minor points that were discussed with the applicant's drainage representatives during a meeting in March. Understand these points are now being considered as part of the statement of common ground discussion. Thank you.

01:27

Okay, thank you. I don't know if the applicant has anything to respond to make them on behalf of the applicant, nothing substantive. So those discussions are happening and we'll report them in the sacg. Okay. Thank you for the update. Mr. Campbell,

01:44

okay, if we move on now to item 4c which is cultural heritage.

01:50

Well, bearing in mind that I have not yet received the local impact reports, I only have a couple of questions on this topic.

01:58

And it may be that we have a further issue, specific hearing on cultural heritage, depending on the positions in the local impact reports,

02:08

I'll be referring to the following documents, which I would be grateful if the applicant could display on screen as we Go.

02:16

They include MPs en one,

02:20

environmental statement chapter eight, which is examination library. Reference a P, P

02:30

045,

02:33

said, sorry. Environmental statement chapter eight, reference a P, P 045,

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and city of Doncaster, Council's relevant representation, which is reference R 006,

02:49

okay, so the first question relates to the what I describe as The Heritage balance, which

02:59

is a balancing exercise that's usually undertaken as part of the overall planning balance. So if the applicant could please display MPs

03:12

en one paragraph, five point 9.32

03:18

on screen, I would be grateful.

03:21

So it's five point 9.32

03:30

excellent. Thank you very much. So MPs en one paragraphs, five point 9.22

03:38

to five point 9.36

03:41

address, the heritage balance tests plural to be applied in circumstances where less than substantial and substantial harm are identified to both non designated and designated Heritage assets. So for example, paragraph five, point 9.32,

04:02

states in full, that where the proposed development would lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. So I just wanted to check with the applicant where in the application documents

04:28

this balancing exercise has been undertaken,

04:34

because I couldn't identify if I'm honest with you, a location of any such assessment, but it may be that I've missed it

04:46

to make them are on behalf of the applicant, so you've caught me unawares here, and I'm scrambling around in the planning statement. That's okay. See if I can find it. That's where I'd normally expect it. Well, the.

05:00

The short answer says that I can't find those paragraph references within there. That being the case. We can tell you how that

05:11

balancing exercise meeting should be undertaken.

05:15

And we will do that.

05:18

We will do that at deadline one? Yeah, that would be useful because it's pretty fundamental to my

05:27

recommendation. So ES environmental statement, table Eight, seven identifies many instances of heritage harm, including less than substantial harm. I don't think there's any. I

05:41

don't think there are any instances of substantial harm being identified, nonetheless, because less than substantial harm is identified. The balancing exercise, which I've just set out at five point 9.32, of en one needs to be undertaken,

05:58

and in doing so,

06:01

yeah, that should really be appended to the planning statement. That would be helpful heritage balance.

06:08

And reference should be made to recently made DCOs, as well as to how

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the heritage balance relates to the overall planning balance, because it's it's not straightforward. So if you read,

06:23

for example, the tilbridge

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DCO recommendation report,

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you'll see how, how I am supposed to

06:33

undertake the heritage balance, and then subsequently how that feeds into the planning balance. So if you could undertake that exercise in that way that would be gratefully received. So to make them on behalf that we can definitely do that, what I would just like to do, sir, is I

06:50

didn't have the appendix A to the planning statement in front of me. That's the policy compliance document.

06:57

I can give you the examination library reference for that.

07:02

And

07:04

yes, I think that this goes some of the way to addressing some of the points you've just made there, but I don't think it will do all of the things that you just

07:12

highlighted, but I'm just putting up the the

07:18

examination Library Reference

07:22

is app dash, 031,

07:26

part of the planning stage. It's it's an annex to the planning statement. Yeah, but they're not separate. They've been presented as separate documents. I think it's probably because the planning compliance document is extremely long and unwieldy. Say they've just been separated out into two documents. You've got the planning statement, which is up zero 30, and then the compliance document is 031

07:51

right? And that is essentially a blow by blow account of each relevant paragraph of the national policy statements within in the form of a table, and then in the final column of that table, the applicant has set out how its proposals meet the relevant tests.

08:12

Yes, I

08:20

Well,

08:26

yeah, I'm not sure

08:29

that that includes the test and a weighing of the public benefits. Hang on a minute. So I think you're I think you're right that, as I indicated, I don't think it does all the things that you want want it to do, and so it may be that it's helpful or helpful for us to supplement it, okay, address the different points you mentioned. I mean, less than substantial harm is referenced in this Duncan, yes, but I think it's in the context of the ES and whether they're a significant effect. But this is really a distinct exercise, planning exercise, if you like.

09:05

So, yeah, I'd be grateful if that was provided. Thank you.

09:11

Did, I mean, in the absence of that information, did the councils have anything to say on the heritage

09:20

balance?

09:22

Perhaps we can start with city of Doncaster.

09:28

Thank you, sir. David Ormsby, city of Doncaster, Council, I'm going

09:35

to go back to basics, really, in terms of conservation. And the main document, or main policy that is relevant is conservation principles, which was published by Historic England and is still regarded as the main.

10:01

Main area of policy

10:03

for

10:05

assessing harm,

10:09

I think what what has been produced so far, it is difficult to say from the applicant side, what are the heritage values that have been affected.

10:24

And I know that they've looked at individual assets, farm buildings or former farm houses, and put a very superficial area of setting around it. And this goes back to what I was saying this morning about the landscape and the heritage values being intertwined,

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and the landscape

10:56

has produced the

10:59

human activity that has taken place over centuries.

11:05

And

11:07

I don't think anywhere in the

11:09

document, we've got a proper understanding of what the heritage values are. For example,

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I've looked at a property, sandhill farm, for example, there's a superficial area put round there. I surveyed that property 35 years ago, and did quite a detailed survey on it. And it's a property that has been

11:41

adapted like many farmhouses,

11:45

and there is a core which would not be apparent unless you did a very detailed survey, a specialist Building Survey, and you can see how the building has evolved, and that relates to changes in the land and in how the land's been farmed and whatever. So we've had a very superficial assessment. I don't know what the values of the

12:20

Heritage values are based on looking at that study. I know from my own point of view, from my own research and knowledge, but I think it's incumbent on the applicants to provide that level of information

12:37

only by looking at the Heritage values, are you able to assess what's being lost and to able to take that balancing judgment?

12:51

And I am of the view that a tremendous amount more work needs to be put into understanding the the

13:03

heritage assets, be it the landscape, be it designated heritage assets or non designated heritage assets. And in regard to the latter, I would say there's probably quite a few of those. There is also another aspect that

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this relates to

13:24

underground heritage,

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that these areas of land were hard won

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following the drainage works, initially by the moiden but subsequently and carried on by the Hatfield chase company. And there is an issue here that

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there was very small scale farming that took place, probably from a very small building. And these have been lost over the years, certainly in the in the Isle of AX zone, but also, I would suggest extending into the area of the city of Doncaster. And

14:14

whilst it's possible to look at these in terms of archeological issues,

14:22

it is like looking at a needle in a haystack because of the ground conditions. There is an awful lot of human activity past human activity that has taken place on there, and the heritage statement doesn't go near enough to explain that?

14:47

Okay, yeah, if the applicant could come back on that, and in particular, I've got a written question which relates to the applicant's approach to defining the settings. So I.

15:00

I do agree, to a certain extent of Mr. Hornsby in terms of his comments on the on the

15:08

this settings and how they've been defined. I'd just like to understand the rationale that went into that, if possible. Please. Thank you. Tom at Lamar, on behalf of the applicant, I'm going to hand over to Mr. Millwood to speak to those matters. Sir,

15:23

good afternoon. Sir Jonathan Millwood, on behalf of the applicant, firstly, I stand by the robusticity and validity of our assessments,

15:35

the conservation principles. Point raised, I would counter with we've considered this matter in line with Historic England advice. Note, 12 students of heritage significance Historic England. GPA, two, managing significance in decision making and he. GP, a, three, the setting of heritage assets. Similarly, that the interest of heritage assets has been considered in line with the position set out at NPS, pn, one paragraph, 5.93,

16:07

obviously, it is part of a stage process. We've identified at an early stage that there are no designated heritage assets within the order limits,

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and that therefore, following the GPA three process, detailed Building Survey,

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actually gaining access and considering fabric of the structures did not seem proportionate in line with the

16:33

NPS approach.

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Similarly, we would suggest that it's for the conservation officer and the CDC to consider this in their response. As part of the balancing exercise,

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we have set out our position in terms of grade two listed buildings being designated assets of less than the highest significance in line with the standard definitions, and assess them accordingly, following the stage GPA three approach,

17:01

which is detailed either in

17:03

the baseline heritage assessment for stages one, two and three of the GPA methodology.

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That's document a P, P 08

17:15

just make sure a five. Thank you, Tom. And then stage four, the actual assessment is obviously detailed in Chapter Eight of the ES, AP 045,

17:28

okay, but in terms of the settings in particular, how have you did? Is it professional judgment? How have you determined the extent, the physical extent, of settings of for example, listed buildings.

17:45

Jonathan mold, for the applicant.

17:48

In a nutshell, it is professional judgment, as so many of these things must be.

17:52

It's again that point on proportionality. If we took the entirety of the moidens landscape, we would be considering assets as far away field as Thompson, in the context of this

18:03

which doesn't seem proportionate,

18:06

we've considered carefully where there is evidence to support it, either historical or current land use associated with these assets, and then responded to that Association through the mitigation that's been designed.

18:20

Okay, so Mr. Hornsby, you're, I can't remember what word you used to just to criticize the settings, the extent of them. But what, what is your main criticism in that regard?

18:36

David Hornsby, city of Doncaster, Council. It relates to basically

18:44

the the setting and and also the historic landscape.

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You've got to remember that those

18:54

farmsteads developed over a period of time, and

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they ought to be viewed in terms of their setting against a much wider Forgive me for saying, you know, a sort of garden area that's being provided. Because when you look at the landscape and look at the views

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the farm said, do they're dispersed. They they stick out in

19:25

the they stick out in the in the landscape. And

19:31

it's an important it's an important feature that there is

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open land, and then you can see the landscape. But I go go a step further that the the

19:45

heritage values that are experienced

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are viewed over a longer term, seasonal that their relationship with the land and.

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There are different aspects to be enjoyed and by occupiers and people that use the fields and indeed from the roads, that you've got a seasonal change that if you compare that with the with the

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solar panels, you're not going to get that seasonal change. You also have a further change when you're looking at fields that are arable

20:32

and different crops different rotations over a longer period of time, when you compare that with something that's been provided, possibly to provide a screen with a the form of a hedge,

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but also, depending on what the what you can see of the solar panels, all that variation has gone and significance is

21:03

includes things like you can see, you can view, and sometimes smell

21:11

and again at different times of the year, according to the farming process that's on there, you You get that sense of being in an open countryside. And again, it goes back to the open sky

21:29

characteristic that was

21:32

that was provided in the

21:36

historic land characterization studies. And I'm surprised that there's been absolutely no mention of that. And you know this is why I strongly disagree with looking at these buildings in isolation, because they're there, because they are involved in the in the landscape, the cultivation of the land, you can't isolate them from that. That is my that is my firm view, right? So that's quite a broad I understand what exactly what you're saying, but it's a broad point. But when you submit your local impact report. If you could be more specific about particular assets, for that, you disagree with the applicant's assessment in terms of the setting, you disagree with their assessment of the setting, for example, because you're, I mean, you, I think you're alluding to the fact that you don't agree.

22:42

You think that the ampullah hasn't considered the

22:46

fact that the farming agricultural landscape is part of the setting of certain assets, for example. Is that right? Yeah, it all adds to the distinctiveness of the area, and therefore you can't look at individual farmsteads in isolation of that wider setting and that experience that I

23:11

enjoyment, if you like,

23:14

of the wider area. All right. Yeah. So I think my fundamental point is that if you want a detailed response from the applicant, you'll have to give a detailed analysis of areas disagreement. Otherwise, you're going to get a general, broad brush response. That's fine. I'm happy with that. Okay,

23:38

so I'm particularly interested in disagreement, so areas where you disagree on in terms of a particular asset or group of assets,

23:49

or the applicant's methodology in general,

23:54

and that should also feed into the statement of common ground between parties as well. But I don't know if the applicant wants to come back on any of that. Tom annamar, on behalf of the applicant, could I just make one point, sir? And this comes across from just so you got it for balance? I think, I think it's important that you've got this reference. So chapter eight of the environmental statements. That's app 045,

24:21

table eight, two and Id reference 3.7,

24:27

point three within that table. Now

24:31

this is discussing

24:34

agreements or discussions and engagement were taking place with the local authorities on heritage matters as early as the scoping stage for the project and in relation to the

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proposed approach to consideration of setting impact. And I'll quote from the table, because it's only two sentences, the applicant has provided clarification on proposed methodology and scope of works in relation to the setting of historic buildings and.

25:00

And assets to Historic England and other consultation bodies,

25:04

and an emphasis on the following sentence, the approach has been agreed by Historic England and other consultation bodies, including North Lincolnshire and Doncaster borough.

25:15

And so we have just put into practice in the ES, a methodology that's been the subject of long standing engagement with all the relevant stakeholders.

25:27

Okay, thank you. I think I understand your point, but within that methodology, there'll be scope to have

25:34

a difference of opinion on what the setting comprises. I think that's why I want to establish what those differences of opinion are Understood, sir, understood.

25:45

Mr. Brooke, would you like to Yeah. Michael broke off the levels just to let you know, my farmhouse was built in 1711

25:55

and the house at Grove house

25:59

on high levels wherever morning stopped, would be in the 1600s so that's what you're talking about. And that Grove house is right in the middle of the area,

26:09

right? And some of those buildings would be put up in that time. Your burials in the in the fold yard there.

26:17

Okay, thank you. Right? Did the

26:21

applicant want to respond on that particular Mr. Brooks property and whether it's included in the assessment?

26:28

Thank you, sir Jonathan Melwood, on behalf of the applicant, I'll admit that Mr. Brooks property was considered in the long list in terms of heritage assessment assessment for non designated built heritage and Grove house farm is considered to have less than substantial harm. Okay, excellent. I'll have a look. I'll have a look at that assessment. Okay,

26:52

North Lincolnshire. Oh,

26:54

is there someone with their hand up? Thank you for drawing my attention to that. Is there someone who wants to participate virtually. I can't actually see your name, unfortunately. Mr. Goddard,

27:07

good afternoon. Richard Goddard, from North Lincolnshire Council.

27:11

Going back to your question on heritage balance, I appreciate it was a

27:18

while ago, the main sort of area for disagreement in terms of archeology is sort of the appropriateness and timing of the

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archeological evaluation that's been carried out.

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It's our opinion that those works haven't been completed to potentially identify

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archeological resource that may be present within the site. And therefore any approach to a balancing exercise for heritage is going to have some issues.

27:51

Okay? We Yes, we are going to come on to a second question relates to archeological surveys.

27:59

So was the was the point you're making there, in terms of its relation, yeah, the relationship between archeological surveys and the balance I don't quite understand,

28:11

essentially, the the opportunity to identify

28:16

hitherto unknown archeological features and fines, as they've not been identified, and therefore they can't be considered in a balancing exercise. Okay? And how would that? How do you think that would affect the

28:32

balancing exercise? Exercise? Would that be a public benefit, or would that just mitigate the harm?

28:41

It would potentially be a public benefit in the identification and dissemination of results of appropriate Archeological Survey results,

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but would also potentially lead on to mitigation works. Okay? I think we'll pick up

28:59

the archeological issues in a minute. But thank you.

29:05

Is there anything anyone else wants to say in terms of above ground heritage assets? Yes, Mr. Skelton, Thank you, Sir Paul Skelton, North Lincolnshire Council.

29:16

There's just a couple of issues that are subject of ongoing discussion between ourselves and the applicants, just in relation to a couple of listed buildings,

29:26

I think, in particular, dirt nest pumping station and Hurst priory and developments within their setting. So they're subject to ongoing discussion, and we'll pick them up in the LIR and the statement of common ground.

29:44

Okay, so are you suggesting that you have disagreement with the applicant in terms of the assessment on those in terms of those assets, those heritage assets?

29:54

Thank you. Sir Paul Skelton, North Lincolnshire Council, I think we have some concept.

30:00

About the impact of the layout of the panels in relation to the setting of those assets, and we're continuing to discuss those Okay, thank you. And does the applicant want to respond or on that point,

30:17

thank you, sir Jonathan Norwood, on behalf of the applicant, firstly, acknowledged. I am, I am discussing these matters through the socg process at the moment,

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that the crux of the disagreement is really over the level of harm. We accept, from our perspective, that it's the lower end of less than substantial, and North Lincoln's position is that it's a little bit further up the scale. But

30:42

we're also considering their suggestions regarding the layout, but in terms of what amending the layout, they are suggesting that they would like to see us amend clearly, we're not in a position at this stage to confirm or deny whether we can accommodate that, but we are considering it. Okay.

30:59

Well, it's good to know that discussions are ongoing, so I think if we move on to archeology.

31:09

So

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paragraphs 8.13

31:13

to 8.23

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of

31:16

city of Doncaster, Council, relevant representation, which is exam Library Reference R 006, include an assertion that the applicant has not undertaken sufficient archeological evaluation.

31:35

I note that CDC suggests that further pre decision evaluation could include areas covered by more intrusive components of the development

31:44

I just wondered if CDC could please summarize its broad position on the required extent and scope of pre decision and post decision archeological evaluation. Effectively, I'd like a summary of what the disagreement is on archeology, if possible, please. Andrew sharikovsky of donkeys Council, just to make you aware, Sir, we've actually been joined since my session this morning by Andrew Lyons from the South Yorkshire archeology service, who will pick up this. Okay? Thank you very much, Mr. Lyons, good afternoon. Andrew Lyons, for South Yorkshire archeology service on behalf of City of Doncaster Council.

32:31

Our basic

32:34

disagreement is that this is, this is a huge area, and we don't think the applicants have ever really got to grips with the special nature of the landscape and applied the correct archeological techniques That will give us an understanding of where potential archeological remains are, so that we can then understand the impact of the scheme upon them.

33:12

I think I've said in my earlier representation that this, this is a former marshland, and so we would expect the archeological remains to be mainly lithic scatters, mainly Pyo environmental information. We're talking about bands of hunter gatherers and early settlers and these. These are sorts of archeological features that wouldn't leave a big signature in the landscape, so it's unlikely to be picked up by geophysical surveys, but they they still do generate the types of features that can be incredibly significant. Just to the south of the order limits, there was a four and a half 1000 year old wooden trackway

34:07

discovered 20 odd years ago. So these sorts of features are present in this landscape, and it's about trying to apply the correct techniques to focus down from 1500 odd hectares into where these impacts will be and balance that

34:29

which what I mean. Thank you for that. What techniques would you propose would be suitable if geophysical surveys aren't

34:38

well I think the main one we think of is something like field walking, which is a broad brush approach, which allows you to characterize areas quite quickly, and picks up the type of evidence, such as lithic scatters and so on, allowing you to first.

35:00

Focus in where there may be areas remains, but also further geotechnical work to along areas of the former paleo channels, the river channels where there will be paleo environmental evidence preserved.

35:17

Okay, and

35:20

does the applicant want to respond on landing extent to which field walking would be appropriate?

35:28

Thank you, sir. Jonathan Norwood, on behalf of the applicant,

35:32

there's been ongoing discussions regarding field work for a number

35:36

of years. The difficulty really is that the land management of modern agricultural practice is largely direct drilling, which means that the turnover of topsoil required to draw lithic items and such like out of the topsoil effectively and mean that it's a more statistically valid survey hasn't been possible over I believe it was 95% of the survey area, something like that. So in our outline archeological mitigation strategy, we do allow for further evaluative works

36:08

at that later stage to be secured by requirement 12 of the DCO,

36:13

because we are aware that it is a useful survey technique. It's

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simply that we don't believe it would have been appropriate without the land being turned over appropriately with play. Furthermore, the applicant's

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position is very clear that we believe our assessment is robust and that it has considered a range of techniques and has been undertaken in an iterative way ranging from the initial baseline and desk based archival research, aerial photographs, LIDAR analysis,

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all of which are within the

36:50

heritage assessment baseline at

36:53

a PP, 085,

36:56

we've also done an Initial geo archeological assessment to inform our understanding of

37:03

the potential for Paleolithic or prehistoric landform within the order limits, and to try and get a better handle on where warp deposits and peat

37:12

exist. That is accompanied with this, sorry, it forms part of the application at

37:19

a P, P 093, so we've similarly completed a geophysical survey of the entire order limits, which was previously approved by both South Yorkshire archeology service and North Lincolnshire archeology to ensure that they were happy with the methodology before we commenced.

37:39

I appreciate in the alluvial landscape, it isn't going to be as effective as it might be elsewhere, but we have still found 50 additional heritage assets, and it has also led to significant data that will help focus any further Geo, archeological or geotechnical works moving forwards, because it's identified old river channels

38:00

in the absence of field walking, it was agreed, prior to submission with South Yorkshire archeology that we would also do a targeted approach for 11 hectares of shovel test pitting

38:12

based on previously identified Field walking spots for lithic scatters that accompanies the application as document, a P, P, 095,

38:27

and that has identified only three pieces of work Flint out of 444

38:33

holes that we excavated.

38:36

We've also undertaken three targeted areas of trial trenching within North Lincolnshire just to test previously identified areas of high archeological potential that were either showing as crop marks and aerial photographs or had been historically identified as hot spots in effect in the HR data, so that we can inform our design at an early stage. The results of that are at a PP, 094, and the result of that is that one of the areas of Roman settlement has been excluded from development and has been flagged in the outlying archeological mitigation strategy, a P, P, 096 as an area for preservation in situ.

39:17

Okay, thank you. So that's all pre decision. Has all been done.

39:23

And what about post decision? What are your okay proposals? Or what are you anticipating? Sure, thank you, sir. It will be a range of methodologies we anticipate targeting works really on the on the high impact intrusive

39:44

elements of the scheme, such as the best the substations and the cable routes, where they're subsurface.

39:54

But in terms of the actual methodology, we propose that through the structure of the airway.

40:00

MS, we will liaise and agree those scopes with the stakeholders as appropriate, so that we get that buy in and collaboration.

40:10

So presumably you're referring to trial trenching.

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I would anticipate on the larger structural elements, it would be trial trenching. I would equally suggest that we will probably need to do some geo archeological investigations, some bore holes, although the exact scope and location will also be discussed with Historic England science advisor before we agree to anything at that point.

40:36

And probably the most effective approach for cable routes would be

40:42

a watching brief, just simply due to the nature of the excavation being

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less destructive and disruptive than actually excavating trial trenches would be okay. Thank you. And Mr. Lyons, so what is it

40:58

North Lincolnshire councils? What is your view on

41:05

what should be undertaken? Pre decision,

41:09

field walking, anything else, field walking and some geo archeological work. I mean, the intention would be to try and narrow down this, this huge area to focus on, on the areas of archeological potential under the greatest threat of impact,

41:29

because, although the applicants have done some investigative works, they cover, you know, 11 hectares out of 1500 it is just a tiny sample. So there is this risk in leaving everything to post determination, that we are going to uncover significant remains that require rethinking, redesign of the application, etc.

41:59

Okay, I mean, from what the applicant has just said, it seems like a lot of these methods are actually site wide and are fed into a more targeted approach for test pitting and trial trenching. Do you disagree?

42:17

No, they are based on the known data at the moment, and one, one of the difficulties in archeology is taking the known data and trying to work out where the potential is. So in the initial baseline assessment, it was quite stark that there were something like 30 entries for South Yorkshire and 250

42:45

entries for North Lincolnshire. And this is based more on the different resourcing of the archeological services than in any reality on the ground. So just basing those work on on the known HR data gives you a very false picture of the actual archeological remains that may be present.

43:11

Okay, that's but I guess that just covers the desk based assessment. But what about the aerial work, LiDAR, Geo, archeological assessment, all site wide,

43:24

I would consider all these desk based assessments, the LIDAR analysis and so on. Yeah, I appreciate that. But why are they deficient? In your view, or not sufficient?

43:39

It's

43:41

because they are only the initial undertakings of an archeological assessment, and like I say, to cover an area that the size of this scheme, which covers is larger than several of the major towns in the area combined, that there's an awful lot of potential for archeological remains out there, and the applicants haven't really, I think, got to grips with how we focus in where those archeological hotspots might be

44:17

Okay. And in your experience, have you dealt with

44:22

other solar DCO projects? Yes, yeah, this, this is the third one, right? And what is this? How does, how does these proposed assessments, pre, decision and post compare? How does this approach differ

44:40

from what you've seen before, or does it? Is it the same

44:45

i I've had much more detailed and many more meetings with the applicants, archeological consultants for the other schemes and and engaged in fruitful.

45:00

Collaborations about what work would be required and when, and both the other schemes have involved a certain amount of trenching, predetermination alongside geophysics and discussion of other techniques. Okay,

45:16

all right. Well, thank you very much. I'd like to think that you would work with the applicant on statement on ground, to establish areas of disagreement and try and narrow some of these issues, if possible, please.

45:30

Yes, I'd like you know, I always try and take a pragmatic approach to these matters. Okay, thank you. Did the applicant want to come back on any of that?

45:41

Only a very minor point. Sir Jonathan Millwood, on behalf of the applicant. Firstly, I'd absolutely confirm that it's the applicant's wish to work collaboratively and fruitfully to use Andy's term moving forwards.

45:56

And I would just highlight that the 11 hectares alluded to relates exclusively to the shovel test, pitting the trial, trenching covered in the end, I think it was in excess of 120

46:10

50 meter trenches were excavated, including son dodges to check potential for Pete or other geo archeological material. So obviously that somewhat larger than the 11 hectares alluded to. Similarly, we were mindful of the disparity in the data available in South Yorkshire's data set and North Lincolnshire's data set. And the assessment has gone to,

46:38

I believe, substantial pain going through reports from the 1980s and 1990s Humber head levels survey which field walked the whole of this landscape,

46:48

and those points have then been plotted and accounted for within the data set considered

46:55

okay. Thank you. So can I just make one final point, just because it's relevant to the NPS tests that you obviously need to obviously have in mind if you could introduce yourself big one to make them more on behalf of the applicant. So if you refer to app 096, which is the outline archeological mitigation strategy, section two of that document grapples with the policy position and

47:25

sites, specifically five point 9.11,

47:29

of NPS, en one,

47:33

just bear with me. So at 096,

47:37

yes is, that's the outline archeological mitigation strategy.

47:47

It's appendix 8.6 of the environmental statements

47:53

there, right? I've got that

47:55  
and MPs.

47:59  
So it's NPS, yep one, and the paragraph reference is 5.9, point 11,

48:07  
right? That sets out the

48:11  
extensive assessment effort in relation to below ground heritage assets. It says where a site on which development is proposed includes all the available evidence suggests it has the potential to include heritage, heritage assets with an archeological interest.

48:28  
The applicant should carry out appropriate desk based assessments where such desk based assessment research is insufficient to properly assess the interest of field evaluation is that what we've done is a very detailed desk based assessment searcher, and where that has revealed interests, areas of of interest. From an archeological perspective, we've gone further through the trial pitting and and

48:53  
the test pitting, sorry, in the trial trenching. So we say the extent of

48:59  
assessment that's been undertaken at the pre application stage is sufficient, in line with the NPS. And then we have a secured document, this document that I've just referred you to, sir, which is secured by requirement 12 of the draft development consent order, which then will require further,

49:18  
further evaluation of archeological interest features at the post consent stage as well, and the local authorities will be engaged on that document and and we'll have to approve detailed schemes of archeological, of archeology, archeological mitigation for each stage of the authorized development.

49:40  
Okay. Thank you very much,

49:43  
right? I

49:47  
miss Brooke. It's okay.

49:49  
Samantha Brooke, just in regards to cultural heritage, I don't know if it comes under this so tell me if I'm wrong, but when it comes to decommissioning.

50:00  
Resort removing it back to agriculture land rather than industrial solar

50:08

I couldn't find a bond put aside on the new documents. When it was first put through. There was, tell me if I'm wrong, about 5 million bond put aside on the new proposals that I've gone through this time, I can't find any bond on there that's been put aside. How does that relate to cultural heritage? To put it back so back to the original landscape that is called the landscape is part of the local culture. Yeah, I take your point. Does the applicant want to respond on on the

50:44

decommissioning effects and the bond and its relationship with the

50:49

heritage? Yeah, if it is at the original like 5 million, there's other solar farms that are much smaller than this proposed one that I've got a lot, much larger bond to one side for decommissioning. Thank you.

51:07

Yeah. On behalf of the applicant,

51:10

that question has caught me unawares. I haven't been able to take instructions in the time available, so again, it's one for our list there, and we'll, we'll put it into our written summary of this hearing.

51:22

Okay? There's a lady sat at the back of the room who had her hand up.

51:30

Sorry. Just wait for the microphone. If you could introduce yourself, that'd be great, please. I'm Anthony Giorgio. I'm a local resident that's been affected by the solar

51:42

plant. The lady brought up a good question when we were first introduced to the scheme by RW EV, there was in place, like she says, the money to put the solar panels,

51:57

like turn the farmland back into farmland afterwards. So I hadn't noticed that on the new proposal, so that was a key issue that the locals were really keen on. And so if that has been removed, that should have been something that we were made aware of. Okay, thank you. I mean, we're on cultural heritage. I take Miss Brooke's point that it could be related, and on that basis, does the applicant want to respond on the bond and decommissioning and its relationship to heritage? Tom

52:30

McNamara, on behalf of the applicant, sir, I can't immediately think of a relationship with cultural heritage as I say it will come through in the in our notes of the hearing,

52:40

there is a bond structure in place, but it sits outside this process in the sense that we haven't put any documentation relating to it before you. But I think what we can do is explain in broad terms what it does and how it how it relates to the decommissioning phase. I mean, it seems like we're straying from cultural heritage. So,

53:07

yeah, if you could unilaterally pick that point up in writing and respond to it, that would be, we're happy to do that. Yeah, so the applicant is going to respond in writing on that point, because it doesn't strictly relate to cultural heritage, and I don't think they've got the information ready to hand anyway, so I've asked them to respond in writing, okay, that's okay. No, that's fine.

53:33

Okay, 24 I think I've got everything I need in terms of archeology

53:42

and the discussion is led by me, but I'm happy to take one more

53:48

point on heritage, or cultural heritage? Yes, thank you. It follows on

53:53

from this is related to the bond, though, because we just it relates to reinstatement, basically, okay, as a general point, rather than Yes, although, if you could introduce yourself, that'd be great. David Hornsby, city of Doncaster, Council,

54:12

when looking at the effects of the scheme, one or the applicant has said it's a temporary

54:20

situation where

54:23

the solar panels are in place 40 years is the devil of a long time. I think what is important is reusing that land as agricultural land after the changes that have taken place,

54:41

which may well possibly affect the ability to reinstate back to the same level, and if it's not used to the same level, there is the possibility that local distinctiveness in 40 years time will have evaporated altogether.

55:00

Yeah, so that element of loss is permanent.

55:04

Okay, I take your point. So has the applicant got a response in terms of the decommissioning effects, whether they've been assessed? And then the general point about

55:17

Mr.

55:20

Sorry,

55:22

help me out somebody.

55:26

Mr. Hornsby made

55:31

Thank you, sir Jonathan Millward, on behalf of the applicant, we have considered it, and we maintain our position that it is temporary.

55:39

The landscape effects and the local distinctiveness are carefully considered in particularly in relation to Keith Miller's 1997 Isle of Axome, historic landscape characterization, which forms the evidence base, if you will, for North Lincolnshire's Isle of Axome. Special historic landscape character, Area Policy, LC 14,

56:03

all of the solar panels are within recently enclosed land, which is a broad term for everything from vermoyden through to parliamentary enclosure

56:14

and indeed later mechanized farming.

56:17

It should be borne in mind that the proposal to plant edge hedging around these things is consistent with not just the historic landscape, because the vast majority, if not all, of the historic Enclosure Acts detailed that it should be ditched and hedged

56:35

for enclosure purposes across the landscape, And that Miller's work equally highlights that it is only post World War One where significant amounts of hedging is removed and that a number of the historic drainage dikes and ditches are backfilled for the amalgamation of fields to facilitate increasingly mechanized farming. So whilst I accept that to some extent, we are changing the landscape. I would dispute that there is any harm arising.

57:06

Okay.

57:08

I mean, cassette, did you want to come back on that at all? You look like you potentially do. Mr. Hornsby, David Hornsby, city of Doncaster. I think that's a matter of dispute and possibly discussion. Yes, so, you know, rather than go at it now, I think we it's an area for further discussion, yeah, and I don't agree, but you know, we've got to, we don't need to agree. We've got to go down that process, okay, yes, I've established the point of difference between the parties, and obviously you've got your local impact report is coming up and statement of common ground as well to narrow issues. Okay, okay, we'll move on. Okay, move on to ecology and biodiversity,

57:58

which is agenda item,

58:04

4d

58:07

right? So it's likely that there'll be another issue specific hearing on this topic, but I have a couple of questions at present.

58:16

I also have a very large number of written questions on this subject, which will be published next week.  
I

58:24

will therefore be referring to the following documents which I'd be grateful if the applicant could display as I go. And they are the outline, landscape, ecological management plan, which is exam, library, reference, A, P, p1, 81,

58:40

environmental statement chapter seven, which is reference as 012, and a planning statement, which is reference a, p, p, 030,

58:54

so the first question relates To new habitat areas proposed primarily for birds.

59:02

So where to the applicant when you habitats are proposed

59:08

as a means of providing additional mitigation, how would this be controlled, implemented and managed? Because

59:17

I know that there are two figures, figure one and two in the

59:22

outline landscape and ecological management plan include mitigation plans.

59:30

But I just wondered how,

59:33

how those areas are controlled in the DCO, how they will be implemented and managed. Would it all come down to that document and those figures. If you could elaborate on that, I'd be grateful

59:48

Tom McNamara, on behalf of the applicant, said the

59:52

while I'm searching around for those figures, the headline point is that I think this will all be controlled by requirement a.

1:00:00

Eight of the draft amendment consent order that's as 002

1:00:09

that secures the requirement to produce for each phase of the authorized development a landscape and ecology management plan, which has to be substantially in accordance with the outline landscape ecology and ecological management plan,

1:00:24

the outline ecological Construction Management Plan and the landscape and visual mitigation strategy. So can I just ask you to refresh me on the figures that you were referring this is figure one and two of the outline

1:00:38

landscape and ecological management plan, so that so given that those figures form part of the

1:00:46

outline documents,

1:00:50

and that requirement eight, one of the draft development consent order requires the detailed landscape and ecology management plan To be substantial in accordance with the outline version. That is how these figures and the plan generally are secured through the order. So basically, to put it in in more simple terms, we have to get we, as the applicant at the post consent stage will have to go to each local authority and have approved a landscaping ecological management plan for a given stage, but in drafting that final plan, it has to accord with the outline version. And the outline version is the one before you. And clearly the figures form part of the outline version. So that's how the legal securing mechanism operates in respect of that.

1:01:42

Okay, and the regarding the timing of the implementation of those mitigation areas. Paragraph 7.1, point two of the outline landscape ecological management plan states that the mitigation measures will be delivered in line with construction phasing.

1:02:07

What does that mean,

1:02:09

and when are they likely to be delivered? Is that too open ended? What has been assessed, what assumptions have been made about the delivery, the timing of those

1:02:21

third mitigation areas.

1:02:26

Julie and Arthur, on behalf of the applicant,

1:02:30

the principle is that mitigation would be delivered prior to impacts occurring in any given stage. So that would necessitate creation of reversion of arable to grassland, or adopting the cropping regimes that are set out in the

1:02:52

in the in the non breeding bird

1:02:55

mitigation strategy, which is

1:02:59

document a PP, 080,

1:03:06

so does that effectively mean that

1:03:09

those areas will be implemented first, before development commences, or before

1:03:16

substantial elements and components of the development

1:03:21

commence? In short, yes. And how is that? That's not expressed anywhere, though, I think that's what I'm getting at. It's not expressed that that will be the case. It's just left open ended. I'm just wondering if that can be firmed up.

1:03:36

Tom at the moment, off the applicant, yes. I take your point about the wording of that, and we'll look at it, and we can, we can produce a revised version of this, okay? Because otherwise it's not really a worst case scenario in terms of the assessment, because your assumption is that it were delivered prior to the development effectively.

1:03:57

But if there's scope for that not to be the case, then that isn't a worst case scenario.

1:04:03

Okay.

1:04:05

Were there any points on that from any other parties present?

1:04:13

Is

1:04:17

there someone participating virtually, if you want to raise your hand first, virtually

1:04:23

on Microsoft Teams,

1:04:27

okay, I can't see the name again, unfortunately, sir. Andrew sharikovsky for city of Doncaster Council, we have the Doncaster ecologist. Martin navaki, perfect. Thank you very much.

1:04:39

If you'd like to introduce yourself, sir,

1:04:45

ecologist, sorry, I've got massive echo,

1:04:50

which is

1:04:52

really disturbing.

1:04:56

That's okay. I don't know if you can hear.

1:05:00

Know probably that

1:05:04

I'll pursue it.

1:05:07

We Sorry.

1:05:11

Sorry. It's just really, really, very difficult. I do apologize if you prefer to

1:05:19

make your representations in writing. That's absolutely fine. We will be having another issue specific hearing on biodiversity and ecology.

1:05:29

If it would make it easier, you can submit your representative representations in writing by deadline one, or you can carry on, because I can hear you.

1:05:39

It's very difficult from the

1:05:44

two second delay. Okay, I think

1:05:48

if you could submit your represent representation in writing and the applicant can respond in writing, that would probably work. Will do as long as you're happy with that.

1:06:00

Yes,

1:06:03

technical problems, yeah,

1:06:07

okay,

1:06:10

thank you very much. Is

1:06:13

do Mr. Sierra coughs, do you want to add anything? Yes.

1:06:18

Andrew sharikovsky Council, I think, I think, in view of the difficulty, I mean, if we, if the questions are posed, then we'll, we'll do written responses to all right, thank you.

1:06:29

So if we move on in terms of the operational effects of the development,

1:06:39

so this next question relates to operational effects as described in Section 7.5 of the environmental statement

1:06:47

exam library reference as 012,

1:06:52

so

1:06:53

having reviewed that section of the ES, it does not appear that a proper assessment of the operational effects of the proposed development on the following sites has been included in the ES, thorn and Hatfield Moore's SP, a Humber estuary, Ramsar and Humber estuary. S, PA,

1:07:16

conclusions on operational effects are reached for most other statutory and non statutory sites in ES section 7.5, but not these three.

1:07:28

So could the applicant either direct me to the assessment of operational effects on these sites, or explain the absence of such an assessment?

1:07:37

Tom McLemore on behalf of the applicant, so we will take it away and consider and come back. But I wonder whether,

1:07:45

in the case of those sites, which in natura sites,

1:07:50

whether the assessment is actually within the habitats regulations assessment,

1:07:55

and all the details are contained there, rather than in the

1:08:00

Yes, potentially, I think the general point is,

1:08:04

for my purpose, in terms of reporting, I need to know for in

1:08:09

particular for statutory designated sites. I need to know the construction effects, operational effects, decommissioning effects, and I need those clearly spelled out, both prior to and after mitigation.

1:08:29

So

1:08:31

I will feed into my written questions anyway, sure Tom at the moment after we can so I my document isn't loading up there the HRA. I'm pretty confident that all of that information will be in that document, but can we just

1:08:46

take it away and confirm that in writing to you, please? We can do that as part of our written summary. Okay, great. And in terms of, I think in certain instances, it's asserted that operational effects will be no greater than construction effects, but I need to know what the operational effects are, so that's something to bear in mind. They may be no greater, but I still need to identify what they are.

1:09:12

But yeah, I'll produce a written question to that effect as well.

1:09:18

Okay,

1:09:20

were there any general points from anyone on I mean, we've got

1:09:27

the we got a representative from the Lincolnshire Wildlife Trust. Mr. Wood, did you have anything to say in terms of ecology and biodiversity? I

1:09:37

think you're participating virtually. I don't know if you're still there.

1:09:41

Is it? Doc, is it? Mr. Wood? Dr. Wood, Good afternoon, sir. Dr, James Wood, Lincolnshire, Wildlife Trust,

1:09:49

we have changed our position slightly. We have now been engaged by the applicant. So we have agreed to develop a statement of common ground with.

1:10:00

Which will deal with most of our comments regarding this,

1:10:04

we would just state that we did engage the applicant in December 2023 and have only had our initial kickoff meeting with them on the second of March 2026

1:10:15

so we are not in as an advanced position or haven't resolved as many points as we normally would have at this stage in the process. However, we are going to deal with those through the statement of common ground.

1:10:29

Okay? And what are you focusing on, in particular, from an ecology and biodiversity perspective,

1:10:36

noting James Wood Lincolnshire Wildlife Trust, noting your comments, sir, that you wish to keep this at a high level rather than technical nuance, we have concerns over Block B and the transitional habitats surrounding the crow mall feature, and the hydrological connection between the proposed development site and And our reserve. We have concerns about the bird features and the distribution of bird features and displacement and lack of mitigation areas associated with Block B, and we have further concerns about the understanding of Niger home ranges and foraging extent, where we believe they may be displaced by this development.

1:11:22

Okay, thank you.

1:11:31

Does the applicant? I mean, that was a summary of the issues. It sounds like you're in discussions with

1:11:36

Lincolnshire Wildlife Trust. But did you want to come back on any of that?

1:11:42

Yeah, Julian Arthur, on behalf of the applicant. So firstly, to just be to say we're grateful for the engagement, and the fact that we're working together on a statement of common ground is obviously very welcome. So I just wanted to make that point,

1:11:58

just in respect of Block B, that that's the land in the north east of the extent,

1:12:07

the Order, order extent, the

1:12:11

the

1:12:12

bird mitigation, which is

1:12:15

shown in the

1:12:18

in report, A, P, P, 7.10

1:12:24

the distribution of that

1:12:27

where possible reflects where birds that are of importance, those that have functionally linked to the

1:12:34

SBAS that it reflects the locations where, where birds were recorded. But it is of note that the two rounds of surveys that we undertook identified that the birds, whilst they they were or some of the bird species, were using area B, they also, in the second round, were using other areas in higher numbers than in Area B. So the fact that there is no mitigation land shown in Area B, we don't think is

1:13:08

significant

1:13:11

in respect of night. Jar.

1:13:14

The data we have relied upon

1:13:18

is data that we discussed in terms of our consultation with Natural England, there was available data in terms of night jar, both within the protected areas, but also

1:13:35

as set out in our in our report,

1:13:39

again, A P, P 080, the non breeding bird mitigation strategy.

1:13:45

There's data in respect of night jar and how they've been recorded in relation to the wind farm proposals and how they're moving around the area. So one thing that is of note is that Natural England and and we agreed that the order extents aren't what we you'd call optimal habitat for night job,

1:14:09  
the being

1:14:11  
largely agricultural land,

1:14:15  
the Natural England were, I believe, satisfied that The data we were using was okay in order to inform our assessment.

1:14:26  
And it's also of note that in terms of

1:14:30  
the proposals, the

1:14:34  
reversion of arable to grassland, and also other measures, including some of the woodland planting, hedgerow planting, etc, will actually enhance habitats for nightjar within the order limits. There is some more detail that has been requested in terms of how, especially buffer zones are to be managed, and how valuable they might be tonight jar, and we have agreed with Nat.

1:15:00  
For England to provide that information, and obviously, in consultation with Lincolnshire wildlife trusts, will obviously seek to do the same.

1:15:14  
Okay,

1:15:15  
Mr. Sorry. Dr Wood, just on the night jar. What? What are your main issues or concerns in relation to the applicants, approach or assessment of the effects on nightjar?

1:15:32  
Thank you, sir. James Wood Lincolnshire, wildlife, trust our points regarding nightjar, that the majority of the information provided at the moment is regarding breeding site location. It isn't considering foraging extent or home ranges. So we have asked if there is any specific information available for that boundary and for the nearest nesting or for the nearest breeding sites to the applicant's proposed development area.

1:16:00  
Secondly, we have asked for some more granular detail on the boundary treatments proposed by the applicant that border our property. And as yet that hasn't been provided. Physical constraints could impact Niger usage of those areas and corridors, particularly given the species behavioral characteristics, and as yet, we haven't been provided with that detail to understand exactly what those boundary treatments would be or where they would be placed.

1:16:29  
Okay, and in terms of the surveys that have been not undertaken but relied upon, because I think it's third party survey data. Are you happy with. I mean, do you agree that those are acceptable? I mean,

the Africans saying that Natural England are happy with, with those surveys and the use of them. What's your view on? Because I think they're a few years old. Now, I

1:16:56

just wondered what your view on on that was.

1:17:00

Thank you, sir. James Wood Lincolnshire Wildlife Trust, we note the Natural England commissioned nightjar surveys, and consider them to be a reasonable baseline to work with. We would have suggested that with contemporary development in technologies that actually tracking of nightjars has become quite widespread for developments such as this or directed surveys, and those would be a more appropriate survey set to have developed or commissioned as part of this process, right? Okay, and does the applicant have a response on that, or are you just going to rely on the Natural England position?

1:17:40

Our view is that, well, we share natural England's view in so far as we think we have enough baseline information. Thank you. Okay, thank you very much.

1:17:53

I did have a question on

1:17:56

the mitigation

1:18:00

land shown to the north

1:18:04

area, one mitigation area. One is it within the spa? Isn't

1:18:11

there a small area of land which is part of the SP a

1:18:18

that's within the order limits? Is that right? Tom Malamar, on behalf of the applicant, yes, sir. And this touches on the project update that I mentioned at the

1:18:29

meeting yesterday. And one aspect of that update is that we are

1:18:36

we're going to clarify that there's going to be no use of that that area. So we're going to effectively pare back the development boundaries so that it doesn't clip the the SBA,

1:18:49

because it's not proposed to form part of the mitigation area, in fact,

1:18:53

right? So

1:18:56

why just have interest? What do you know why that was included in the first place, because, I think, isn't it, it's mainly woodland, and that area is clear at present,

1:19:08

isn't it? It is. So I think it was simply an oversight. I think it was simply an oversight, and it may have been that it was drawn to property boundaries, but I'll just check over my shoulder. Yeah,

1:19:21

I've just had it confirmed. To me that it was drawn to property boundaries.

1:19:26

So effectively, the red line is taken up to the extent of the relevant landowners boundary.

1:19:34

It's common land, isn't it? It

1:19:37

is.

1:19:38

So our proposal is, is to make clear that we're not proposing to use that area, sir. So that will, that will just clear that particular issue up, right? Okay, I guess that is significant in well, potentially significant in ecology and biodiversity terms, because that was a proposed mitigation area. So obviously we'll need to know.

1:20:00

What the implications are more involved applicant, that's right, sir, but it's, it's only a small extent of a bigger area,

1:20:08

the vast majority of which is still going to perform part of mystic area mitigation area and one a so

1:20:15

it's only a small section of that, yes, I think, in fact, is there a good plan that I can refer you to, sir,

1:20:22

where you can actually see the extent of the SBA,

1:20:27

yeah. How about figure one of the, this is the olemp, isn't

1:20:36

it? Yeah? Okay, figure one of the non breeding bird mitigation strategy? Yeah, I've got that in front of me. You've got that. Say, what you can see, sir, is that the Can you see the extent with the number one in this most of that is actually outside the SBA. The SBA is the horizontal dashed area,

1:21:00

and it's just that small bit that encroaches on the order limits in in the sort of north east corner of mitigation area, and one a right, okay, that would be coming out, okay. I was mistaken. I thought you meant the whole area was naming. Okay, fine.

1:21:19

All right. I um,

1:21:23

does anyone have anything to add on any of those points before we move on to discuss briefly, biodiversity, net gain?

1:21:36

No,

1:21:37

oh,

1:21:39

yes. Miss Brooke. Samantha. Brooke, sorry. Again, absolutely

1:21:47

not wildlife, but at Grove house, our livestock are based there nine months of the year. Our sheep, they are quite flighty animals.

1:21:59

The solar farm is going to be surrounding that on that side, that side,

1:22:05

on the left hand side as well, there are a lot of research involved with sheep miscarrying or just generally unwell due to noise, and so We're a little bit concerned about construction noise, especially operational noise, maybe not so much, but construction is a concern to us that we're going to have sheep miscarried because of the noise created, and they won't graze certain areas of the field. They'll move away from that and stick more towards the buildings, so that can increase worms because they're grating in just a short area, rather than a larger area as well.

1:22:49

So it can cause problems with worms. Okay, thank you. Thank you. I think that's more of an animal welfare point, but perhaps you could

1:23:00

tell me where I could find that addressed within the application documents that subject,

1:23:16

or alternatively respond in your written update, written summary, overall submissions. If you like talking about tomorrow morning, the applicant will do that, sir, did the last letter. Okay? The applicant is going to pick that up in writing, because it's not slightly distinct from ecology and biodiversity, but they'll pick that up. Okay,

1:23:41

okay, we'll move on to

1:23:44

just some brief questions on biodiversity net gain. I understand it's a

1:23:51

very detailed and sometimes technical and difficult subject, but I've just got some broad questions associated with it. So planning statement reference a, p, p, 030, paragraph, eight point 1.16

1:24:07

that's eight point 1.16

1:24:11

deals with the benefits of the development, and it stays in part that is expected that there will be a biodiversity net gain of at least 10%

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and the applicant weighs this as a benefit of the development in considering the overall planning balance.

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My question really is, is the applicant relying on

1:24:33

a net gain, a biodiversity net gain of at least 10% as a benefit of the development? And if so,

1:24:40

if that claim benefit is being relied upon, then where is it secured? In the draft DCO, thank you,

1:24:49

sir. Tom mcnamar, on behalf of the applicant, yes, we are relying on a 10% bng,

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and the way in which that is secured is again through requirement eight of the.

1:25:00

Be drafted them in consent order specifically requirement 838,

1:25:08

and that provides that the landscaping, ecology, ecological management plan submitted to the local authorities for approval must include details of the extent to which the relevant phase contributes to ensuring that the authorized development overall achieves a minimum of 10%

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biodiversity net gain during its operational lifetime using the relevant statutory metric. So you can be assured there so that that is a legally binding requirement of the order.

1:25:39

Okay?

1:25:42

So in terms of policy compliance on bng, what's the applicant's overall position on that?

1:25:51

So we Tom at the moment, applicant apologies.

1:25:55

We consider that we are compliant with the NPS test, and clearly we're mindful of the fact that

1:26:02

bng, at the moment, is not a legal requirement for nationally significant infrastructure projects, but we brought it forward in any event, recognizing that the NPS

1:26:13

establishes the importance of designing bng into proposals. And what we've done, we think goes above and beyond what we're required to do.

1:26:23

Okay, is there anyone in the room who wishes to raise anything in relation to biodiversity net gain?

1:26:33

Yes, if you'd like to introduce yourself. Alicia Morley in North Lancashire Council. Sorry, this is my first one. So

1:26:41

this is my first

1:26:44

take your time.

1:26:47

We've had previous discussions with the applicant, and we have ongoing discussions as well. So

1:26:55

as Dr Woods said, try and keep it like high level, because statement of common grounds, discussions, etc, that's all going to be coming

1:27:06

for biodiversity net gain. We do appreciate that obviously you've delivered your aim in to deliver more than 10%

1:27:14

there are a few amendments that

1:27:18

we would request

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specifically in terms of the street strategic significance level.

1:27:27

We don't agree with how that has been applied to all the habitats. I just wanted to raise that because I appreciate

1:27:36

not everyone may deal with that day to day. What is it

1:27:42

in particular? You disagree with on that point? Let me bring up second so

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without paraphrasing,

1:27:52

so for the strategic significance for

1:27:57

the baseline and the post development interventions, has been put as locally, ecologically location. Let me start again. Sorry, location ecologically desirable, but not in local strategy.

1:28:10

It's our understanding that's not appropriate for all the habitats that it's been placed under. So, for example, allotments,

1:28:19

ornamental local pond, vegetated garden, that kind of thing. That's just not an appropriate strategic significance to be applied. And it's also been applied to,

1:28:30

I believe, all of the baseline and again, we would contest that's not appropriate,

1:28:38

okay? And this is all going to feed into your written representations and presumably local impact report. Yes, it will okay.

1:28:47

Did you have anything to add, or is that

1:28:50

okay? Does the applicant want to respond

1:28:54

on that? Yeah. Julian Arthur on behalf of the applicant, yeah, but these are points of detail, but they do have a bearing on the outcome of the metric. And so yeah, through the statement of common ground process, we can certainly discuss those. I was actually going to ask a question, because the local nature recovery strategy, obviously,

1:29:14

when it is available, that will have a bearing on it as well.

1:29:19

And I just wanted to ask and that might be available. If that was known

1:29:24

is available, would you like to respond? You don't have to if you don't know, it's not a problem any morally north and country Council. I don't have a specific date as to when it may be available.

1:29:38

I believe meetings are ongoing, my colleagues that may provide some light on that now, when we have our discussions with yourselves at a later date, may be able to give a bit more clarification, but I don't have specific dates at this moment in time.

1:29:55

Okay. Thank you.

1:29:58

Yes. I.

1:30:01

Um, Ms McLean Spencer, hi, yeah, Danielle, McLean Spence for the Environment Agency, we recently received a copy of the bng metric and just have a couple of additional comments to make further to our relevant representations. I'm not sure whether you'd like us to mention those now, or in you. It's up to you. I'm happy to take them in writing, and obviously the applicant can respond. Or if there's anything you think that you'd like me to hear now, then I'm happy to hear it now. Happy to provide them in written submissions. Okay?

1:30:38

Thank you very much for the update.

1:30:41

Does anyone else have anything to say in terms of biodiversity net gain? Yes. Mr. Sierra coughs key. Thank you, sir. Andrew sharakovsky of Doncaster Council, we'll make additional written comments on this, but I'm sure you'll have seen the comments we've made in our relevant representation about the point that the way the requirement is actually word at the moment is it makes reference to this 10% minimum requirement, and the council's view, actually it could be more explicit in terms of what would actually be achieved, but we'll set out some more comment in detail about that. Okay. Thank you very much. And

1:31:17

yes, do you want to respond? It was just a general point on the the proposals and what they can deliver.

1:31:26

Julian Arthur on behalf of the

1:31:31

applicant, arable reversion to grassland is a big opportunity in terms of biodiversity. And I think the metric as currently drafted, even if there are some tweaks here and there in terms of strategic significance and what have you, it will demonstrate a big biodiversity net gain.

1:31:53

And what is the take? What is the estimated net gain at the moment, currently? Well, there's three aspects to it, in the metric, in terms of habitats, currently sharing is 79.82%

1:32:08

for ditch habitats, 10.84%

1:32:12

and for hedgerows, 178%

1:32:16

so it's, I mean,

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it sounds like this may be adjusted slightly, but I think

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you get the get the message. It's, it should be a good news story in terms of biodiversity, okay,

1:32:30

all right. Does anyone have anything to add on ecology or biodiversity? I mean, Natural England aren't here, but I know they've produced quite a detailed, relevant representation, and there are a lot of amber flagged issues. And I think they

1:32:48

made representation at deadline a to a similar effect. And they say that discussions are ongoing, but they do highlight that there are a lot of issues outstanding, and I'd appreciate it if they were resolved as a matter of priority, please. Okay, just thought I'd better say that. But does anyone have anything to add on ecology or biodiversity before we move on to other matters?

1:33:14

Mr. Sierakowski, thank you, sir. Andrew sharikovsky, city of Doncaster, council really just say will also add some more detailed comment, I think particularly in relation to grassland. I know Martin navaki would have made additional comment on it, but I'll leave him to provide those in written form, because I know he does have some concerns on a number of points related. Okay. Thank you very much. Is there anyone participating virtually who's got anything else to say on biodiversity or ecology before we move on?

1:33:48

No, okay, right. So agenda item five is other matters. I don't have any other matters to raise. Does anyone have any other matters they would like to raise before we move on to close the hearing.

1:34:05

Yes,

1:34:07

if you'd like to introduce yourself,

1:34:11

Anthony George, you just local.

1:34:16

I am aware of some

1:34:20

homeowners whose gardens are still within the remit of the site. I want to know how that can be rectified. A lot of participants, a lot of homeowners, haven't been contacted regarding the proposed plans, and as such, like I said, they they are now aware that their gardens are in it, and they don't know what to do about that. It shouldn't be within their responsibility to contact the

1:34:53

people who had proposed forward to deal with that. Thank you. I think this.

1:35:00

Also outside the remit of today's meeting, but if you could please speak to the case team about this, we will endeavor to investigate what the issue is and try and resolve it.

1:35:17

And I don't know if the applicant would like to respond in writing separately on that particular point. Tom McNamara, on behalf of the applicant, I think that's probably better.

1:35:31

I think so given Sorry, do you take the point? You understand why the point being made? Yes,

1:35:39

preferable then. So I think we'll do that just because this is an issue specific hearing, and it's we're dealing with very specific issues, network connection, landscape and visual biodiversity, flood risk,

1:35:54

cultural heritage and but that's it. There is another open floor hearing likely later on in the examination process, but yes, in terms of whether there have been issues with consultation, if you could flag those with the case team and we'll investigate.

1:36:11

Did you have anything else? Thanks very much for your participation, though.

1:36:16

Okay. Does anyone else have any other matters they wish to raise?

1:36:22

No All right. Well, we'll move on to agenda item six, which is the close of the hearing.

1:36:30

You should be aware that deadline one is fifth of May, and this provides an opportunity for post hearing submissions, so you can submit written summaries of anything you said today or indeed yesterday at that point,

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which would help me a lot. So if you've made an oral statement, I would appreciate a summary of it in writing. It's not a requirement, but it would be. It would greatly assist me at deadline one,

1:37:01

as mentioned earlier, I'll be issuing a first round of written questions, and they should be published next Friday.

1:37:10

Thank you all for attending today's hearing.

1:37:13

The time is now 22, minutes past four, and the hearing is now closed. Thank you very much.