

Hearing Transcript

Project:	Springwell Solar Farm
Hearing:	Issue Specific Hearing 4 (ISH4) - Part 1
Date:	17 July 2025

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.

File Length: 01:30:33

FULL TRANSCRIPT (with timecode)

00:00:04:21 - 00:00:36:23

Okay. Good morning. Uh, it's 10:00, so. Time for the hearing to begin. So welcome to the fourth issue specific hearing, uh, for the spring World solar farm project. Um, can I just check? Everyone can hear me. Okay. Lovely. Thank you. And can I also confirm with the case team that the live streaming and recording has started? Thumbs up. Fantastic. Okay, well, I'm Jonathan Manning, and I'm a chartered town planner. And I've been appointed by the Secretary of State to be the lead member of the panel to examine this application. Uh, I'll now hand over to the other panel member to introduce himself.

00:00:37:20 - 00:00:46:14

Good morning. My name is Ben Northover. I'm a chartered architect, and I have been appointed by the Secretary of State to be a member of the panel to examine this application.

00:00:47:19 - 00:01:18:11

Okay. Thank you. And together, we constitute the examining authority for the application. Uh, as normal, a few housekeeping matters. Uh, devices and phones on. Silent, please. Um, the toilets are back through the doors behind you and to the left, down to the down the stairs. Um, there are no fire drills today, so in case of a fire alarm, exit through the back doors. Um, and follow the fire exit signage through the building. Uh, there will be hotel staff on each floor directing people to the emergency exits.

00:01:18:20 - 00:01:22:15

And the meeting point is outside of the hotel near the Brayford cadets.

00:01:25:14 - 00:02:05:06

Okay. Uh, in terms of agenda and logistics, uh, this meeting will follow the agenda published on the National Infrastructure Planning webpage on the 4th of July. Uh, and it would be helpful if you had a copy, although I see it's just been shared on the screen. Thank you again. The agenda is for guidance only. Uh, and we may add other considerations or issues as we progress. Uh, we will conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. Uh, if the discussions can't be We concluded that it may be necessary for us to prioritize certain matters and defer others to our further written questions.

00:02:06:11 - 00:02:31:19

Likewise, if you cannot answer a question being asked or require more time, please do let us know and that can be arranged. Uh. Today's hearing has been undertaken in a hybrid way, meaning some of you are in the room with us, and some of you are joining us online via Microsoft teams. But however you choose to participate, we will ensure you have a fair opportunity to do so.

00:02:33:10 - 00:03:12:04

Uh, recording of today's hearing will be made available on the Springfield Solar Farm section of the National Infrastructure Planning website as soon as practicable after the hearing is finished. Uh, with

this in mind, please ensure, uh, that when you speak, it's clearly into the microphone stating your name and who you are representing each time, uh, that you speak. Uh, if you are not at a table, um, please wait for the roving microphone to, uh, reach you. Uh, and ultimately, the recording overall allows any member of the public who has an interest in the application and the examination, uh, to find out what was discussed here today.

00:03:13:23 - 00:03:44:24

As the recordings are retained and published, they form a public record that can contain personal information to which the UK, UK General data Protection regulations apply. Uh participants must do their best to avoid providing any information which should otherwise be kept private and confidential. Uh, if there is a need to refer to such information, it should be in written form, although this will still be published. Personal and private content can be redacted or removed before it is published.

00:03:45:14 - 00:04:06:19

Any person who is unclear on this point should ask the at the case team for guidance, uh, before they place personal and private information into the public domain. A link to the plan inspector. Its privacy notice was provided in the notification for the hearings. Please speak to the case team if you have any questions about the guidance

00:04:08:17 - 00:04:24:17

in terms of timings. We will have our normal mid-morning break and lightly break for lunch around 1:00. Uh, for an hour. Um, because of the compulsory acquisition hearing, one starting at, um, 330 this afternoon. Uh, we aim to finish no later than 3:00.

00:04:28:01 - 00:04:57:17

Okay. Now to introductions. I'm going to ask those who are participating today. Uh, to introduce yourselves at one, I state your organisation organisation's name. Could you introduce yourself stating your, um, name, who you represent and which agenda item that you wish to speak? Uh, if you are not representing an organization, please just confirm your name. Summarize your interest and which agenda item you wish to speak on that? So come first to the applicant and their advisors. Thank you.

00:04:59:08 - 00:05:25:22

Good morning sir. My name is Richard Griffiths from law firm Pinsent Masons LLP, representing the applicant, Springvale Energy Farm Limited. I'm joined by my colleagues, Alexis Coleman and Olivia Henshall, and we have representatives from the applicant's consultant team. Um, some in the room, some online. And I posed that, uh, as in the other previous two hearings, I we will introduce those consultants as we go through each agenda item.

00:05:26:24 - 00:05:32:15

Okay. Thank you for that. Uh, now, turning to the county council, please. Good morning.

00:05:32:17 - 00:05:47:22

Sir. My name is John Hunter. I'm counsel instructed on behalf of Lincolnshire County Council, uh, to appear at this, uh, hearing. And again, uh, the individuals who will be responding on particular topic areas, if I may, I'll introduce them at the appropriate time. Thank you.

00:05:48:04 - 00:05:51:07

Absolutely. And thank you. And the district council. Counsel.

00:05:51:10 - 00:06:06:00

Good morning sir. My name is Shamil Sheikh. I'm also a council instructor to act on behalf of North Kesteven District Council. I have with me to my left Sylvia Bland, who's an asset planning consultant at the district council. And I don't think anyone else is joining us today. So. So just us.

00:06:06:16 - 00:06:10:22

Okay. Thank you. Um, is there anyone from National Highways with us?

00:06:15:21 - 00:06:22:08

Okay. I'm not seeing any hands. Virtually. Okay. And the Environment Agency, please.

00:06:25:05 - 00:06:32:16

Good morning. My name is Annette Hewitson. I'm representing the Environment Agency and here to assist with agenda item five today.

00:06:33:05 - 00:06:34:23

Thank you. Fantastic. Thank you.

00:06:37:19 - 00:06:52:18

Okay. And, uh, I don't think there's anyone else that, um, we've not had prior to Network Rail can't attend. They've already let us know that, um, National Grid, I'm not sure there's anyone from National Grid here.

00:06:57:22 - 00:07:07:08

Okay. Thank you. Okay. Um, are there any interested parties who want to participate today? We could get the roving mic going forward. Thank you.

00:07:15:18 - 00:07:16:12

Good morning.

00:07:18:08 - 00:07:36:10

Good morning. Uh, Paul Frost, uh, I'm a resident of Scott Burke, a member of Scott Burke Parish Council and part of the Bring Well Solar Action Group. Um, I have registered to speak today and would like to do that. On the traffic subject, please.

00:07:37:15 - 00:07:38:05

Okay.

00:07:38:07 - 00:07:38:22

Thank you.

00:07:40:21 - 00:07:46:12

Good morning. My name is John Manning, and I've registered to speak today, and I'm speaking on behalf of myself.

00:07:47:13 - 00:07:50:19

Okay. And is that on water environment matters yet? Thank you.

00:07:52:05 - 00:08:01:24

Mark Williams, resident of Scott, chair of parish Council and member of the Springwood Solar Action Group. I'd like to reserve the right to speak on all matters.

00:08:02:18 - 00:08:03:17

Okay. Thank you.

00:08:04:14 - 00:08:24:21

Thank you very much. Good morning. Marianne Overton and I am a district and county councillor, but I want to make it clear that through out of this hearing, I'm acting as chairman of the Cliff Villages Social Action Group, just so that there's no confusion. And I'd like to speak on the grid connection. I'll have to leave at noon. Thank you.

00:08:24:23 - 00:08:25:23

Okay. Thank you.

00:08:28:01 - 00:08:32:04

James Gallagher, I would like to speak on the cumulative traffic impact.

00:08:33:00 - 00:08:34:06

Okay. Thank you.

00:08:38:13 - 00:08:46:22

Good morning. Um, Elizabeth Parker, resident of Niven Bay. And depending on questioning and discussions, I'd like to speak about the traffic.

00:08:47:19 - 00:08:55:13

Okay. Thank you very much. Okay. Is there anyone virtually that, uh, interested parties who may wish to speak?

00:08:59:10 - 00:09:29:15

Okay. No. Okay. Thank you very much. Okay. I'll briefly move on to the purpose of the hearing. Um, so obviously, the hearing, uh, seeks to consider a range of issues which come under the broad umbrella term of environmental and other matters, including the development consent order. Um, so we will consider the grid connection, traffic and transport, including public rights of way, the water environment and the draft around consent order matters which haven't been covered in the sort of topic specific hearings.

00:09:31:03 - 00:10:05:07

Um, I'm sure that many of you are obviously keen to have your say today. Uh, and you'll have heard our proposed timings. Uh, and we are keen to ensure that those are adhered to. Uh, as mentioned previously, we need to finish by 3:00 today. Uh, and if necessary, we may need to carry some questions over to our second round of written questions. Um, we do have an extensive list of questions, probably similar to yesterday. Lots to get through. Um, so to aid the smooth running of that, we will ask our questions of the parties at the table first before opening up any discussion to interested parties.

00:10:05:17 - 00:10:24:19

Uh, once we've done so, um, if you do wish to make any wider points, then please feel free to do so. Uh, in writing at deadline three. Um, but any contributions today do need to be focused on the, uh, the topics at hand. Okay. Are there any questions at this stage?

00:10:26:22 - 00:10:56:09

No. Okay. Thank you. Okay. We'll come on to agenda item three, which is in relation to grid connection. Uh, and my first question is the grid connection statement has been updated to reflect the changing connection dates agreed by the applicant with the national grid. Um, do the local planning authorities have any comments on that and whether it affects your position in any way? Could I come to maybe the county council first?

00:10:57:16 - 00:11:24:12

Thank you. John Hunter, on behalf of the county council. Um, the the change in the grid connection date. Um, I think it clearly better aligns with the, uh, suggested completion date for the substation. Um, in itself, I don't think we think the date makes, uh, is of particular significance. It doesn't change anything in terms of the application or it's supporting documents. There's no material effect on that.

00:11:24:19 - 00:11:38:20

Okay. There was some concern, I think, from, um, about the sort of timing and the concern that construction would be delayed. Um, given that the construction, the connection dates would be moved back slightly. Does that alter your view on that point?

00:11:38:22 - 00:11:59:03

I think there is a separate point about the alignment of the two projects, which I think we will come on to in relation to question 3.4. Those concerns still remain, but I think the shift in the, in the, in the um, or the update to the connection dates in itself, if that's adhered to, is not of concern.

00:11:59:05 - 00:12:01:18

Okay. Thank you. And the district council.

00:12:02:21 - 00:12:05:13

And district council. So our position is the same as the county.

00:12:05:22 - 00:12:20:12

Okay. Thank you. Um, and turning to the applicant now, please, are any changes needed to the. Yes. Following the agreed change request for National Grid, particularly around cumulative effects with other schemes and overlapping construction periods.

00:12:22:21 - 00:12:56:08

Richard Griffiths on the applicant. No, sir. The, um. The slight changes in the connection data don't affect the assumptions, uh, made in the environmental statement. Uh, chapter three of the environmental statement stated that the Springwater solar farm would have a 48 month construction period starting in 2027 through to 2030. That's in table 3.18 of chapter three. It was assumed that during that 48 month construction period, National Grid would also be constructing the nave and substation.

00:12:56:10 - 00:13:28:23

That has not changed. Um National grid zone um uh submission in response to your first written questions, uh, at rep 1092 confirms that, um, they, uh, are planning. The anticipated completion date is Q4 2029, which ties into the, um, stage one connection date. Uh, for the applicant and therefore we in the s assumptions, we assumed 2028 would be the peak construction year, uh, of both projects.

00:13:29:01 - 00:13:32:08

And that still remains a valid assumption.

00:13:33:05 - 00:13:34:11

Okay. Thank you.

00:13:37:23 - 00:13:43:00

Okay. Does either of the local authorities have anything to say on that point?

00:13:43:23 - 00:13:44:13

Nothing. Do.

00:13:44:15 - 00:13:45:24

Thank you. Okay. Thank you.

00:13:49:06 - 00:14:11:20

Okay. Turning back to the local planning authorities in terms of concerns about the validity of the is, um, is it accepted that, um, environmental statements can only be sort of based on best guess assumptions at the time of its production? Uh, and given most developments have a five year implementation period, it's fairly common for delivery timescales to potentially shift within those five years.

00:14:14:09 - 00:14:42:08

Um, I think the answer is yes. I'm John Hunter of the county council. Yes, I think that's that's it. And I would say I think the, the, the slight shift in itself doesn't cause us concerns about the validity of the is obviously there's a we will come on to 3.4. There is a question about the linkages between the two projects and the potential for greater divergence, which is of concern. But as I said, I'll leave my comments on that until 3.40.

00:14:42:16 - 00:14:45:23

District council? Yes. Yes, sir. Our position is the same as the county.

00:14:46:03 - 00:14:48:03

Okay, so concerns about the validity of this.

00:14:48:10 - 00:14:49:06

Sort of content.

00:14:49:08 - 00:14:52:08

You sort of move forward from that point that you raised before. Okay.

00:14:52:10 - 00:15:23:05

I think sorry. Again, John Hunter, on behalf of the county council, I think the concern is not with the slight change in the agreed grid connection dates. The concern is whether nothing comes forward if there are long delays, which mean that the slippage is much greater than anticipated at present. Um, that's why the I draw a distinction between this question in question 3.1 and our concerns under 3.4. Under 3.4. Um, there is potentially an issue say there was a very long delay.

00:15:23:22 - 00:15:35:07

There is the potential for the conclusions of the s to come out of date, which is why we are saying that there needs to be a, uh, a requirement which links the two projects.

00:15:35:18 - 00:15:44:07

Okay, given the five year implementation period, if permission lapsed, the applicant would need to come back again. Wouldn't that would that not address the council's concern?

00:15:59:11 - 00:16:00:01

Um,

00:16:01:17 - 00:16:32:05

yes. I John, on behalf of the county council, I acknowledge that point. I think, um, clearly, if it goes beyond five years, the applicant would need to come back. Um, and they would need to be a reappraisal of the environmental statement at that point. Um, I think I caveat my answer because it's possible that some surveys might have become out of date, but I don't think that is the principal concern that we have at the moment. So there is there is no particular concern. We are flagging up in relation to the examining authority in relation to that.

00:16:32:20 - 00:16:37:09

Okay. Thank you. Um, anything from the applicant on those points.

00:16:39:02 - 00:17:12:11

Was on the applicant? No, sir. Your question was on the validity of the. Yes. I've explained why the assumptions made are still valid. And the table in 3.8 3.18 of chapter three of the environment statement demonstrates that visually. And you're quite right, sir, that, um, an applicant, uh, can't assess every conceivable possibility, uh, that may happen. No developer can. And a five year consent is a standard approach. Um, and I'd also point you in the direction of schedule 16, paragraph 23.

00:17:12:17 - 00:17:46:12

That requires the applicant to submit every time it discharges a requirement, a statement to confirm whether the details that are being discharged give rise to any materially new or materially different environmental effects, uh, compared to those in environmental statements and if so, what those effects are. So schedule 16 itself during what? Um what about implementation? Uh, have has that ability for, uh, that information to be given to the authorities or indeed, if there is a difference for that to be then assessed and considered by the authority for them to either refuse or grant approval.

00:17:46:14 - 00:17:49:05

So apart from that, nothing further to add.

00:17:50:13 - 00:17:55:17

Okay. Thank you. Uh, anything further from the local authorities?

00:17:56:13 - 00:17:57:03

No.

00:17:57:05 - 00:18:27:15

Thank you. Thank you. Thank you. Okay. At deadline to the district council set out that the applicant has not addressed any potential reasons why the National Grid substation application might be refused. Given the objections that the council has raised to the proposed development and the environmental topics that it has considered in its screening opinion for the Navy substation, uh, in concluding that the substation proposals are EIA development.

00:18:28:05 - 00:18:33:15

Um, would the applicant like to reply to, the view of the district council in that regard.

00:18:39:00 - 00:18:44:24

Rich Gibson. Is going to pass to Miss Emma Jane Hayward, associate director of the applicant planning consultants.

00:18:47:17 - 00:18:49:19

Good morning sir. Emma Jane Hayward.

00:18:50:11 - 00:19:28:18

Applicant I as part of the action. Point number two. Ref. Um. EP 1073. We wrote, um, some points down why we believe their application wouldn't be refused. Um, I'll read some of those points out now. The applicant application for Nathan V substation will be determined in accordance with the development plan. Um, Central Lincoln Local Plan and any material considerations, including the NPP and any of the MP s Ian one, Ian three and Ian five.

00:19:29:09 - 00:20:04:10

the. At a local planning level, the Central Lincolnshire Local Plan provides policy that supports um, the wider environmental infrastructure, wider energy infrastructure under policy S 16. This endorses any significant investment into new or upgrading of energy infrastructure. This also includes any new substations or other related infrastructure. This will help get us towards net 0 in 2050.

00:20:04:22 - 00:20:39:16

The policy also supports infrastructure along with a successful planning consent, depending on how those assessments are done. Currently, there is no local Plan available for Local Plan available for the substation in the public domain. Therefore, we can't take undertake an assessment. National grid have many policies that they need to adhere to in regards to design, setting mitigation for substations, and will look to avoid, reduce and mitigate any potential harm.

00:20:40:13 - 00:21:01:01

Policy is 16 within the Local Plan. Emphasises that reasonable steps need to be taken to mitigate this potential harm, and that arises from these developments. This is also in accordance with the policy S 53 to minimise environment and community impacts.

00:21:02:21 - 00:21:24:22

Also, the National Grid need to look into the Horlock rules to ensure that design and the setting of the new substations are given due regard to preserve immunity and other reasonable steps to mitigate the effects of the proposal. This includes residential amenity and the surrounding area is.

00:21:27:15 - 00:21:58:14

There is general support for the national and local position. National grid need to take a reasonable approach with setting, design and mitigation and follow the whole box rules. This is why we don't believe there is any obvious reason for the substation to be refused, and also in accordance with the NPS in one for 11 eight, where it says that they don't. There are some occasions where it's possible for not possible for the coordination of these applications to come forward together.

00:21:59:23 - 00:22:30:08

Thank you. Sorry. If I could just then add on another layer, um, to that, um, that we also have to um, I'm going to highlight the national policy backdrop that securing, um, set out in the Connections Action plan. So in November 2023, the government and Ofgem jointly published the Connections Action Plan, which explains that the efficient utilisation of existing networks can further negate the need for expensive new infrastructure, which takes time, obviously, to deliver.

00:22:30:20 - 00:23:04:08

Um, and um, there's actually ensuring existing and, um, the existing infrastructure that has that capacity, uh, is more timely to come forward. And that all achieves net zero objectives. Um, the Connections Action Plan recognizes there are currently insufficient, um, National grid substations, um, along um, in areas where there's existing capacity. And the government therefore recognizes there is a need for, um, new substations, uh, to come forward in areas where renewable infrastructure is likely to be developed.

00:23:04:15 - 00:23:38:09

Um, and that is all to deliver net zero. Nathan, Bri is located close to an existing part of, um, the nets between Westport and Bickerton. Um, it's well connected. It's also resilient. And all that is set out at paragraph 8.2.2 of our statement of need. app. One. Three. Five. So. And that's the reason for the substation to come. Come forward is in line with the connections action plan set by the government. Um, and, uh, um, um, to make best use of a resilient, uh, network.

00:23:38:14 - 00:23:48:17

Um, so that's the backdrop to the substation, which, of course, the local authority in its determination will also have to take into account in addition to then the local, uh, plan as well.

00:23:49:20 - 00:24:12:23

Okay. Thank you. I think the district council were probably coming from a point of view and reading the it was probably a suggestion that maybe the applicant hadn't wrestled with the level of impacts that could result from things like landscape for, for one example. Uh, and it's whether the applicant could provide any more detail in terms of their consideration of those aspects of a potential, uh, application coming forward.

00:24:17:09 - 00:24:18:13

Let's imagine for that.

00:24:19:11 - 00:24:28:23

I was I was going to actually get a pass to miss Jade gardener from a principal environmental consultant from ask if. Yeah.

00:24:30:02 - 00:24:59:20

Uh, Jay Garner for the applicant. Um, we are expecting that a scoping report is going to be released by National Grid imminently, hopefully over the next few months. So when we do get further information on their development, that will form part of our cumulative effect assessment, um, whereby we'll be able to determine any impacts and any mitigation, uh, relates closely to the discussion that we had yesterday about the interrelationship report and the ongoing discussions that we're going to have with them to ensure that any mitigation is outlined in that assessment and that report.

00:25:00:22 - 00:25:08:06

Right. Okay. Thank you. Um, hopefully I summarize the district council's position correctly now. If not, please. Um, please jump in there.

00:25:08:10 - 00:25:38:18

Shall we say? Steven. District council? Yes, sir. I think there are two points. The first is that obviously if the applicant burden under NPS one, um, to explain the reasons why they say there are no obvious reasons why Nathan B substation wouldn't come forward. Our point is that it's at this stage speculative, because the scoping opinion hasn't been, um, released by the council. That's due to be released in August. Until we have further details, it's very difficult for the applicant to discharge that burden. And that's the summary position.

00:25:39:07 - 00:26:19:16

So once we understand the points about policy and need, etc., we don't understand the impacts yet. And until the planning application has been submitted, or at least we're slightly further down the line, the information isn't available for the applicant to be able to satisfy that burden. And so that's why we say at this stage that they haven't indicated why there are no obvious reasons. Um, ultimately it will need to be based on the application as submitted, and probably suggest that it needs to be something

more than just as part of the cumulative effects assessment that needs to be in order to discharge that burden, and clear evidence to show that that application doesn't give rise to obvious reasons that would likely be refused, for example.

00:26:20:19 - 00:26:38:05

Okay, my next question sort of leads on to asking the local planning authorities whether, as from the information that they have at this moment in time, accepting that it is what it is in terms of where that project is in the process. Are there any potential showstoppers that have come to light so far?

00:26:39:13 - 00:27:06:21

Let me show Steven District Council, so you understand the position we're in as the relevant determining authority for that. We obviously can't predetermine that application. There are, as I understand, topics that are going to be scoped in as part of that scoping response. So there are potentially significant effects that will need to be properly considered as part of the. Yes. So that's all I can say. There will be impacts that need to be properly considered. There may be reasons why it would be refused. Can't say at this stage, but they'll have to be properly looked at in due course.

00:27:07:15 - 00:27:11:07

Okay. Thank you. And the same question to the county council, please.

00:27:11:09 - 00:27:22:23

I think John Hunter, on behalf of the county council, I think with this regard to the planning authority which will be handling the application, so I don't have anything to add. I think we support that position, but nothing further to say.

00:27:23:00 - 00:27:25:22

Thank you. Okay. Thank you. The applicant please.

00:27:25:24 - 00:28:16:11

Thank you sir, which is on par for the applicant. Um, I think it's fair to say, um, that, uh, uh, since the Planning Act 2008 regime has come forward. There have been many. There have been various examples of substations or grid connections coming forward later than the, um, than the generating station. Hinkley point C nuclear power station, for example, was consented at least a year, I think, before the grid connection DC application was submitted to the planning authority, um, to the examining authority to the um, uh, Secretary of State, um, the, uh, the Ian one, uh, requirement at 4.7.9 is that if this option is pursued, which is a separate application for the grid connection, then the applicant must provide sufficient information to comply with the EIA regulations regarding cumulative effects, which we have done.

00:28:16:18 - 00:28:52:09

The footnote to that at 160 says it is acknowledged that different levels of information may be available at different times, and as such, applicants should take a proportionate approach to what information should be included. We have complied with that. So our case is that we have complied with the NPS test and that, as Miss Gardner has stated, when we see the scoping opinion from the authority, um, we will then, uh, update our, uh, our own application. And of course, National Grid's application with its environmental statement, we'll have to cumulatively assess this application.

00:28:52:12 - 00:29:02:14

So that's how the planning system will operate. There will be no gap. Um, so our position is that we've complied with four point 11.9. And the footnote to that paragraph.

00:29:05:06 - 00:29:07:06

Thank you. District council.

00:29:07:19 - 00:29:36:18

Seventh district council. So what we're not saying is that there's anything above and beyond what the applicant has done at this stage. We understand that the applicant can only work on the information that is publicly available. I think the point is that there will in very short proximity. So 8th of August is the date in which our scope and response is going to be provided. And there will be further information which will afford the applicant the ability to more properly address those questions. And and in due course examination to address that.

00:29:38:06 - 00:29:41:01

Okay. Thank you. Anything else which.

00:29:41:06 - 00:30:04:21

Is on the applicant? Uh, no, sir. I mean, once we see, as we've already said, when more information comes forward on, uh, on the project, we will continually update that we've committed to that cumulative assessment statement. Um, hearing yesterday. So I think we're I think we're more or less in agreement, um, uh, on this point that we have complied with the NPS tests. Uh, and we'll continue to do so as more information comes through up to the end of the examination.

00:30:04:23 - 00:30:36:18

Okay. It would probably be useful for us to inform our second round of written questions if we could be made aware when the scoping opinion for the National Grid site comes out. Um, actually, deadline three is the 12th of August. Could we have a maybe a hearing action that is to inform us if it does come in and the implications that it might have? I appreciate this could be quite short time wise in front. Uh, a few days before the 12th.

00:30:36:20 - 00:30:41:00

But, um, it would be useful to have an update, at least on the current state of play.

00:30:41:02 - 00:30:50:11

I think the council needs to be on that, and I think the council needs to confirm what their potential date is for the release of the scoping opinion. That helps us comply with that question.

00:30:50:13 - 00:30:56:20

Okay. Is that okay to add a hearing action for deadline three, to provide an update on the status of that scoping report.

00:30:57:08 - 00:31:09:05

From Steven District Council. So I can I can indicate, um, that the scoping opinion is due to be released on the 8th of August, so it'll only be a few days before that deadline, but we can certainly provide an update once it is okay.

00:31:09:07 - 00:31:45:09

Fantastic. Thank you. Okay, we'll move on to 3.3. Um, the district council has noted that it remains concerned that the delivery of the National Grid substation will not align with the proposed development hereby, and thereby the additional benefits of renewable energy provision by 2030. The Clean Power 2030 Action Plan target may not be achieved and should not be allocated significant weight in the planning balance over and enable the critical national priority status of the proposal.

00:31:46:13 - 00:31:49:06

Um, could I have the applicants reply to that, please?

00:31:54:03 - 00:31:56:06

Uh, which give us on path applicants? Um,

00:31:57:23 - 00:32:29:02

not quite sure we understand their the authority's position. Uh, we're still at a loss as to what they're trying to argue. Um, our position is. Well, first of all, our position is quite clear. The facts that are in this examination is that there is a grid connection agreement in place that see stage one connection in October 2029 and stage two in October 2030. That set out in the updated Grid connection statement and the National Grid's own response to the examining authority, it gives you its proposed timeline.

00:32:29:09 - 00:32:46:05

So the evidence before you at the moment is that we are due for connection in 29 and 2030, and I can go into the details why we why we disagree, why there's any different weight anyway between that 2030 date. But I think it's fair to say we don't quite understand what the what the councils are saying at the moment.

00:32:46:07 - 00:32:50:11

Okay. Could you maybe touch on your view in terms of the any difference in weights?

00:32:50:20 - 00:33:21:15

Well, there's no difference in weight. Um, the first I think the first point is that the legally binding target is net zero. By 2050, the clean, um, um, um, Power Action Plan 2030, um, is a is a action plan to help achieve that. Net zero. Um, date. Uh target. Net. Net zero. Legally binding commitments in 2050. Um, the Empson one. Um, both the one that you've got to determine this application by.

00:33:21:17 - 00:34:00:15

And indeed the draft makes it very clear. Um, at paragraph 3.27 that you have to ascribe substantial weight, um, to the, um, the need. Paragraph 3.2.8 says that the Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established in the NPS, the need in the NPS. Both the draft and the one that you've got to determine this one by the adopted NPS is to achieve, um, is to achieve net zero by 2050, whether that is a project that comes in 2029 or 2031.

00:34:01:02 - 00:34:31:13

Um, you don't suddenly reduce the weight to be attached to it. That would be perverse to even contemplate that the Clean Power Action Plan also makes very clear that it provides a foundation to focus delivery. It is not definitive. It makes it clear that the pathways it established, it sets out that there is no singular path to achieving, um, the, um, clean power and that there has to be flexibility.

00:34:31:20 - 00:34:52:21

So from our position is the NPS is um, um, requires you to give substantial great weight, um, to the urgent need and, and a solar project, um, or indeed a any renewable project that has to be delivered this side of 2030 or the other side of 2030 is clearly a critical national priority infrastructure.

00:34:54:17 - 00:34:57:11

Okay. Thank you. District council, would you like to reply?

00:34:58:09 - 00:35:31:09

Steven. District council? Yes. Perhaps just to provide clarity on our position. Firstly, what we're not saying is that there would be any reduction in weight we recognize in one. A full substantial weight for the delivery of renewable energy. And the point we're making is that if it was delivered pre 2030, that might be an additional benefit that was afforded weight because it aligns with the Clean Power Action Plan. If it was after 2030 that additional weight might not be afforded the same level for example. But but ultimately what we're not doing is disagreeing that substantial weight should be given in line with the NPS.

00:35:31:10 - 00:35:35:22

We're saying there's a separate freestanding weight that might be afforded if it were to come forward earlier.

00:35:36:14 - 00:35:39:10

Okay. Can more than substantial weight be given?

00:35:39:12 - 00:35:44:21

It would be a separate freestanding benefit as opposed to, um, within the same category.

00:35:45:21 - 00:35:47:14

Okay. Anything from the applicant?

00:35:47:16 - 00:36:05:17

Yes, sir. I mean, just to close off this point, we would welcome you to give us even more weight benefit, um, pre 2030. Our position actually is that it doesn't matter whether you're pre 2030 or after 2030. The reasons I've said. But if you disagree with us on that point and you agree with North Kesteven, then of course I'd welcome you Give us a giving us extra benefit. Um, pre 2030.

00:36:07:02 - 00:36:38:18

Okay. Thank you. I won't get into the debates of weightings in planning balances. Gives us enough headaches, but, um. Yeah, absolutely. Um, okay. Um, anything else from the district council? No.

Thank you. Okay. Moving on to the last point, 3.4. Um, if the examining authority was minded to take a view, that requirement was needed, uh, to restrict commencement of the proposed development until there was certainty about the delivery of the Navy substation.

00:36:39:02 - 00:36:51:03

Um, for the applicant, first, at what point in time do you consider that what should be if we were to take that view? I understand, you know, without prejudice your position, but.

00:36:54:07 - 00:37:29:12

Would you agree with some of the applicants? Um. We don't. I'm not going to answer that question because I don't consider a requirement would be lawful and meet the policy tests. Um. That is our position. Um, you've got you've already mentioned, uh, that the development consent order is five years. Um, and, uh, should, uh, and it's a very hypothetical scenario we're talking about here. Um, there'll be a delay in the substation. I don't consider we don't consider there's any justification for a requirement.

00:37:29:19 - 00:37:50:18

Um, and I say that for two reasons. Um, first of all, there's no policy justification for it. Um, and we've already talked about just now in the previous question that, uh, that the national policy statements and indeed there are of other government policy, um, refers to, um, a

00:37:52:09 - 00:38:23:18

net zero legal requirement. There is an urgent need for different types of energy to meet that, um, Equipment. Um, there substantial weight to be given to that need. Um, a renewable project, including solar is cast as critical national priority infrastructure. Um, so on the policy front, there was a presumption in favour of granting consent, and substantial weight should be attributed to that need. Any requirement that seeks to prevent that type of infrastructure coming forward would, in our opinion, be against that policy.

00:38:24:08 - 00:38:56:02

Um, and this is strengthened when, um, uh, Ian, one accepts, as we've heard in again earlier in this hearing, at 4.11 point eight that, um, Ian one accepts that grid infrastructure may come forward separately to the generating station. So our position is there's no policy support for such a restriction. And also and there's a further a further reason why, um, you've got the grid connection agreement, a statement before you.

00:38:56:07 - 00:39:58:00

National grid has a duty to connect. That's referred to NPS in five paragraph 2.8.5. Um, we've we've we've, um, provided you with the relevant information, the EIA in terms. So we've had that discussion already. So all those tests in the, in the and one we've complied with. Um, there's also the commercial practical point. Um, are you you're proposing basically requirement to cover off a theoretical risk. And I think you've got to consider in your balancing or whether this a requirement would be reasonable and justified is whether, um, when you consider that theoretical risk and balance that with the commercial reality of a developer building out, um, the project, uh, without a grid connection, um, is that really a commercial? Commercial, um, reality? Um, and I think you've also got to think very carefully about the repercussions of such requirements.

00:39:58:22 - 00:40:01:03

Such a requirement is bigger than this one project.

00:40:03:11 - 00:40:27:01

In light of the policy we've just talked about in Clean Power 2030. The net zero 23 2050 legal requirement if every low carbon renewable project that didn't that came forward without its grid connection, um, uh, or additional infrastructure needed in place. Annual requirement was placed on all of those projects.

00:40:29:02 - 00:41:13:16

Then the natural conclusion to that is there would be a considerable delay in bringing forward low carbon renewable energy that, in our opinion, would be against the policy and actually would pose an unacceptable risk to the achievement of net zero. Is that reason why you have development consent orders granted and Secretary of State decisions that have made it clear that such a requirement is not required. And are referred to one the Drax Bioenergy Carbon Project, where the Examining authority and the Secretary of State agreed that even though the CO2 transport infrastructure had not been consented, no requirements should be imposed.

00:41:14:21 - 00:41:24:10

So our position is it would be against policy. It would be an unacceptable risk to the achievement of net zero. And for those reasons, it's not justified.

00:41:26:03 - 00:41:34:05

Okay. Thank you. Same question to the local authorities, please, in terms of, uh, when would be an appropriate point in time for that to bite.

00:41:35:17 - 00:42:07:08

Steven District council. And so perhaps I can provide a bit of clarity. So firstly, in terms of any precedent, we do have some precedent in terms of requirements that require something else before. So in the key B three DCO requirement 33 is a requirement for evidence that environmental permits are in place for part of the works, and we also have under the Viking CSE DCO requirement, which is requirement 20.

00:42:07:22 - 00:42:55:14

Again, for details in terms of carbon dioxide storage permit and then in a current currently examined Morgan and Morcom offshore Wind farm transmission assets DCO, there is an article which constrains the entirety of the development consent to being contingent on the offshore wind farms being granted consent. And that's article three is currently drafted. So we do say there is some precedent for it. I think the position we take is that similar to the Morgan Moore commercial windfarm transmission assets, and where this project is contingent on Navy substation being granted consent, is that it should follow that until Nathan B substation has been granted consent, that this scheme, that this consent is contingent on, that it couldn't be commenced.

00:42:55:21 - 00:43:12:23

And that would include and I understand the point made about commercial reality if this project is contingent on that consent being granted anyway, it makes no difference in terms of commercial reality, um, having the requirement or the article which makes the consent contingent on that. And the second point

00:43:14:21 - 00:43:51:09

at the second point is that, um, in reality, um, there could be site preparation works, for example, that were undertaken by the developer before consent was granted for Navy B, which obviously have some environmental impacts and which in a commercial, really a real commercial, um, world would be at limited cost. And that's the sort of work that we're trying to stop happening. So we don't want to and we don't think that relying on commercial reality is sufficient. We think there needs to be a control within the DCO itself to restrict this consent coming forward and being contingent on Navy.

00:43:52:10 - 00:44:05:22

Okay. Thank you. Coming back to my point, about what point in time do you think the requirement should bite? I from reading your representations, I understand that it's whilst there's been some substantial construction works for the Navy and B substation. Is that correct?

00:44:07:14 - 00:44:40:23

Norfolk. Steven. District council. So I think the cleanest way is probably to reflect that the approach that's been taken in the more and more commercial wind farm transmission assets, which is that the development consent would be contingent on consent being granted for Navy B, and that would probably reassure us that this scheme therefore wouldn't come forward until consent being granted. And we can perhaps provide some more clarity in writing as to whether we think there should be particular trigger points in time. Um, but that's one that is more complex and perhaps is one for the applicant and National Grid, given work schedules, etc.

00:44:41:00 - 00:44:54:14

I think we would be happy with a similar approach taken to the Morgan, Morgan and Morecambe offshore wind farm windfarm transmission assets. Draft eco, which makes the entirety of the DCO contingent on consent being granted for Navy substation.

00:44:54:17 - 00:45:11:11

Okay, my question was, given the test and the MPs that we've touched on already, whether the grant of permission is an appropriate time for it to bite, which I think you just said yourself. So that was, um, where I was going to sort of probe the local authorities. So, um, it's always the county councils are in agreement with that?

00:45:11:23 - 00:45:42:01

Yes. I think we're in full agreement with the rationale. And I think just to highlight the the underlying rationale for what is being suggested by ourselves and the district council is in line in my submission with what the decision in the Viking CCS case, where it was pointed out that if the consent were to be granted in isolation, there would be no tangible benefits without the other permit or consents being in place.

00:45:42:03 - 00:46:17:06

And I think in addition to the, uh, CO2 permits, There was also a question of pipeline works authorizations that were required. So again, the same position arises here. What we don't want is we I think it's unlikely, as we say in a commercially real world, that there would be a large scale implementation of the DCO, but there could be the preparatory works, which could have a significant effect on the environment with no benefit. In the end, if the Navy's E substation is is not granted consent or any consent is quashed or whatever might be the case.

00:46:17:09 - 00:46:26:23

So we say the rationale is the same here as it was in Viking in the other cases, and is as is currently, it seems, being progressed in the Morgan Offshore Wind project.

00:46:27:23 - 00:46:41:18

Okay. Thank you. Can I get the opportunity to particular on the last point point made by both in terms of, um, sort of site clearance works, etc., that could be undertaken before sort of full commitment was given to the build out of the project.

00:46:46:00 - 00:47:20:24

Richard Gibson. Um, we fundamentally disagree with the need for requirement. Um, for the reasons I won't repeat, um, that we set out. Um, and, you know, the, the offshore wind farm, um, is in determination at the moment. That's not a precedent. Is in determination. Viking. Um, I can have we can have a look at KB three is completely distinguishable by the fact that the proposed development did not seek to, um, that that was a that was a that was a gas fired power station.

00:47:21:11 - 00:47:39:01

Uh, and uh, the restrictions in place was for the, um, was to enable it to, um, function with the carbon capture. So that is a distinguishable, um, project because it's a it was a gas fired power station. So you can take Keadby off the table. So that just leaves you with Viking. Um,

00:47:40:15 - 00:47:53:13

I'm not I'm. Our Obsession is no requirement is justified for the reasons that I have set out. And that's the position that the applicant will put in writing to the following this hearing.

00:47:53:15 - 00:48:01:20

Okay. Can I just ask, is anyone aware of a solar farm which is being granted development consent where the grid connection is in this situation?

00:48:03:09 - 00:48:04:13

Is this the first one?

00:48:09:23 - 00:48:14:10

And I know there are there's an examination. But in terms of having been granted development consent.

00:48:14:23 - 00:48:15:13

Which.

00:48:18:12 - 00:48:54:22

We're. Yeah. I mean, we're not aware of a situation like this that's been granted. Um, I think there've been extensions, uh, for example, the Seneca DCO, um, there was, uh, the Burwell substation, um, was in existence, but it needs an extension to that substation. Um, which National Grid is promoting that's not consented. Excuse me. And the sun from. So I'm going off my memory. So forgive me if I get it slightly wrong. We'll have to check this. But these I, I, I, I recall at the Seneca, um, has to connect into that extension.

00:48:54:24 - 00:49:08:01

The extent is not consented, but there's no requirement on that consent order. So it's an extension. It's not a brand new substation, but it's similar. But we can take a look at that and put that in our notes in response to this hearing.

00:49:08:03 - 00:49:15:10

Yeah I think that would be useful. Thank you. Okay. Anything else on grid connection from the table.

00:49:16:02 - 00:49:25:02

Jonathan, to on behalf of the county council, just in response to the question you just asked, uh, we're not aware of any consented scheme where there is a similar position, certainly in Lincolnshire.

00:49:25:24 - 00:49:26:23

Okay. Thank you.

00:49:28:19 - 00:49:35:16

Okay. In that case, I will open the floor up to interested parties to have anything to say on the grid connection issue.

00:49:38:11 - 00:49:41:05

Okay. The rover. Mike is on its way.

00:49:48:10 - 00:49:51:18

Mark Williams representing Springville Solar Action Group.

00:49:53:13 - 00:50:29:22

It appears there's a huge amount of money being made out of mentioning net zero. Let's be absolutely clear. There is no grid connection. There is no grid connection. We need to be really clear. On the open forum a couple of days ago, we had the leader of Lincolnshire City Council. We had the mayor of Lincolnshire quite clearly stating this infrastructure is not required in Lincolnshire. So I think the planning inspector needs to be very, very conscious that this is not something that is just going to be steamrolled into Lincolnshire.

00:50:30:16 - 00:51:03:08

We also heard from Mr. Philip heard um, yesterday where he, where he made some calculations based on the need Quite clearly the need has been overexaggerated by the applicant. What I would say currently there are two other applications that are currently going through North Kesteven, one for a

Corby Bess and one for Nathan B Bess. I believe both of them have received upward of 700 negative responses.

00:51:03:16 - 00:51:34:19

So let's rest assured the substation will will receive in excess of those volumes. If this application is unfortunately granted, it should be subject to a condition that it will only be granted based on the provision of a valid and existing grid connection via the nave and B substation or any other infrastructure as. And we've got an example of this, as with the Cumbrian coal mine recently.

00:51:34:22 - 00:51:35:14

We know.

00:51:37:14 - 00:51:56:14

A future administration can rescind a planning consent. So again, planning inspectors should be very aware of that. I would also like to flag. It does seem very, very clear that the applicant's legal team are attempting to predetermine a decision.

00:52:03:08 - 00:52:19:13

The applicant's legal team have also just referenced Seneca. Let's be really clear. The planning inspector for Seneca did a cracking job. He declined the consent. It is only

00:52:21:04 - 00:52:35:23

the Secretary of State who totally overruled that consent. That rejection. Having consumed a huge amount of documentation in three days. So, yeah, let's not use Seneca as a good example for this. Thank you.

00:52:38:23 - 00:52:42:12

Hey, anyone else wish to say anything, Miss Overton?

00:52:45:23 - 00:53:17:17

Thank you very much. Um, I would like to strongly support the recommendations from the district and county council. I'm really concerned that were this given permission, it would prejudice. In my opinion, it might prejudice the application predetermined, if you like, prejudices the application that still to come forward for the substation. Um secondly the why not even be we raised the question before and it may not be it still may not be the best place.

00:53:18:00 - 00:53:51:02

It was pointed out that it could be anywhere between McFadden and West Burton. That's five hours by road. It's a very long distance. Anywhere along that road would fulfill the same requirements that's been mentioned about the grid capacity. Somewhere along that grid capacity. And that was the understanding that I was given right at the beginning. So the point about all of this being at November is still not established. And so I do think it's really important not to rush ahead with one application.

00:53:51:08 - 00:54:01:24

When in this area, when we still don't know whether the key points that's the substation is going forward, and we don't want to prejudice that either. Thank you.

00:54:03:06 - 00:54:09:00

Okay. Thank you very much. Uh, any reply from the applicant before we move on to our next agenda item?

00:54:09:18 - 00:54:15:14

Thank you sir. Yes. Which gives us some of the applicant, um, in response to Mr. Williams. Um.

00:54:18:09 - 00:54:50:17

The infrastructure is there. There's a phrase that that said that the infrastructure is not required in Lincolnshire. I'm afraid that, um, clean, clean electricity is required by everyone in the United Kingdom. And its location is determined by available grid connection where and that is. That's the same for any type of generating station, whether it be a nuclear power station, which has to be located in certain locations, whether it's a renewable project or other solar or wind, it has to be available to connect into the grid connection.

00:54:50:19 - 00:55:27:05

But the electricity is required by the whole of the UK. The need is not overstated by the applicants. The need is in line with what the policy requires the examining authority and ultimately the Secretary of State to, um, prescribe that need, uh, substantial weight. And it is urgent that is in policy. That's that's what we are saying. Um, and I've explained the reasons why we don't consider there should be a requirement. Um, and I, I will repeat that our position is that such a requirement is against policy and would pose an unacceptable risk to the achievement of net zero.

00:55:28:00 - 00:56:00:00

Um, in response to Councillor Overton's um National Grid's location. Decision is National Grid. Um, they have done their own site selection. Um, uh, and I also recognize that I think it's implied in what Mr. Overton said, that there was an accepted need, therefore, for the substation to be somewhere along that line. Absolutely. National grid, uh, and that accords with the clean, um, with the connections grid action plan or from off German national grid. There is a need for new substations in the UK to enable renewable project to come forward.

00:56:00:02 - 00:56:27:11

I'm afraid it's a reality that those substations have to be located somewhere. And National Grid has made its decision where it is to be located. Nothing has been determined here at this examination. Um, that still has to go through the council's own determination process. What we're talking about here is, um, whether this project should be granted consent by discussing. That does not predetermine anything. Um, I think that covered all those points. Thank you.

00:56:28:03 - 00:56:46:22

Okay. Thank you. Uh, and as with yesterday, if you wish to provide any more information in response to what the applicant said, please do so in writing at deadline three. Okay. We'll move on to our traffic and transport, including public rights of way. Agenda item. Uh, I'll allow a minute if you want to swap. Swap people. That's fine. No problem at all.

00:57:35:08 - 00:57:39:07

I think. Give me a thumbs up when you're ready to go. That would be lovely. Thank you.

00:58:12:16 - 00:58:27:18

Okay. Is everybody ready? Thank you. Okay. Um, my first question was aimed at, uh, National Highways, but as they're not here, I'll probably move that to a written question. Unless the applicant can provide an update whether there's been any movement in those discussions.

00:58:28:06 - 00:58:46:09

With the applicant. I understand all but one point is agreed with National Highways. I do have our, um, traffic expert on the line if to expand upon that, if that would be helpful. Yes, please. Okay. I'll introduce Mr.. Gordon Buchan is a director at Pearl Fishman to just provide the update on the discussions with the National Highways.

00:58:49:20 - 00:59:20:11

Good morning, sir, I'm Gordon Buchan, appearing on behalf of the applicant. Um, so we've, um, we believe we've reached agreement on all matters. Um, on the drafting of the common ground bar one relating to the abnormal load movements on the strategic road network. That being the A1 80 and M1 80. Uh, we have been in contact with them to try and, um, find out the latest status of that, even, um, as late as yesterday and have yet to receive a reply from them.

00:59:20:18 - 00:59:53:15

I would advise, however, that the A1, A2 and M-1 80 formed part of National Highways heavy load route, and I can provide a link to the their plan that shows the heavy load routes over in England. And in fact both the A1 80 and M1 80 have been used for abnormal indivisible loads in the past. Um, we understand National highways are just undertaking an internal review of the route with respect to the proposed loads for spring well, and will continue to, um, engage with them to get an answer.

00:59:56:01 - 01:00:36:17

Okay. Thank you for that update. Again, I'll probably ask a question of National Highways in our second round. Okay. Let's move on to the A15 and B1 202 junction. Um, and I understand that new mitigation measures are being proposed in the form of an enhanced travel plan to reduce staff vehicle movements. Uh, staff movement embargo at the junction between 7:00 and 9:00 in the morning and 4:00 and 6:00 in the afternoon, as well as restrictions on HGV movements through the junction to five per hour in each direction during those times.

01:00:37:06 - 01:00:58:01

And my question is, is where will traffic go instead? And would this result in more traffic on other roads which could cause impacts which haven't been assessed? For example, how will workers living to the north of the site access the construction compounds if they can't use the A15 during those times?

01:01:01:06 - 01:01:03:19

Thank you sir. I'm going to ask Mr. Buchan to respond.

01:01:04:00 - 01:01:04:16

Thank you.

01:01:08:17 - 01:01:40:24

Thank you sir. Gordon Buchan, appearing on behalf of the applicant. We have had a number of discussions with Lincolnshire County Council as the relevant highway authority to discuss this proposal. They are content, um, with the with the proposals. The creation of the embargo, uh, will be controlled by the construction traffic management plan. Um, the CMP and the revised version. Um. References. Rep. 1-062. Uh, none of the access routes will change.

01:01:41:04 - 01:02:14:07

Uh, and the majority of staff arrivals will be unaffected as they will be travelling prior to the network peak periods. Heavy movements will be limited to ten movements, um, per direction in each of those peak periods outwith the embargo period. HB uh, excuse me. Heavy traffic will operate normally. The number of HGV movements in these periods will compensate to reflect the embargo period, noting. However, the deliveries at the start and the end of the working day are limited in number um, due to standard uh operations.

01:02:14:09 - 01:02:14:24

Anyway,

01:02:16:14 - 01:02:52:07

there may be a minor increase in HGV movements from the A15 South during the embargo period. However, all junction modelling in the Transport Assessment Reference app 123 suggests that the ratio of flow to capacity, the R.F.C. values are all well below the optimal operating value of 0.85. RFC are in fact the highest value on the A15, b 1191 junction, being 0.38 and 0.37 at the A15 Nathan B lane junction, um at the peak of construction.

01:02:52:10 - 01:03:29:16

Assessment. Any small alterations in HGV movements will not have a significant impact on the capacity and operation of these southern junctions for these limited time periods. Um, we also would note that the county council does not raise any similar concerns with the operation of their road network. Um, in effect, there are no new significant effects associated with the proposed embargo and the CMP. Sets out the access strategy and the measures that will be enforced and monitored to ensure that people do not divert from the agreed access routes.

01:03:29:24 - 01:03:37:13

The CMP is secured under the DCO and is also secured via the contractual arrangement for those working at the site.

01:03:39:08 - 01:04:13:05

Okay. Thank you. Just before I come to the county council, um, about the enforceability of those arrangements and whether they can actually be monitored or not. Can I just ask there's in terms of the routing of local goods vehicles. Figure 14.4 of the environmental statement includes routing for local goods vehicles. But the map in the outline construction traffic management plan just includes HDTVs. Is that intentional? Because I was from reading.

01:04:13:07 - 01:04:23:05

So certainly looking at figure 14.4. I was under the impression that there would be routing agreements for LGV as well as HGVs. Is that the case, please?

01:04:25:12 - 01:04:39:18

I'm Gordon Buchan on behalf of the applicant, sir. Um, if it would be of assistance, um, at the next deadline, we can update the CMP, uh, report to include, uh, LGV vehicles, if that would help clarify matters for you.

01:04:41:17 - 01:04:50:12

Okay, absolutely. I think it would be helpful to avoid any confusion. Um, and to make clear that leaves are, uh, will have to adhere to those routes.

01:04:52:04 - 01:04:58:23

Okay. Can I come in to the county council then, please, in terms of whether it's realistic that, um,

01:05:00:20 - 01:05:15:19

workers can't be expected to move, um, in those quite common periods when workers do move. I appreciate the arrangements for the construction. Um, they may move earlier. Um, but is it realistic to expect none to move in that time.

01:05:16:20 - 01:05:18:23

Jonathan Taylor, on behalf of the county council. Uh,

01:05:20:21 - 01:05:51:10

we don't have anyone from the Highways Department here to respond to that. As has been indicated, we have set out, I think there is an agreed position with the applicant. I think in relation to the questions which you've raised, sir, if you would wish for us to provide a response, I think it would be best for us to do that in writing, because without instructions from the Highway Authority on those particular issues at the moment. So I think we've made a note. Mrs. foster has made a note of the questions. Um, the implication is the highway authority is satisfied on all of those points.

01:05:51:12 - 01:05:57:19

But I'm not in a position to give you any detailed, informed response on that. So if we could respond in writing, I would be grateful.

01:05:57:21 - 01:06:06:22

Okay. Could the applicant maybe just jump back in and provide an explanation of how movements of workers will be restricted during those times?

01:06:10:00 - 01:06:44:01

Recording on behalf of the applicant. can sew. The movement of materials and personnel from the site will be contained within the CMP document. The specific movement of staff will be included within the Staff Travel plan element, which will be appended to the the final CMP. Should the site be granted consent within that, that area will be made clear that we are unable to permit traffic flow through the junction at those embargoed periods.

01:06:44:16 - 01:07:19:23

Um, that will be a requirement of the staff travel plan. Staff will be made aware of that and the contractors, um, employing those staff will be made aware of that well before they start tendering, um, for working on the site. Um, so there will be an information programme to advise people of, um, the requirements to travel to and from site. The staff travel plan will also include a monitoring and review process in those regards as well, so that enforcement can be undertaken if it is required.

01:07:20:02 - 01:07:43:24

In terms of the HGV tracking. Um, there's a whole variety of measures included within the CMP, uh, with regards to that. The further use are an enhancement of, um, bringing staff in by coaches and minibuses also helps regulate that and ensures that people arrive at the correct times on the specified routes as well.

01:07:45:19 - 01:08:07:07

Okay. Thank you. Again, I will provide a written question in our second round to the county council. Um, I, I'm just wondering about the scenario if a member of, uh, construction staff finished their shift at, say, 430, would they have to then sit on site until 8:00 before they could leave? And is that realistic to expect?

01:08:10:21 - 01:08:25:12

If they had to travel north, let's say. And if they. And would that ultimately result in them running through other routes to get around the junction with the, um, be 12020?

01:08:25:16 - 01:09:08:11

Gordon Buchan appearing on behalf of the applicant. Um, so and the the the staff shift patterns will be, um, developed. Uh, well, well, in advance of work commencing on the scheme, um, to avoid this similar situations, there are of people just sitting around and doing nothing. Um, the construction shifts, however, do tend to go for quite a lot, you know, a longer period of the day. Um, if we had people that are likely to be finishing their shifts, uh, who are billeted to the north of the scheme, uh, then it would be a matter of adjusting the shifts, um, back into the, uh, into the working day, um, or rearranging shift patterns.

01:09:08:17 - 01:09:09:08

That way.

01:09:09:20 - 01:09:13:21

Okay. And will those shift patterns be agreed with the local highway authority?

01:09:16:06 - 01:09:27:16

Gordon Buchan on behalf of the applicant. So we can provide that level of information in the final construction traffic management plan, if that would help reassure all parties.

01:09:29:08 - 01:09:39:05

Um, I appreciate your expertise in here, but in terms of the county council agreeing those, would you be content for that to happen?

01:09:40:20 - 01:09:44:23

The answer to that question about yes is, is yes, we would agree with that document.

01:09:45:24 - 01:09:47:03

Okay. Thank you.

01:09:53:02 - 01:10:30:04

Okay. The applicant has included a requirement, uh, in the outline construction traffic management plan at paragraphs 5.4.1 and 5.4.5. Uh for highways agreement to um, the major junction works on the A15, and this measure will minimise traffic passing through the junction we just discussed at, um, during peak periods. However, the text in paragraph 1.3, 4.1.8 of the management plan still says based on these routes, it is not anticipated that any time in restrictions will be required.

01:10:30:16 - 01:10:39:16

Could a revised um management plan be provided to correct that, as I think that's probably been missed in the in the update?

01:10:40:03 - 01:10:41:03

Yes, we can do that.

01:10:42:07 - 01:10:42:24

Thank you.

01:10:45:02 - 01:11:01:09

Okay. Moving on to the highway improvement works at Gorse Hill Lane and Temple Road. Stroke B1 191. Um, has the County council reviewed the stage one safety audits that were provided for these junctions improvements.

01:11:04:01 - 01:11:13:21

But John Hunter, on behalf of the county council. Uh, yes. And the council has not got any concerns regarding the RSA, and I think that is covered in our response.

01:11:14:16 - 01:11:15:17

Okay. Thank you.

01:11:21:11 - 01:11:48:15

Okay. This is sort of touches on, uh, something we've touched on before in terms of whether things should be contained in the outline, uh, construction traffic management plan or in the draft development consent order itself, and whether the wording around the the junction should be included, um, in a requirement of the DCO itself. And I'll ask the second question was also in relation to traffic routes and numbers of movements on each link.

01:11:53:10 - 01:12:31:09

Um, the applicant in terms of the um, additional wording I think is referencing, um, the detailed the approval of the design of the works that are authorized by the articles in the order. Um, so the approach has been discussed with um Lincolnshire County Council and agreed. Um, both here and on,

on other projects, which is why we've taken that approach. Um, which we consider to be appropriate, I think the detail of the drafting and the way it's set out lends itself better to the management plan. Um, and there is certainty in that respect, given the need to comply with that approved, um, um, construction traffic management plan under requirement 14 three.

01:12:31:20 - 01:12:46:01

Um, and the powers and the articles and the order, obviously subject to the requirements and the plans approved pursuant to them. So, um, we think the approach is appropriate and I understand, um, that's agreed, um, with the county, but perhaps hopefully they can confirm.

01:12:46:16 - 01:13:03:19

Okay. I think my question will relate to comfort for both the examining authority and the Secretary of State, that ultimately the contents of the management plan wouldn't be altered before the final. During the drafting of the final version,

01:13:05:15 - 01:13:17:04

and if it was a requirement that wouldn't take place, and offer the Secretary of State sufficient comfort that that would be those assessed impacts would actually be adhered to.

01:13:19:06 - 01:13:55:04

I mean, I think the drafting is quite clear, and the approach in terms of the detailed setting up needing to be substantially in accordance with the outline is, is where the comfort is. That doesn't give you enough flexibility to just not do things that are in the in the outline. So if the outline has requirements in there that things need to be done and complied with, then that's the confidence and that's the approach in line with the drafting advice, but also just generally across easier drafting across the board really, which is why the approach is to have this management plan so you can have comfort that if there's a commitment in there, um, it will be complied with.

01:13:56:07 - 01:14:02:16

If, for example, the outline contract or the final construction traffic plan wasn't adhered to. What would be the penalty.

01:14:03:16 - 01:14:24:04

For this monitoring? Um, I mean, it's obviously perfectly the compliance with the requirement is, is, um, if we're in breach of that, that's an amount for a criminal offence which is enforceable against. And that also flows through to the terms of the CMP as well. Um.

01:14:25:23 - 01:14:38:08

Okay. And so it's exactly the same way in terms of whether it would be a criminal offence, whether it was a breach of the requirement or a breach of the actual final traffic management plan.

01:14:38:10 - 01:14:53:05

The requirement itself requires the authorised development to then be undertaken in accordance with the approved um construction traffic management. So if we weren't doing something that was in the approved plan, then that's then you're in breach of that requirement to be in accordance.

01:14:53:07 - 01:15:25:11

To a very similar situation. Was, um, found in sharing and dodging offshore wind farm around traffic, construction around the um, the cable corridor and the um, the anticipated traffic foot traffic movements on each link, um, were directly linked into a requirement to offer, uh, certainty to Secretary of State, um, and also to local people that those um, routes and movements would be fully adhered to.

01:15:26:21 - 01:15:28:07

I'm sorry, I didn't quite catch the name.

01:15:28:09 - 01:15:30:08

Sheringham and Dudgeon offshore wind farm.

01:15:32:12 - 01:15:43:16

Well, I mean, we can take that away and have a look at it, I think, is the point more that, um, the on the face of the order, it might confirm what will definitely be in the CMP rather than the restriction. Being on the face of the order is.

01:15:44:15 - 01:16:15:16

Um, yeah. I mean, I mean, obviously I was part of the panel for that one, so I do know it personally. Uh, and it did crop up that, uh, whether it should be contained in a requirement or, uh, the traffic management plan, uh, and it was determined ultimately by the czar, and the Secretary of State supported it, that it should be within a requirement to offer certainty to local residents that those impacts will, as assessed, would not be. Um, you know, uh, and route traffic wouldn't be using other routes. Um, so if you could have a look at that and maybe provide a response in writing, that would be useful.

01:16:15:18 - 01:16:49:23

I take the point that we can definitely take that away to have a look at. Um, I would reiterate what I've said in terms of the, um, ongoing the need to comply with the approved plan that that is, um, legally impossible as, as a requirement, as are all the, um, commitments in all the major plans, which I assume you could the argument could, could probably be made for many of the content of the management plan. Um, and that's sort of their approach. There needs to be some comfort that and that's why we draft the requirements in that way, that you can have confidence that everything in the management plan is enforceable.

01:16:50:04 - 01:16:50:23

I think especially.

01:16:51:00 - 01:16:56:15

Otherwise it's a bit of a where do you stop in terms of ending up with, you know, why Well, I have a management plan, I suppose.

01:16:56:19 - 01:17:15:01

I think the concern was, was that ultimately could things change slightly in agreement with the Highway Authority when the final draft was produced, which wasn't before potentially the the czar or

the Secretary of state? Whereas if it was in a draft of the requirement, it would be because that wouldn't be changed.

01:17:15:18 - 01:17:40:23

And that's why you have the the lock that's built into the discharge of requirement procedure in schedule 16. Um, so that to the extent there was any change, there would still need to be that confirmation that it wouldn't result in any material in new or different effects that are different to what's in the air. So that's where the sort of that's where the comfort comes in, in terms of that's the additional lock on the requirement, making sure that that exact situation doesn't happen.

01:17:42:01 - 01:17:48:00

Okay. I'd be grateful if you could have a look at the circumstances and provide a written response. Thank you.

01:17:50:09 - 01:17:53:05

Okay. Anything else Concern.

01:17:53:17 - 01:18:14:20

About the chemicals just said we understand the point. And, um, the county council will have no objection if it was drafted into the requirements instead. Um, I'm not sure I see the point that the out there there is the potential for variance between the outline plan and the approved plan. I have nothing else to add on that. Thank you.

01:18:16:04 - 01:18:27:17

Thank you. Okay. My next question was in relation to an update from Network Rail. Again, they're not in attendance. So um, I will move that to a written question.

01:18:27:24 - 01:19:00:21

So I would just refer to their, um, deadline one um, uh, written representation. I think it is where they confirm. Um, I was trying to find the reference 1099 where they confirm first in relation to al movements and then also into public rights of way impacts. Um, they have no objection on the AI's. Um, they say no objection in relation to traffic. routing, provided normal procedures are followed, and then similarly on the public rights of way, they say they no longer object on that basis in light of further information.

01:19:00:23 - 01:19:07:09

And I think it was a change to the public rights management plan met at deadline one. So if that's helpful in terms of their position.

01:19:07:13 - 01:19:15:04

Okay. Thank you. Okay. Moving on to, uh, cumulative effects. Um, the.

01:19:17:22 - 01:19:40:13

Revised modeling to include, um, movements from the Navy substation. Proposed substation was discussed the issue specific hearing one. And I thought it had been agreed that an assessment would

be provided at deadline one, but that wasn't included in the submissions of the applicant. Um, can I just ask why that was?

01:19:42:15 - 01:19:46:07

For the applicant? I'm going to, um, pass you over to Mr. Buchan to respond.

01:19:48:23 - 01:20:27:18

Yeah. Thank you sir. Gordon Buchan, on behalf of the applicant. Unfortunately, the information relating to the substation development is still under review by that that developer mooted the scheme and there was insufficient information in their proposals. Unfortunately that was available at present. Um, and not wanting to give you, um unrealistic or incorrect uh assumptions on vehicle movements, uh, because we were still lacking further detail on the site plan, construction methodology and construction program, we were not yet able to develop reasonable or accurate estimates, even in draft format at this stage.

01:20:28:07 - 01:21:13:06

We will continue dialogue with National Grid and will provide further details and the assessment as soon as the scoping report has been released. Um, and will provide that, uh, that information to generate the um, traffic flows and to advise you of what impact that would have. Um, I would say that the inclusion of further cumulative development would likely have the greatest impact at the junction of the A15 B1 202 junction. Um, as the applicant has agreed an embargo of development traffic at this junction, there would be no cumulative impact as a result of Nathan Peat coming onto the network at this most sensitive, uh, location on the network.

01:21:13:19 - 01:21:42:18

Um, the remaining junctions of the network are all operating well below their practical operational capability capacities. Excuse me. And as such, we don't believe that the addition of that traffic will have a significant effect. But obviously, we need to gain that further information to test that. Uh, to illustrate that for you. Um, but unfortunately, we didn't have sufficient information at that time, which we hope we would have had by now, but unfortunately, that was not available.

01:21:44:00 - 01:21:53:03

Okay. But it is anticipated before the close of the examination. you should be able to include some modelling work that includes the substation.

01:21:54:14 - 01:21:59:20

Gordon Buchan on behalf of the applicant. Yes, sir. That is my understanding. Be able to give you that information.

01:22:00:17 - 01:22:03:16

Okay, but that's likely to be after deadline three. Is that.

01:22:05:17 - 01:22:06:11

What you said

01:22:08:07 - 01:22:09:08

I did.

01:22:10:09 - 01:22:11:02

Forgive me.

01:22:13:11 - 01:22:15:06

Sorry. I'll hand back to Mr. Buchan.

01:22:17:00 - 01:22:37:18

Thank you sir. Gordon Buchan, on behalf of the applicant. I did listen to the the previous session, um, relating to Niven. I understand that there's further information coming out on the eighth, and we will prioritize that information to work out estimates and then rerun the modelling as quickly as humanly possible after that.

01:22:39:03 - 01:22:51:23

Okay. Thank you. And if that could be by deadline three, that would be fantastic. Um, if not, we'll probably ask a written question for deadline for uh, along with lines of my request that I've made today.

01:22:53:13 - 01:23:14:09

Can I ask in terms of, um, the revised community service effort that was provided by the applicant, a deadline to. Um, it's not clear how the Oda project has affected the cumulative assessment. Could you maybe provide an update on on that project and how it sits with the cumulative assessment at the moment?

01:23:16:14 - 01:23:56:12

Yes, sir. Uh, Gordon Buchan, on behalf of the applicant. Um, so when we've been looking at the other projects within the, um, within the, the the wider study area, we've been looking at the Oda project. Information on that scheme is not massively detailed. At the time that we undertook the, um, further cumulative review, but the Oda scheme seems to access from the A17, 17 for the main work site, um, and that the majority of that traffic would appear to be undertaking a, um, a west east flow rather than the north south, um, of the A15.

01:23:56:22 - 01:24:19:06

Um, we are committed to providing, um, a further updates on cumulative, um, issues as the, uh, the, um, the hearings progress. And if there are further information available on the and other schemes within the study area, then we can update that and advise you accordingly.

01:24:20:05 - 01:24:31:08

Okay. Thank you. And I did have the same question about the Nathan Bess application. Um, which has been uh, I think it was yesterday. Um, and whether that should be included to, you know.

01:24:33:21 - 01:24:57:07

Gordon Buchan, on behalf of the applicant. Um, so I think we are providing a full revision of the cumulative um schemes in terms of their potential impact, um, not just on transport, on on a variety of fronts. Um, I if I may defer to Miss Coleman, who could advise exactly when that, um, is scheduled.

01:24:59:22 - 01:25:04:19

With the applicant. Um, deadline for will be the update to the community assessment deadline.

01:25:05:02 - 01:25:06:12

Okay. Thank you.

01:25:09:04 - 01:25:44:23

Okay. Anything from the local planning authorities on, um, cumulative effects? Thank you. Okay. Thank you. Okay, we'll move on to public. Right of way in that case. Uh, and the first question is, the applicant made some changes at deadline one, uh, to sheet ten of the streets, rights of way and access plans, along with the illustrative layout plans and sections, um, include, which includes removal of some more hedgerow. Um, ultimately, the Ultimately, the change was the green line and solid blue lines have been extended slightly.

01:25:45:14 - 01:25:59:11

Um. The applicant has taken the view that that doesn't represent a change to the application. Um, are the local planning authorities have the same view, please? If I come to the county council.

01:26:01:08 - 01:26:11:10

John Hobbs, on behalf of the county council. So I think, in short, the answer is yes, but I have Mr. Andrew Fletcher, who is the public Rights of way and access manager to my left, who can respond in greater detail.

01:26:12:07 - 01:26:12:22

Thank you.

01:26:14:21 - 01:26:43:03

Thank you, Andrew Fletcher. And on behalf of Lincolnshire County Council, um, the two extended elements are minor changes just to ensure that, um, on one side, that the the proposed path exits opposite the entrance to another path. And the other element is to ensure that the permitted path can link to the proposed right of way that runs between Digby and Scott Wood.

01:26:44:03 - 01:26:45:00

Okay. Thank you.

01:26:51:23 - 01:27:25:20

Okay. In the county Council's Local Impact report, appendix B, set up some changes that, um, the county council considers are required to, uh, the public rights of way management plan. Um, and a revised plan was provided by the applicant at deadline one. Um, and, uh, I think in response to that, the county council noted that not all of its concerns have been addressed. I think it was paragraph 3.4.1, 3.4.4, 3.5.2 and plate 3.1.

01:27:26:06 - 01:27:30:00

Have those had any further discussion between the parties?

01:27:33:19 - 01:27:54:02

Uh, John, on behalf of the county council, as far as I'm aware, not um, I think they're largely drafting issues that haven't been picked up or omitted. Most of the points have been taken, but, so we weren't anticipating there would be any significant dispute over it. It was just points that seem to have been agreed but not transposed into the document.

01:27:54:09 - 01:28:05:17

Okay, there may be a hearing action for the applicant to consider those remaining changes for deadline three and if if you don't agree for any reason, just provide your explanation why.

01:28:08:22 - 01:28:14:12

It's come for the applicant. Thank you, I'm told. I don't anticipate any issues with that and that we'll be picking them up for deadline three.

01:28:14:14 - 01:28:15:12

Okay. Thank you.

01:28:18:14 - 01:28:47:09

Okay. Next question. Uh, the county council recommends that the draft DCO includes the dedication of the new public footpath and the dedication of bridleway rights along Scott Creek. 737 uh, this will then, uh, for the dedication into the wider legal event, to support the change of the definitive map and avoid the need for separate deeds of dedication. What the applicants reply to that request.

01:29:01:07 - 01:29:13:13

Sorry. So we might just need a little bit of clarification as to where the comments come from so that we can address it. It sounds like something I probably won't be able to address on the spot. Um, we might need to take it away, but if if there's a, um.

01:29:13:15 - 01:29:17:06

Okay, I know, I know, I haven't got the exact reference. Maybe the county council can.

01:29:21:16 - 01:29:28:08

Assume it's either the lawyer or it's the county council's reply at deadline two. It'll be one of those two.

01:29:39:21 - 01:29:47:01

Yes, Jonathan. Behalf of the county council, I think it's in appendix B of the air. The final comment

01:29:48:15 - 01:29:51:18

recommended DC includes the dedication of new public footpaths.

01:29:53:00 - 01:29:57:19

That's okay. Thank you. Yeah. It's the appendix to the council's earlier. Yes.

01:29:58:00 - 01:30:07:19

Thank you for that. It sounded like it might have been more to do with the actual mechanics. I think so. We can take that away and look at the. If it's a drafting point in the order as to how.

01:30:08:00 - 01:30:11:04

We can take it on to the previous, um, request.

01:30:12:02 - 01:30:12:19

Thank you.

01:30:13:24 - 01:30:28:06

Okay. Thank you. Um, that's one of the questions I have on transport. Um, I think we are due our morning break, so we'll have our break, and then I'll ask interested parties, uh, about transport related matters. Okay. We'll adjourn for 15 minutes. Come back at 11:45. Thank you.