

## Hearing Transcript

<b>Project:</b>	Fenwick Solar Farm
<b>Hearing:</b>	Recording of Issue Specific Hearing 3 (ISH3)
<b>Date:</b>	18 June 2025

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### **FULL TRANSCRIPT (with timecode)**

00:00:13:14 - 00:00:43:24

Hear me? Yep. Thank you. And I'd be grateful to someone from the case team can confirm that the live recording and live streaming has started. Thank you. Well, it's 10:00, and I would like to welcome you all to this third issue specific hearing on the Phoenix Solar Farm project. This hearing will focus on environmental matters. My name is Samantha Murphy, and I'm a member of the panel of the examining inspectors appointed by the Secretary of State to examine this application and report back with the recommendation.

00:00:44:23 - 00:00:47:22

Good morning. My name is Rory Cridland. I'm the lead member of the panel.

00:00:50:04 - 00:01:21:01

So now, before we go any further, I do have a few general housekeeping matters. As mentioned at the start, a digital recording is being made, and so it would be helpful if you could clearly identify yourself before you speak. This recording will be retained and published on the project web page of the National Infrastructure website. For five years following the Secretary of State's decision on the application. So can I ask to avoid referring to any information that you wish to be kept private and confidential? This hearing has also been live streamed on the internet.

00:01:21:21 - 00:01:54:03

If you participate in today's hearing, it is important that you understand that you'll be recorded and that therefore you consent to the retention and publication of digital recording. We are not expecting a fire drill, so if the alarm does go off, we should assume it's the real thing and we should leave immediately. There are fire exits at either end of this room, and the meeting point is outside near the pavilion. Can I please ask that you switch off or mute your mobile phones, unless you're using it to join the hearing online. And anybody also joining on Microsoft Teams to try and minimize background noise.

00:01:55:11 - 00:02:28:22

This hearing is a blended event, which means that some of you are attending in this room and some are taking part on Microsoft Teams. However, if you are attending and we will aim to ensure that everyone has an opportunity to put forward their points. Just a couple of other things for those joining via Microsoft teams. The chat function has been disabled, so please do not try to use that for questions or comments. You can use the raise the hand function at specific points in the agenda. When we invite general comments, and we will also give people who are not able to use that feature an opportunity to comment at any relevant time.

00:02:29:23 - 00:02:38:22

If you're watching the live stream, then please be aware that it will be stopped during any adjournments or breaks, and you may need to refresh your browser page to restart the meeting.

00:02:40:17 - 00:03:27:07

You will find it useful to have a copy of the agenda we published last week and available into hand. And for ease of reference, you can find a copy of that agenda in the banner on the project web page. And we also have some QR codes around the room. So I'm now going to ask certain parties to introduce themselves. Please remember to unmute your microphone when you speak and if you are joining via Microsoft teams and are comfortable to switch on your camera. When I invite you to speak, then please switch them off again when I move to the next speaker. We do have a roving microphone that is available for anyone in the room that we invite to speak who does not have a static mic microphone, and it's important that all contributions are made using the microphone, and that you introduce yourself each time you speak so that all contributions are captured for the formal recording.

00:03:28:05 - 00:03:33:14

So I will firstly turn to the applicant and who is and ask who the lead speaker will be.

00:03:34:24 - 00:03:47:09

Good morning. My name is Taylor Power. I'm an associate at Pinsent Masons and I'm the lead speaker for the applicant today. Although I know there are various members of the applicant team who will turn to at different points throughout the agenda.

00:03:51:22 - 00:03:56:06

Thank you. And do we have somebody from the City of Doncaster Council.

00:03:58:13 - 00:04:01:15

Good morning ma'am. Royce. City of Doncaster council.

00:04:04:21 - 00:04:08:16

Here. Do we have any other local authorities here present here today?

00:04:10:05 - 00:04:12:11

Do we have any other statutory consultees?

00:04:14:15 - 00:04:15:05

Sorry.

00:04:18:00 - 00:04:25:12

No. Do we have any other statutory consultees? Do we have anyone here present from the Burnett Heritage Trust?

00:04:26:11 - 00:04:29:03

Yes. Simon Mitchell from the Burnett Heritage Trust.

00:04:35:08 - 00:04:42:16

You. Is there anybody else here present in the room or on Microsoft Teams who wishes to speak? Who has not already introduced themselves?

00:04:45:11 - 00:04:46:02

No.

00:04:46:19 - 00:04:49:05

Hi, my name is Lucy Hill for the applicant.

00:04:50:20 - 00:04:52:14

Sorry. Could you repeat that again?

00:04:52:23 - 00:04:54:23

Hi, it's Lucy Hill for the applicant.

00:04:59:10 - 00:05:04:14

Thank you very much. Can I ask in which capacity you'll be speaking in today or which item?

00:05:05:03 - 00:05:08:24

Um, I've been asked to join regarding the cumulative waste assessment.

00:05:19:02 - 00:05:51:20

Thank you. So I will now move on to agenda item two, which is the purpose of this issue specific hearing. Uh, we've structured the hearing today so that you'll have an opportunity to raise anything relevant when we invite you to speak, please. Each time that you speak, give your name and your organisation you're representing. So it is picked up for the formal record. Please direct comments, questions and answers through us rather than directly to any other party. And one final point under this agenda item, subject to progress, we intend to take a short break around 90 minutes.

00:05:52:03 - 00:06:24:24

We may take a longer break for lunch if the hearing extends into the afternoon, and depending on progress, we may ask for responses to some of the questions in the agenda to be provided in writing, rather than here at the hearing. However, that may be subject to change depending on progress. So we will shortly go on to the main part of the hearing, and we will go through each item in turn. So. And can I also ask that the applicant provide a written summary of all the responses given today at deadline three, which is the 2nd of July, and also from any other party who speaks today.

00:06:25:01 - 00:06:33:03

They should also provide a written summary of points they make. So that finishes agenda item two. And I will now hand over to Mr. Cridland.

00:06:34:14 - 00:06:44:04

Thank you, Mr. Murphy. Um, the way this works, I'll take the first few agenda items, and then I'll hand back over to Mrs. Murphy, who will continue on the agenda. So, Miss Power. Oh, yes. Do come in.

00:06:44:06 - 00:07:10:07

Uh, hello? Power for the applicant. Um, I was just wondering, in respect of the order of agenda items. Our expert that is speaking to the landfill borehole. Matter which I think was a bit further down. The agenda is only available until 1130. So whether that could be moved up the agenda doesn't have to go first, but. That we could try and capture it within that first 90 minutes. Um, I'm not sure if that's possible.

00:07:16:23 - 00:07:43:06

But try to accommodate that. Um, so the first item on the agenda is the battery and energy storage system and the plume analysis. We've noticed that, um, the plume analysis hasn't been provided as part of the application and instead will be carried out as part of detailed design. Um, I am aware that different approaches have been taken on different solar schemes to this. And so we were just wondering why you've taken the approach that you have on this particular scheme.

00:07:44:21 - 00:08:00:02

Tailored for the applicant. Um, I will pass down to Gary Gray, who is Technical Director, Air Quality and Permitting at Aecom, and, um, can speak to the decisions around the plume assessment and why this approach is being taken for this project.

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

Thank you, Mr. Powell. Mr. gray?

00:08:02:24 - 00:08:03:14

Yes.

00:08:03:16 - 00:08:20:20

Gary Gray for the applicant. Um, I'll provide some context and then set out the reasons and do it in that order. Thank you. Um, so the the UK National Fire Chiefs Council, uh, guidance on grid scale battery storage systems. Um, I'm.

00:08:20:22 - 00:08:21:12

Sorry.

00:08:21:14 - 00:08:22:04

Mr..

00:08:22:06 - 00:08:23:19

Greg, but I ask you to move the microphone a little bit closer.

00:08:23:21 - 00:08:25:14

It doesn't seem that bad. Can you hear me now?

00:08:26:14 - 00:08:27:04

Yep. Yes.

00:08:27:15 - 00:08:58:03

Thank you very much. Okay. Yeah. The UK's National Fire Chiefs Council's guidance on grid scale battery energy storage systems is currently in draft. Um, due out this year. Identifies the need for a plume assessment, but it doesn't define what a plume assessment is. Um, the the Department of Energy security and net zero. Um also identifies value to assessing smoke plume impacts during fires as part of emergency planning.

00:08:59:03 - 00:09:32:18

That's its function. And that's within their health and safety guidance for grid scale electrical energy and storage systems. So establish good practice. Methods for risk assessments include consequence modeling of possible impacts. And this is distinct from the consideration of the likely worst impacts that we use within development control regime. Um, the safety approach is to model the worst thing that could theoretically happen. Um, and then however unlikely that is. And then to consider how to design and control it to, to reduce the risk to exposure.

00:09:33:01 - 00:10:08:03

And that's exposure mainly from the perspective of the individuals fighting the fire. That's where the focus sets, um, and they can report against um, Safety based exposure standards, but also against environmental standards such as air quality objectives and targets. Um, for a fire scenario, the consequence model would include a smoke plume calculation that's done using a very detailed modelling approach. This is usually computational fluid dynamics CFD or a CFD based consequence modelling package.

00:10:08:16 - 00:10:43:12

So it's a different element of software than we normally use for dispersion modelling. Example to calculate the short term maximum concentrations and the usefulness of these models is highly dependent upon the fine detail of the structures and the combustible materials present on the site and for that scenario. And it means that you basically need to wait until you know the final make and model of the device, the chemistry that's in it, and its physical layout on the site as it was definitely sitting.

00:10:44:07 - 00:11:16:14

Because it will change the answers that you get. So with that context in mind, a generic assessment has not been undertaken at this time for for the following reasons. A that over the last five years, the introduction of design standards and the availability of standard fire performance testing for individual battery modules, cabinets and whole containers, um, has become available. Um, so it's now possible to purchase a best system with an accreditation to such a standard.

00:11:17:15 - 00:11:31:08

Um, and you can evanesce it by demonstrating, um, that you've tested against one of those standards. So UL 9540A um is probably the most widely used standard at this time.

00:11:32:21 - 00:12:18:18

Controlling the likely magnitude of a fire event is the most effective means of minimizing the area that could potentially be affected by it. Um, and so you can reduce an area down to less than 100m. Primary purpose of the plume assessment is to inform the emergency services of the risks that may be present on the site, so that when they attend site, they can quickly plan their approach to managing the fire based on the weather at that time. Okay. Uh b the plume modelling would need to be repeated at the detailed design stage to incorporate the make and model, and it would be that version of the plume assessment that informs the final safety management plan, not any generic model done at this stage.

00:12:21:13 - 00:13:04:04

Uh c the Framework Battery Safety Management plan, which is app 205 uh paragraph 3.6.5, includes requirement to undertake that plume study um and considers visibility toxicity of impacts within the study itself and d the statement of common ground, which is rep. 1038. Between the applicant and South Yorkshire Fire and Rescue Service documents agreement on reference three for equipment being designed to limit fires to a single container confirmed through the use of UL 9540A test standards and reference.

00:13:04:06 - 00:13:24:03

For that, a site specific plume assessment study will be conducted once the specific battery technologies used in the scheme is confirmed. So in summary, the assessment will be undertaken, but the most appropriate time to do so would be post echo consent, with the adequacy of the plume assessment being determined by the fire authority.

00:13:26:17 - 00:13:27:19

That concludes my response.

00:13:27:21 - 00:13:50:13

Thank you, Mr. Gray. Um, you've given us four reasons. I think the one that I'm hearing, perhaps the loudest, is that the detailed design hasn't been decided yet. And so you're waiting to find out what the make up of the batteries are in order to carry out a plume assessment that is, um, more detailed and acceptable at that time. Is that is that my understanding? What is my understanding? Correct.

00:13:50:15 - 00:13:52:16

Yeah. Yeah. Yes. That's correct.

00:13:52:22 - 00:13:53:19

Thank you very much.

00:13:59:10 - 00:14:03:14

Does anyone else like to comment on the battery safety item on the agenda,

00:14:05:11 - 00:14:06:08

Mr. Sykes?

00:14:09:08 - 00:14:09:23

Thank you.

00:14:10:01 - 00:14:15:13

Sir. I would just be interested if I could just ask. Obviously, a lot of those matters that you have discussed there in terms of.

00:14:15:15 - 00:14:22:16

I'm sorry, Mr. Sykes, can I ask you to move that microphone a little bit closer? It may well be me and my hearing, but I couldn't quite pick up what you were saying.

00:14:22:18 - 00:14:24:20

Then you apologize. Can you hear me now, sir?

00:14:24:22 - 00:14:25:12

Yes, yes.

00:14:25:15 - 00:14:30:07

And I forgot to introduce myself. Roy Sykes, City of Doncaster Council. Uh, a lot of.

00:14:30:09 - 00:15:13:10

The matters that were just mentioned there, uh, where I would start by saying is that, from the council's point of view, fully understand the rationale that you need to have the detailed design. You need to know the model and so, so forth. Before then, you can carry out a meaningful air plume assessment. There were a number of matters that you discussed there about air quality, uh, road impacts. There's an emergency planning function. The council also have uh, quite a lot, uh, internal consultees in that regard. I would just be interested to know how the council would, uh, interact in this process from your point of view, in terms of an assessment being undertaken and how would we would we be involved in that? Thank you sir.

00:15:14:17 - 00:15:21:21

Thank you, Mr. Powell. We don't normally allow cross questioning, as you're aware, but I think that is a fair point. So are you happy to answer the question?

00:15:22:00 - 00:15:58:11

Yes, of course. Taylor power for the applicant. Um, as was mentioned, the plume assessment will sit in as part of the battery, um, fire safety management plan. And that's one of the management plans which the council will ultimately be signing off underneath the DCO requirements. So, um, we would anticipate the council has the chance to review a draft and then a final version of that plan and input into the outcomes of the plume assessment and any implications that has for the plan, which I think will probably deal with those points that you spoke to more in terms of traffic and air quality, etc..

00:16:01:18 - 00:16:11:04



And I can see how much power that the relevant planning authority must consult with the South Yorkshire Fire Service and the Environment Agency before determining an application under that requirement.

00:16:12:11 - 00:16:13:12

Yes. That's correct.

00:16:16:06 - 00:16:20:01

Thank you. Does anyone else wish to come in on battery safety?

00:16:22:12 - 00:17:06:17

Assessment? No. Okay. Thank you. Then let's move on to the next item on the agenda, which is biodiversity net gain as power. I did give some thought as to whether it was best to discuss this here today or yesterday, because there is a clear crossover with the development consent order. But we are where we are, and so we may have to revisit some of the points that we would have discussed yesterday. I think at issue specific here in one, we discussed the percentages or the lack of specific percentages being included in requirement seven. And then in answer to our first set of written questions, the applicants included some additional word in the Landscape and ecological management plan to make clear that 10% biodiversity net gain will be secured across all habitat types.

00:17:07:20 - 00:17:39:15

Since then, I'm going back to the East Yorkshire decision. Um, the Secretary of State has issued the decision on East Yorkshire and has amended requirement seven, which when I had a look, was almost identical to the one that we've got in this development consent order and it was amended to include specific percentages that had been referenced in the biodiversity net gain report. Um, And what I can tell most solar CEOs it contain the percentages in the biodiversity net gain report. There are 1 or 2 of the earlier ones that don't.

00:17:39:17 - 00:17:53:24

And there is the odd outlier within some of the more recent ones. But I would say the vast majority include the percentages with the exception of 1 or 2. They are the ones that are put forward by applicants in their biodiversity net gain reports.

00:17:57:05 - 00:18:13:23

I expect the starting point for the Secretary of State will be to insert the requirements from the biodiversity net gain report into the development consent order, and so what we need to understand is the applicant's position on why, if and why you consider those shouldn't be included for this particular project.

00:18:15:11 - 00:18:52:22

Yes. Thank you sir. Taylor power for the applicant. So yes, we we noticed the same change in the East Yorkshire solar farm decision. Um, and looking at the decision, I think there's some quite helpful explanation and the decision letter from the Secretary of State. At paragraph 4.22. Um, so I'll just read that out for your assistance in the meantime. Um, but what the Secretary of State said when it was explaining why the change was made to insert those specific percentages in is, um, it said the Exa has assessed the being achieved by the proposed development as one of the scheme's benefits.

00:18:53:00 - 00:19:34:22

The Secretary of State agrees with this assessment, and he has weighed it favorably in the planning balance to place such weight on this measure. The Secretary of State needs comfort that these percentages will be achieved, and to maintain consistency with previous consented solid echoes, the Secretary of State has amended requirements even to include the specific percentages of being that are to be achieved by the applicant. The Secretary of State has taken these percentages from the applicant's bag report. Um, so how we understood that explanation by the Secretary of State is that it was because the Secretary of State was taking into account the higher percentages as part of the planning balance and the weighting given to the benefits of the scheme.

00:19:35:02 - 00:20:05:03

That therefore, the requirement needed to capture the higher percentages directly within the requirement itself. Um, and I suppose the the difference or the the comparison the app can has in our case, as we've set it out so far throughout this examination, is that, um, our position has been that the percentage being applied to the planning balance assessment is the 10%, because that is the minimum threshold that the applicant is committing to meeting.

00:20:05:11 - 00:20:40:21

And while there are the higher percentages in the B and G report, um, that show where BNG would land based on a current calculation, those may change as a result of minor amendments and layout, say during detailed design or a change in the baseline habitat values between now and in construction. For example, if you know the there was existing habitat that was taken down or added in the meantime, that would all change the bag assessment between now and when the final bag assessment was taken at the point of construction.

00:20:41:09 - 00:21:15:22

Um, so it's on that basis that the applicant has committed at a minimum, the changes would ensure 10% bag across the habitat values. And it's that commitment, which is the benefit that is being assessed in respect of Benji for the planning balance. Um, and by comparison. So so that is the same approach which was taken in the gate Burden Energy Park order, um, which also didn't commit to the specific higher percentages within its requirement. Um, and then by comparison, other recent solid Ecos, I think cotton being one of them.

00:21:15:24 - 00:21:51:08

And clearly what's been applied in terms of East Yorkshire solar farm order, um, have sought to apply greater weight to their bag assessments using the higher percentages that their bag. Report came out with so that they can benefit from that additional benefit of higher. Bag commitments. Um, and therefore have reflected that within the requirements for the scheme. And so by comparison, the applicant has not sought that additional weight for the scheme. Um, but saying all of that, recognising the comments and 4.22 that the Secretary of State.

00:21:51:10 - 00:22:36:00

Would like percentages of bag to be included in the requirements directly so that their commitment is clear. Um, the applicant was going to propose to update requirements even at deadline three to. Um, secure that 10% commitment directly within the requirement itself so that it's clear. What the

percentage is to be taken into account. And the planning balance. There's no. Confusion about that. And so I think it would be seven two would instead now read the biodiversity net gain strategy must include details of how the strategy will secure a minimum of 10% biodiversity net gain across all relevant units as substantially in accordance with the methodology outlined in the framework Limp and must be implemented as approved.

00:22:36:16 - 00:22:52:01

So in a sense, we're taking we're suggesting somewhat of a hybrid approach, taking into account the Secretary of State's recommendation that the the specific percentages which are being assessed as part of the planning balance should be reflected in the requirements.

00:22:54:14 - 00:23:32:15

Thank you. Um, firstly, we'd welcome the addition of the percentages in the developer consent order. So thank you for that. And I think the 10% approach would accord with what was done in Sonica. If I understand, I think they put a minimum of 10% in the wording would probably be reflective of that. So that that's that's useful. Um, I suppose my, my next point is whether you're being ambitious enough on those percentages because your, your report does suggest that you can achieve 36.45 habitat units, 68 on hedgerow and 24 on watercourse units.

00:23:32:19 - 00:24:07:16

And so to reduce those down to 10% does seem rather unambitious. And whether there is some scope to push those higher so that you still have the comfort that things could change. But the Secretary of State also has the comfort that greater amounts of biodiversity net gain will be secured. I'm going to park that for a moment because my follow up point on that, or my next point on that, is how these things link in with the landscape and ecological management plan commitments. Because if I understand your approach correctly, the landscape and ecological management plan secures quite a lot of the mitigation that feeds into this.

00:24:07:18 - 00:24:21:22

So if you're going to commit to it in the landscape and ecological management plan to these larger percentages or these, um, this mitigation that will secure those percentages, I'm not sure we understand why you wouldn't go higher than 10% in any event.

00:24:23:05 - 00:24:57:22

Okay. Okay. The power for the applicant. Um, I will answer this in part, but I might also pass to, um, Mr. Neil Gates, who can speak more to that mitigation approach. Um, but yes, you're correct in that I suppose the, the overall context is that regardless of the percentage we're putting in the requirement, we're not backing away on the specific measures that have been set out in the framework lamp when it comes to the mitigation being placed around the site. I mean, obviously subject to detailed design and, you know, small changes that might be required as as the final layout of the site is confirmed.

00:24:58:09 - 00:25:10:19

Um, but the the general measures that are set out within the lamp are being committed to, regardless of the percentage that we put in the requirement. Um, but I'll, I'll pass over to Neil to speak to that in more detail.

00:25:11:06 - 00:25:28:00

And I think what we'd like to understand is if those percentages or something close to those percentages will be secured. In any event, why the applicant would resist committing to those percentages or would seek to commit to a percentage that is, in our view, significantly lower than those being put forward.

00:25:28:22 - 00:26:00:11

Yes, the power for the applicant. I think in respect of that question, probably it would be better for us to come back and writing in terms of what exactly we can or can't commit to, above and beyond the 10% when it comes to the requirement. But I suppose the point I was perhaps badly making was, um, that ultimately the commitment is being made regardless, via the commitment to implement a detailed limp in accordance with the framework limp. It's just a matter of whether it's repeated twice in the Beng assessment as well.

00:26:00:13 - 00:26:09:22

Um, but I take your point in respect of whether we can make those align more and we can I can discuss that with my client, but I'll pass over to Neil to speak to the limp in a bit more detail.

00:26:09:24 - 00:26:10:19

Thank you, Mr. Powell.

00:26:12:14 - 00:26:45:11

Uh, Neil Gates, the applicant, um, I think my colleague has answered most of the question really, but I think I would just add that all of the mitigation and enhancements which we rely on in the ecological impact assessment. So that's chapter eight of the ES and the the significant beneficial effects that we report off of that are all secured within the framework. So all of those habitat mitigation and enhancements are detailed and secured through that document. Off of that we then run the BMG metric.

00:26:45:13 - 00:27:17:24

And that generates the percentages which we report in the Biodiversity Net Gain uh assessment report, which is submitted as part of the application. Um, I think yes, we'll obviously take it away and look at wording around whether there are any further commitments that we want to provide on that. Um, but essentially the BNG is secured through the framework length. Um, so it becomes a little bit difficult in the requirements, putting a specific Percentage on those because then you're tied to delivering a specific percentage.

00:27:18:04 - 00:27:43:14

And obviously in reality, a couple of years down the line, the baseline may change. The metric may change. Uh, following detailed design, there may be slight alterations in terms of what's delivered, where in the quantum's of those, they all have minor knock on effects to the percentages being reported. So yeah, it's I think it's finding a balance. But the key thing to remember is that all of those mitigations and enhancements are secured through the framework.

00:27:45:03 - 00:28:20:23

Thank you, Mr. Gates. Um, and I think that just brings us back to my earlier point that if there's a keyword through the the framework lamp, um, whatever is why is it being reduced so significantly in the development consent order? Understand the point that you need a certain amount of flexibility in case items or specific parts of the design require, um, a bit of amendment here and there, but, um, 10% seems significantly lower than what's being committed to elsewhere. And I think having read the Secretary of State's decision letter on East Yorkshire, this is something that they'll probably need a bit more, um, explanation on.

00:28:26:03 - 00:28:27:08

Did you want to come back on anything else?

00:28:27:21 - 00:28:30:24

No, I think that's understood. And like I said, we'll take that away.

00:28:31:16 - 00:28:52:11

Um, the next point and I think this is a related point to to that, and it's how based on the 10% and I think we may have already answered this question or I suspect I understand, I anticipate what you'll say. Um, you you identify a significant beneficial effect in terms of, um.

00:28:55:17 - 00:29:14:10

Sorry. A significant beneficial enhancement has been established within the ES in terms of biodiversity and biodiversity net gain. 10%. Seems it seems interesting that 10% is being considered as a significant beneficial enhancement. I wonder if you could just explain how you've reached that conclusion, Mr. Gates.

00:29:16:15 - 00:29:53:20

We'll go to the applicant so I can answer it in terms of the receptors where we've reported specific, um, beneficial, um, significant beneficial, um, enhancements, effects from those. So yes, again, part of that is, um, due to the fact that we're taking land essentially out of agricultural production and creating quality grassland across various areas. Um, we're also sort of enhancing hedgerows, tree planting, scrub planting, etc.. Um, all of those have knock on benefits in terms of protecting and enhancing the long term, um, the viability of a number of habitats and species.

00:29:53:22 - 00:30:19:14

And those are all set out in I think it's table 815 in the S chapter. And the rationale behind that as well. Um, like we answered before, I think the BNG, the biodiversity net gain percentages are separate to that. So that is generated essentially from the measures set out in the framework length, the indicative master plan from that. Um, so yes, hopefully that answers the, the question.

00:30:19:22 - 00:30:27:13

And that was the answer I was expecting. So thank you. Thank you very much. But is there anyone else present who would like to come in on the point of biodiversity net gain?

00:30:30:18 - 00:30:31:15

Mr. Mitchell?

00:30:32:06 - 00:31:19:16

Yeah. Just like to say that the net would definitely welcome, uh, some increased percentages from the applicant. Um, and we'd, we'd be grateful to see also more specifics in the lamp. Um, because whilst there are some, some, uh, specifics in terms of proposed management, uh, the more detail that can be offered at this stage, the more confidence will have that actually those biodiversity net gain enhancements will be achieved. Uh, so things like a commitment to the level of, uh, stocking, uh, just a density per unit area or something like that would be helpful to give us, as ecologists, a kind of insight into the kind of level of management and the, um, the way that those commitments are going to be achieved.

00:31:20:06 - 00:31:26:20

Uh, and in doing so, we can then sort of buy into the what they believe is going to be the percentage enhancement.

00:31:27:21 - 00:31:36:18

Thank you, Mr. Mitchell. And just to clarify, are those things that you'd like to see in the framework plan, or are those things that you would expect to see in the detailed plan when it's approved?

00:31:37:12 - 00:31:53:13

Well, I mean, the earlier we can see them, the better, obviously. So whilst it might not be, uh, feasible to include them in the framework if even if some of them can be included at an earlier stage, that would increase our levels of confidence that these enhancements will be achieved.

00:31:54:03 - 00:32:02:21

Thank you. And my my final question is, Mr. Mitchell, um, have you provided details of what you'd like to see in the framework plan to us? I'm sorry if I'm if you haven't.

00:32:03:03 - 00:32:08:05

We we haven't. Um, that's going to have to be something that we provide as written documentation.

00:32:08:07 - 00:32:27:00

That's that's really helpful. Um, deadline three is coming up on the 2nd of July, and I know that's not too far from now, but if you were able to put some detail in and that will give the applicant an opportunity to consider those points during the course of the examination, and then we'll give us an opportunity to consider parties positions in respect of them.

00:32:27:09 - 00:32:29:17

Yeah, we'll try and get those submitted as fast as we can then.

00:32:29:19 - 00:32:32:19

Thank you, Mr. Mitchell. Do you wish to come back on any of that?

00:32:33:16 - 00:32:49:12

Uh, Taylor Powell for the applicant. Um, perhaps I would pass to Mr. Gates just to speak to the level of commitments and his position on, um, the extent to which we're committing to detailed commitments at this stage and the framework length and the appropriateness of where we've landed.

00:32:50:19 - 00:33:06:15

Uh, we'll go to the applicant. Um, yeah, we're happy to review anything, I think, which gets submitted. And then obviously we'll take a decision as to whether it's appropriate or proportionate to include it at this stage, or whether we feel that's more of a detailed final. Final position.

00:33:07:04 - 00:33:13:16

Thank you, Mr. Gates. Is there anyone else in the room or on Microsoft Teams that wishes to come in on this particular point?

00:33:19:07 - 00:33:23:05

In that case, I'll hand back to my colleague, Mrs. Murphy, who will take us through the rest of the agenda.

00:33:24:08 - 00:33:35:13

Thank you. So in the to cover the point you raised earlier, um, I propose then we move on to the question about boreholes now and then that can close that off, and then your colleague can leave.

00:33:35:15 - 00:33:36:21

Yeah. Great. Thank you so much.

00:33:36:23 - 00:34:10:13

Okay, so, um, my question on the boreholes is the Environment Agency commented at the relevant rep RR 003 that Thorpe Marsh Power Station is a permitted landfill and that the development could potentially impact the landfill monitoring boreholes. Your response at deadline one, which was 10131, said you had refined the grid connection corridor since the EIA scoping report and the preliminary Environmental Information Report found that the order limits no longer included the area of the historic landfill near Thorpe marsh Power Station.

00:34:10:20 - 00:34:20:23

So could the applicant confirm whether the order limits contain any of the monitoring boreholes that are connected to the Thorpe Marsh Power Station landfill site?

00:34:22:00 - 00:34:23:21

Katie Bruce for the applicant.

00:34:24:16 - 00:34:27:06

I can confirm that originally.

00:34:27:15 - 00:35:01:01

As we've just said in the scoping report, that the the area covered within the scoping report did include the landfill and all the boreholes. However, the cable corridor has been significantly reduced since that point. So the boundary that we're now looking at does not include any of the boreholes within that landfill site, and we have been provided with the information by the Environment Agency on where all the boreholes are and measuring those off.

00:35:01:09 - 00:35:18:08

The closest one that we have is a borehole MW1D, which is located approximately 530m west of the order limit, so they will not be affected by the cable corridor.

00:35:26:08 - 00:35:29:21

Thank you very much. That can that closes off that question. So thank you.

00:35:29:23 - 00:35:30:15

Thank you.

00:35:33:18 - 00:35:37:09

So I'll now move back up the agenda. Just bear with me.

00:35:41:09 - 00:36:12:12

So so I wanted to touch on, uh, hedgerows which would be the next item. So, uh, I know we touched on hedgerows yesterday at the, uh, issue specific hearing as part of the DCO. Um, but I wanted to have a bit more of an understanding about certain hedgerows listed, and they were listed in the agenda to help the discussion. Um, and these are the ones that are proposed to be removed as part of the project shown on figure 852 in annex two of the hedgerow report, which is app 150.

00:36:13:03 - 00:36:20:10

So could the applicant explain the approach that has been adopted for hedgerow removal and reinstatement across the order limits, please?

00:36:22:04 - 00:36:26:10

Uh, Taylor. Power for the applicant. This is one I'll pass again to Mr. Gates.

00:36:29:17 - 00:37:01:23

Uh, Bill gates for the applicant. Um, so, yes, in general, um, the scheme has sought to minimise the amount of hedgerow removal or damage, which is required, um, to develop them. Construct scheme. Um, however, inevitably there are sections which may need to be removed. Um, vast majority of those will just be for construction. Um, so there'll be reinstated following construction. Um, again, That's all secured and detailed in the Framework Landscape and Ecology Management plan as well.

00:37:02:00 - 00:37:21:09

So the most recent version of that is Rep 2042. Um, I think you mentioned a couple of specific examples. So I think we can probably have a look at those on the screen to benefit the rest of the people in the room. So I'll just let somebody bring those up for me.

00:37:38:02 - 00:37:38:17

Okay.

00:37:38:21 - 00:38:13:21

Yes. So this is um, in annex A of the hedgerow report. Um, so I think the figure reference is 852 for this one as well. If anybody wants to look it up. Um, so when we undertook the impact assessment and looked at the impact of hedgerows, particularly on the grid connection route corridor. Um, it was



very much a worst case scenario as well in terms of the maximum amounts which potentially could come out. However, in reality, uh, the amounts will be far less than reported and shown on the figure as well.

00:38:14:05 - 00:38:21:09

So if we wanted to start with H11 for a, for example.

00:38:22:24 - 00:38:27:23

Sorry, my colleague's just scrolling down to find that one.

00:38:35:05 - 00:39:10:12

So at the moment we're sharing a tiny section of hedgerow removal which is read on the plan there. Um, so this is needed for access along the grid connection corridor. So there will be some removal of hedgerows there, but it will only be temporary during construction and will be reinstated as per the reinstatement measures set out in the framework. Landscape and ecology management plan. Um, I think if we then move on to H115A.

00:39:22:06 - 00:39:49:06

So again, again, I believe that there is a small section here which is needed for construction access. Um, sorry. It's needed for access as well. And that one, I believe is to be retained post construction. So there will be a permanent loss, uh, in that section again, it will be minimised as much as possible. So the area is shown are very much a worst case scenario in that instance. Uh H115B.

00:39:52:23 - 00:40:06:20

So there's no it's no longer predicted that there is a requirement to remove any hedgerow along there. Um, horizontal drilling along that section of the corridor will essentially avoid any of the impacts upon that bit.

00:40:11:05 - 00:40:21:08

So I think we're looking right at the top of the screen there at the red sections. So not necessarily where the the numbering is on there, but further to the north.

00:40:22:23 - 00:40:31:02

So again there'll be non-intrusive measures I believe, to pass underneath the road there. And therefore the hedgerow will be retained as it is.

00:40:35:06 - 00:40:39:14

Uh the next hedgerow listed was H116.

00:40:40:10 - 00:40:59:19

Can I just ask you a question just to make sure that I'm following. So the the two red marks, the two red. If we could take the screen up a little. So the the smaller of those refers to one. One for a one, 15A. Is that right? And then the larger one is 115. B is just in terms of the annotation I wasn't sure.

00:41:00:22 - 00:41:06:13

Uh, no, I don't think that's correct. I can just scroll out a second on that one.

00:41:08:19 - 00:41:16:03

So the smaller read removal is 115A, and then the larger on the other side is 115.

00:41:16:05 - 00:41:35:08

Yeah. So on the. Sorry to close there. Uh sorry on the right hand side of the screen here. So to the east, uh, is a another one on the west is B, so. Yes. Yep. Correct. So there is, there is access required eastwards through a um but not through B.

00:41:36:20 - 00:41:37:10

Thank you.

00:41:39:07 - 00:41:52:06

I then have a question. So you said that 115B isn't needed because it's horizontal directional drilling. So going back to one one for a which on the arbor, a cultural, um.

00:41:54:05 - 00:42:08:12

Arbor. A cultural plan shows that's also for there's also. Horizontal directional drilling there. But you said there was. Going to be an access there. That's not a formal access point that's shown anywhere else on plans. I wanted just to check what access that is.

00:42:10:20 - 00:42:14:06

I'll have to refer back to colleagues on that one.

00:42:16:12 - 00:42:17:02

Uh,

00:42:18:13 - 00:42:36:24

for the applicant, I think that might be one we could confirm in writing as against the plans, rather than pulling up another set here. And I can confirm with the client team in terms of the design in that area, if that would suit or otherwise, maybe something we could come back after the break if, um, if that would help.

00:42:37:03 - 00:42:42:16

Yes. No, that's fine, thank you. Sorry, I have to carry on now. Thank you.

00:42:43:20 - 00:42:48:00

Uh, so moving on to 116.

00:42:55:23 - 00:43:08:18

Um, so again, I think it's marked as H116A, which is the small sort of section up the top there. Uh, again, there's no longer any need to remove that section of hedgerow as well.

00:43:28:05 - 00:43:44:20

Again, I think it sort of may benefit from just providing a short note, clipping these and providing a summary response as well, because obviously, referring to all of the numbers on the plan is probably slightly confusing for everyone as well. So we'll put it in writing for you just to make it clear.

00:43:46:08 - 00:43:49:22

So the next one which was referenced was H121.

00:43:55:20 - 00:44:23:23

So that's on the north side of the line there. Um, again, yes, there will be some access needed into the field to the north. Um, but in reality it won't be the extent shown on there. It will just be a, a access into that field. Um, so again, we've shown the worst case because I think it's unknown as to which section of that hedgerow may go into. Um, but it will be reduced obviously at detailed design.

00:44:29:03 - 00:44:34:22

And I think the final one which was referenced in the agenda was H132.

00:44:44:06 - 00:44:57:11

And the plan currently shows there are three possible locations of loss. Um, but again, on this one, I'm told there's no need for access into there. Um, and it will be directionally drilled through that section.

00:45:02:14 - 00:45:17:03

Thank you. You've answered all the individual questions I had. So, um, we we would, um, appreciate then it sounds like a 1011 will need updating to accommodate hedgerows that may no longer need removing. Is that correct? I understood that.

00:45:17:24 - 00:45:19:04

Sorry, I didn't quite catch that.

00:45:19:08 - 00:45:23:12

Um. No, no, not that the figure.

00:45:28:10 - 00:45:39:22

So. Well, is my understanding correct then that figure 852 will require updating the one that's in the hedgerow report to remove some of the hedges that no longer require removal.

00:45:40:14 - 00:45:53:12

Uh, Neil Gates for the applicant. Um, again, I'll defer back to my colleagues as to whether we want to update that figure, um, or whether it's adequate just to provide a bit more detail as to what's happening in that in those locations.

00:45:53:20 - 00:45:54:10

Okay.

00:45:56:00 - 00:46:37:21

And Taylor, power for the applicant. Um, one, I could also quickly confirm that 1114. if we scroll back up, having just spoke to colleagues. Um, but in terms of updating the figure, I think will

probably come back and writing on that just in terms of doing final confirmations of the locations and also any flexibility required. But, um, I think the general points that Mr. Gates were making is that based on current designs and understanding, we don't anticipate that these were examples of where we're showing a worst case assessment here, that actually the anticipated impacts will be much less, but potentially that worst case assessment still needs to remain in the.

00:46:37:23 - 00:47:09:01

Yes. Um, But to the extent we do have confidence now that those extents can be removed, um, well, we can look to update that figure. Um, and then I think the clarification that was made here in terms of one, one for a as you can see, there are two red marks on the um, screen there. So the I understand the one on the right hand side is required for access, and the one on the left is where the HDD will come through. So is likely no longer required for hedgerow removal if that makes sense.

00:47:10:09 - 00:47:19:15

So if I understand correctly one one for a the lower part that you mentioned and 1168, neither of those will be required for hedgerow removal basically.

00:47:20:23 - 00:47:22:10

Yeah. HDD can be used.

00:47:22:12 - 00:47:25:08

And I think that's the point in terms of updating.

00:47:25:10 - 00:47:26:22

The updating the plans. Yeah.

00:47:27:00 - 00:47:35:05

Um, not necessarily the whole report. But you know, if you put a plan in that removes those two, that gives us certainty that, um, they won't be removed.

00:47:35:22 - 00:47:42:01

Yes. I'll take that away with my client and we can update the plans at deadline three. Thank you. That's confirmed.

00:47:55:08 - 00:48:21:09

Thank you. I only had one other question with regards to hedgerows, which I appreciate. These weren't in the agenda, but at one point I'd picked up was in answer to one of your questions that, um, the EQC one, which is 1.6. 11 and it was to do with the hedgerows near Hags Lane. And um, my question is that hedgerows 883 and 96.

00:48:25:01 - 00:48:27:14

So yeah, just there actually in the.

00:48:29:15 - 00:48:44:15

Yeah. In the corner, just there in the bottom left hand corner. So outside the order limit those hedgerows are defined as important hedgerows, and I just wanted to have some clarification as to why. When you get into the order limit, why they're no longer important. Hedgerows.

00:48:49:02 - 00:48:56:04

Uh, Neil Gates for the applicant. I might have to take that away just to cross-reference the various documents to understand that.

00:49:02:22 - 00:49:09:11

Thank you. So, does anybody else in the room have any, uh, anything they wish to raise on the matter of hedgerows?

00:49:11:05 - 00:49:11:20

Yes.

00:49:13:21 - 00:49:26:20

City of Doncaster Council. Just to comment, ma'am, just to say that the council welcomes the retention of hedgerows previously shown as in a worst case scenario, as being removed. So that's a, that's just what that's been recorded. Thank you.

00:49:27:02 - 00:49:58:22

Thank you very much. Okay. No one else has anything to add on hedgerows. We'll move on to, uh, landscape. So this is a question for the city of Doncaster. Um, I wanted to ask, do you have any outstanding concerns that you wish to raise with regards to the applicant's assessment or conclusions on landscape and visual impact? Further to the submissions made at deadline two, which was chapter ten Landscape and Visual Amenity figures one dash 6 to 110 and appendix ten to and ten five.

00:50:03:02 - 00:50:39:20

By City of Doncaster Council. Thank you ma'am. Uh, to confirm, there are no outstanding concerns in relation to the applicant's assessment and conclusions of landscape and visual impact. The methodology and assessment of impacts has been agreed following additional subject matter discussions between the Council's landscape advisers and the applicant team's landscape team, uh, in order to acquire some additional clarity that has come forward. And we have accepted that, and they've all been confirmed to, the examining authority in our response to your written questions at XQ1.

00:50:39:23 - 00:50:43:22

And also, importantly in the latest statement of Common Ground. Thank you ma'am.

00:50:52:01 - 00:50:55:17

Thank you. So I'll now move on to transport.

00:50:57:17 - 00:51:29:14

Um, so I have some bits to say and then we'll come on to the questions. So, uh, I would like to understand, um, the types of vehicles that are going to be proposed to be accessing the grid connection corridor during the construction phase. This is because I've noted in answers to the questions

provided, um, to EQC. One document reference 2059 that it refers to heavy goods vehicle movements accessing access points along the grid connection corridor.

00:51:29:18 - 00:52:05:18

These being three inbound and three outbound, for example. I answer to question 1.11.15. But then in answer to question 1.1.2, it says the only vehicle is accessing the grid connection corridor B tractor trailers, cars or vans. And these would be three inbound and three outbound. And these are included in the 18 inbound and outbound overall HGV movements. So it seems that this document and the answers given seem to interchangeably refer to heavy goods, vehicle movements and tractor trailer units accessing the grid connection corridor.

00:52:06:07 - 00:52:37:10

And I just want. And so then the use of tractor trailers and I do appreciate the shown tractor trailers are shown on the swept pathways of the construction traffic management plan, uh CMP document AP 206 and AP 207. So what I was after is, uh, could the applicant explain when heavy goods vehicle movements in the traditional sense of an Arctic lorry, not tractor trailers would be using the grid connection corridor. Why? Where they would be going and which access points they'd be using.

00:52:40:02 - 00:52:47:12

Taylor power for the applicant. I'll pass over to Mr. Chris Carter, the technical director at A.com, and can speak to this question.

00:52:49:08 - 00:53:19:21

Uh, Chris Carter for the, uh, for the applicant. Um, firstly, ma'am, apologies. Apologies for any confusion that we have caused. Um, the I suppose the the the simplest way for me to try and explain this is that heavy goods vehicles are a very general term for large vehicles, and tractor trailers are a specific term. So the tractor trailers, the three in, three out tractor trailers are assessed within the HGV numbers. So in some cases we've been specific with calling them tractor trailers.

00:53:20:00 - 00:54:02:21

In other cases we've referred to them more generally as HGV as HGV in terms of the um the number of your your classic, uh, 16.5m artists and they will not be used to to to access the good connection corridor. Um, the um the in terms of accessing the grid connection corridor, um, you will have, um, three tractor trailers in and three tractor trailers out, um, per day. Um, and that is to, uh, to, to carry materials such as um, cable drums, um cements and um, ducting material, uh, and other elements, uh, such as that too.

00:54:02:23 - 00:54:14:24

Um, and those will access every access along the cable, um, along the cable corridor. But the, um, the, the artists will only be accessing the main solar, um, solar site.

00:54:31:07 - 00:54:44:17

Thank you. And can I just check them? Because one of the, um, I think the ATC drawing that came in at deadline two said three heavy goods vehicles going along the grid grid connection corridor, so that that means the three tractor trailers.

00:54:44:20 - 00:54:50:09

Those those specifically are the tractor trailers within the overarching HGV, uh, envelope.

00:55:00:18 - 00:55:11:14

And so based on just tractor trailers, could you confirm then that how equipment for the horizontal directional drilling would be brought along the grid connection corridor.

00:55:12:03 - 00:55:45:16

So the HDD, um, so as again referring back to the um, the, the HGV envelope, um, in terms of an HDD drill, that's one drill that, um, that arrives at the start of construction. Stays on site in situ for the whole construction period. Um, and that, um, and that vehicle is, um, is significantly smaller than the tractor trailers. Therefore it's within the overarching tractor trailer number because it's effectively one in, one out over the course of the entire construction grid connection, corridor construction.

00:55:48:18 - 00:56:14:15

So it would commence. So if I, if I understand this correctly. So it would commence in the site. So in the solar PV site. So it will be in the grid connection corridor, but it will be north of access point one. So it would be north of Moss Lane. And it will start at that point. And then just work its way down. And you wouldn't necessarily need a piece of equipment moving along the corridor per se on a tractor trailer.

00:56:16:10 - 00:56:47:09

So the drill the drill itself is a vehicle. Um, and um, it's yeah, it's, it's on wheels. The drill. Um, and we wouldn't. We're not specifically committing to starting at one end and moving to the other end. In which way around that we do it. But clearly, you the way you construct with connection corridors is you, is you. You drill, you pull the cables through, you drill, you pull the cables through. So you you move in sections. So it will it will likely start at one end and move to the other.

00:56:47:11 - 00:56:51:10

But that's not something that we're specifically, um,

00:56:53:02 - 00:56:56:05

defining at this stage because it's too early in the design process.

00:57:12:21 - 00:57:19:10

So if you just bear with me, there was one just based on what you said about the Beno Arctic's, there's just one,

00:57:21:04 - 00:57:37:17

I One camp swept past drawing. I think it's right at the bottom, they thought. Power station. That does have it up. Arctic is shown in a swept path, and I just want to check that that is the only ones that are going to be down at that point. I just need to find the drawing.

00:57:53:19 - 00:57:58:15

The drawing you're looking for is the at the very end of the CMP party.

00:58:09:22 - 00:58:18:03

So in that respect, those three that are that drawing that's shown at the bottom, that would be the that would be the only time that Arctic ice would be going.

00:58:20:07 - 00:58:22:01

Along the grid connection corridor.

00:58:47:06 - 00:58:57:16

I think I will, um, I will have to respond to that separately in writing. Um, to just seek clarification from, um, from our engineering colleagues.

00:59:11:11 - 00:59:48:19

Thank you. That concerns about the connection corridor questions I had. So I just have one other question, which is regards to Lawn Lane and access is 12 and 13. And in answer to the question it said that which was ten, one point 10.7 to written questions, it said that it was expected that 50% of 250 workers would be would need to cross Lawn Lane between access 12 and 13 over the course of a working day, but these would be transported by a minibus. However, in answers to questions 1.1.9, it said minibuses would leave the site between 6 and 7 in the morning.

00:59:48:21 - 00:59:58:24

So I just wanted to understand are there minibus? Are some minibuses staying on site during the day, or are they all leaving? Because I was just a bit confused what was going? I just need to understand that.

00:59:59:17 - 01:00:34:22

Okay, so I understand. Sorry for the applicant and the way my understanding of the way these this is likely to work is that some is the minibuses will arrive at the site with the with the workers on and then some of the minibuses within that same kind of 6 to 7 period will then be used to to transport those workers to the other part of the site, and then they will leave, um, within that same, within that same period, and then they will come back later in the day.

01:00:35:08 - 01:00:52:02

Um, but I think the suppose the, um, the key point here is that we, we have assessed all the minibuses arriving and all leaving. If some of the minibuses stay on site as a matter of operational detail, then that's still within the Rochdale envelope.

01:01:08:22 - 01:01:17:02

Thank you very much. So I'd just like to ask if, um, anybody else in the room, uh, has any questions or points to raise on this matter?

01:01:18:17 - 01:01:19:22

No thank you.

01:01:24:07 - 01:01:58:05

So I'd like to now move on to, um, air quality, if that's okay. So, uh, in answer to our first written questions, we asked the question one point. 13.28, which was regards to the different PM 2.5 targets



interim planning guidance. The interim planning guidance said that pending the publication of new guidance, applicants are advised to provide evidence in their planning applications that they have identified key sources of air pollution within their scheme and that they have taken appropriate action to minimise emissions of PM 2.5.

01:01:58:19 - 01:02:29:17

So I note the answer to the question. 1.19.28 uh, was the exposure to PM 2.5 has been considered through the application of existing air quality standards, particularly for those, uh, sorry, Particularly those for Pm10 and no. Two, which account for PM 2.5 due to overlapping sources and particle sizes, and that by ensuring air quality objectives for no. Two and Pm10 are achieved, it can be concluded that target values of PM 2.5 will also be achieved.

01:02:30:04 - 01:02:49:19

So I'd like so, given the intention of the interim guidance is to ensure specific consideration of PM 2.5. Can the applicant explain how targets for Pm10 and no two are comparable, and can act as a proxy for PM 2.5? And what mechanism allows this.

01:02:51:13 - 01:02:52:03

Taylor power.

01:02:52:05 - 01:02:55:19

For the EP? And I'll pass to Mr. Gray again on this question.

01:02:57:07 - 01:03:39:19

Can I gray for the applicant? Um, if it's helpful, I can simply provide that evidence in the form required from from different guidance. Um, which is quite concise. Okay. So, um, in the guidance, um, at the moment, which is interim guidance, um, it advises um applicants to provide evidence in their planning applications, and it provides two headings against which to do so. Um, so the first of those headings is that the scheme has considered exposure to PM 2.5 when selecting the development site, um, the guidance being primarily focused towards urban regeneration but applicable to all types of development.

01:03:40:20 - 01:04:25:24

So in terms of that item, uh, a we have selected a location in a rural area with a low population density and with a large offset from the areas of work to the nearest residential, healthcare or educational properties. Be selecting a site with low levels of PM 2.5 and precursors where agricultural activities are the main baseline source, and see recognising the inherently very low levels of emissions of PM 2.5, and precursors associated with the operation of the scheme, and seeking to minimize construction phase exposure through good practice control measures secured through the Framework Construction Environmental Management Plan 2029

01:04:27:12 - 01:05:19:04

and the other item required was that the scheme considers actions and or mitigation measures to minimise cumulative PM 2.5 exposure from development um for development users and nearby residents, and we've achieved that by managing scheme related um road vehicle movements through the Framework Construction Traffic Management Plan, which is App 206. By managing emissions

from non road mobile machinery and construction works through good practice measures included in the Framework Construction Management Plan and also most exposure of PM 2.5 is associated with the background contribution of emissions undergoing long range transport, and by producing electrical power from renewable sources.

01:05:19:06 - 01:05:26:07

The scheme will reduce the regional PM 2.5 and precursor emission footprint from the national grid.

01:05:32:06 - 01:05:57:03

Thank you. Do you sort of have that submitted, um, in writing? Because, um, going back to my question about the answer that was given in the in response to written questions where it said about targets of Pm10 and no. Two being comparable, um, and being used for PM 2.5. How I'd just like an explanation of how those, um, yeah, how they're comparable with PM 2.5.

01:05:57:07 - 01:06:23:21

Yeah. Um, it comes down to the, to the fundamental point that, uh, Pm10 and PM 2.5 aren't substances. They are size Categories, and the PM 2.5 uh size fraction sits within the Pm10 one, so any measure that uh controls the Pm10 emission is at the same time controlling a PM 2.5. We just haven't written it out separately at every at every point.

01:06:27:21 - 01:06:50:09

So I do wonder how does that align with the guidance which asks for specific consideration of 2.5? Because if we take what you're saying on that last point, it seems I, I just can't, I suppose, reconcile in my own mind why Defra would issue guidance. To say specifically, consider 2.5 if you can already consider it within the 2.10.

01:06:50:24 - 01:07:39:11

Um, I my my understanding is that by moving away from air quality objectives to starting to have target values, the whole basis by which it's assessed and tested has changed. So longer term, um, Defra will be assessing whether or not the the target values have been achieved at specific monitoring points within the country. There's no requirement for local authorities to include it directly as part of what they measure within local air quality management, and therefore to document that that move towards reducing PM 2.5 is, is is actually occurring that the the requirement for developers to note it is a way of documenting how it's being actioned.

01:07:39:13 - 01:07:40:05

You see what I mean?

01:07:41:22 - 01:07:47:11

More of a wider policy position than a project application specific point.

01:07:51:10 - 01:07:52:05

Thank you, Mr. Craig.

01:08:01:03 - 01:08:07:06

Thank you that that answers that question. Does anybody else in the room wish to comment on. Air quality at all

01:08:09:05 - 01:08:10:02  
or online?

01:08:12:15 - 01:08:52:24

Thank you. So I'll move now on to the. Decommissioning framework. Decommissioning environmental management plan or dump. Um, so I've noticed that there are a number of documents that are referred to throughout the dump. And I'd just like to understand their status in relation to the dump and whether they would be submitted alongside it or delivered at another point in time. Um, so if it's okay, I'd like to take each document in turn just so that I have some clarification. So the first one is the decommissioning traffic management plan, which is referred to paragraph 2.6.2 of the dump says it will be developed by a contractor prior to decommissioning, in consultation with the local planning authority.

01:08:53:13 - 01:09:08:17

So can the applicant explain or confirm how the TT MP would interact with the dump? So, for example, is it an annex to the dump and would come in with it, as there appears to be no trigger for this document to be submitted or provided?

01:09:12:22 - 01:09:18:10

For the applicant? I'll. I'll assist on this one. Um, so the

01:09:20:04 - 01:09:50:16

the section I, I suppose to answer in terms of time frames and triggers for all of the documents, and then we can work through each of them in terms of their current status. Um, the intention is that they would all be prepared as part of the preparation of the detailed dump. And there's reference in a general manner in section four of the framework, which talks about there being a suite of complimentary environmental plans and procedures and those building on the procedures and the framework and being outlined in the detailed.

01:09:50:23 - 01:10:24:01

So I think the intention within that section is that they'll be appended to will be part of the final detailed. So the trigger, the time point by which they would need to be completed, including the decommissioning. Traffic management plan would be by the completion of the detailed map, in accordance with the requirement for the detailed EMP. Um, and then specifically speaking to the decommissioning traffic plan. Um, there isn't football for many if not all of these these sub plans within the there isn't a framework version of them necessarily.

01:10:24:12 - 01:10:54:08

Um, but the intention, at least with the decommissioning traffic management plan, is that it would use the detailed construction traffic management plan that had been prepared at the construction stage and obviously update that given the context of, you know, some 40 years having passed in between, um, for decommissioning and the current context of traffic at the time of decommissioning, but the

intention would be to build on any learnings that had been picked up from construction, construction, traffic or operational traffic management.

01:10:56:09 - 01:11:32:23

Thank you. So then based on what you said about because then there is a, there is a suite of documents in the document. So I will quickly I'll go through them, I won't ask, I won't go ask in detail for each one. So one was the biosecurity plan which is in table three, the soil management plan in table ten, the decommissioning waste management plan in table 12, and the dust management plan in table 14. Um, and then in addition to that, there's also other ones that would be part that explicitly say they're part of the Dem, which is emergency response plan, tree protection plan and matters with the right of way.

01:11:33:00 - 01:12:09:17

So if I've understood you correctly, all of those documents I've just listed would be part of the dump. Yes. Yeah. So based on that, I'm going to ask that all the documents I've listed that are due to come in and accompany the dump, the specifically listed somewhere else, rather than being sort of embedded throughout different tables of the document. And that could be, for example, listed either in section four or a subsection before in section three, before the tables, so that it's clear to the reader what the dent contains or how wide it will.

01:12:09:19 - 01:12:14:20

You know, it's um, I can't think of the word, but yeah, what it will contain that would be acceptable.

01:12:15:06 - 01:12:25:17

Yes. Taylor power for the applicant. Um, I'm sure that would be acceptable. So we can make that update for deadline three and have a table or a list of all of the sub plans at some point within the document.

01:12:36:22 - 01:12:44:13

Okay. Uh, I just want to check if anyone else got any comments on the the damp at all in the room or online.

01:12:47:07 - 01:13:03:03

So, um, and I just want to cover a couple of points that I appreciate went in the agenda. Um, so the first one is to do with chapter 14, Other Environmental Topics and table 14 two five, which I believe can be brought up on the screen.

01:13:09:06 - 01:13:32:17

It's a very quick question. Yes. This one. So, um, we asked for clarity about this table at first, written questions about the waste being generated, um, for the scheme. And in response. Uh, it said that there were specific units within the table. Um, but the clarity I just want to check is if you go down to the next page.

01:13:35:12 - 01:14:08:15

That's it. If you just stop there, I just want to check because of is to confirm that the rows that are beneath that green row. Absolutely. The rows beneath the green row that they should be read as the

units written in, not where it says As above, where it has total and then it has PV panels and tonnages. And that that's just a formatting issue with the page and nothing else. And it should be read that the figures beneath.

01:14:08:17 - 01:14:21:01

So for example total total waste from cumulative developments meters cubed is to be read as meters cubed and not as PV panel to waste tonnes. Does that make sense?

01:14:21:15 - 01:14:44:14

Yes, that makes sense. Taylor power for the applicant I might pass to I think we have Lucy Hill from A.com on the call that could speak to this, but I, I agree, I can see what you mean is and whether it's the tonnes and meters cubed on the side or whether it's the tonnes across the top that we're talking about. Okay. Do you understand that question, Lucy?

01:14:45:04 - 01:14:51:18

Yes, I do, uh, Lucy Hill for the applicant. Um, yes. That is the case that, um, the information.

01:14:51:20 - 01:15:03:17

On the left hand side is applicable to anything below the green section. And in hindsight, we'd probably have that a separate table, um, in future applications. Yes, that is the case. Thank you.

01:15:14:16 - 01:15:48:21

Thank you. That's all I needed to confirm with that one. So then my last, um, question for this agenda item is about the Environmental Commitments and Mitigation Register. So we noticed an answers to first written questions. 11 1.11.23, 1.11.24 and 1.11.25 that the applicant acknowledges there is duplication of text, missing text, or incorrect referencing to requirements. Can the applicant confirm when an up to date version of the Environmental Commitments Register would be provided to address the questions These.

01:15:49:07 - 01:15:50:18

And these variances.

01:15:52:16 - 01:15:59:05

Pale for the applicant. Yes we can we can provide an updated version of that register at deadline three if that would assist.

01:16:27:14 - 01:16:36:23

Thank you. Um, so does anyone else within the room wish to raise anything or have any comments on this agenda item at this point in time?

01:16:39:05 - 01:16:55:18

No. So, um, we will now then move on to agenda item number four then. So is there anyone present who wishes to comment on any other aspect of the development, consent, order, or raise any matters that have not already been covered today?

01:16:58:14 - 01:16:59:24

Mitchell. Uh.

01:17:01:18 - 01:17:42:20

Hello. Simon Mitchell, on behalf of the Burnett Heritage Trust. Um, and first of all, I apologize if any of these matters that I raise have been addressed in subsequent documentation, and I've kind of missed it. We are quite a small charity with a fairly limited capacity to pore through all this documentation. So my apologies in advance if any of this has already been, uh, addressed. Um, one thing we'd like to, uh, just query and it's probably more a query for the examiner's, uh, is that, uh, through our statements of common ground between, uh, both the applicant and ourselves and the applicant and the Yorkshire Wildlife Trust.

01:17:43:17 - 01:18:28:03

Um, we have um, asked whether the area around Tottenham, uh, at the north east of the site can be considered as a as if it were a AC. Um, we've submitted documentation to Natural England, uh, to try and, uh, achieve triple AC status. And the reply we've had currently from Natural England is that they don't have the capacity to make any of these, these assessments. So Natural England's position on this, at least to our understanding, is that not that the site is not of triple C quality, but rather that they do not have capacity to designate new triple C's at the moment.

01:18:28:17 - 01:18:44:03

Uh, I would also point out that the ecological quality of that site has been made very clear by both Y, W, t and bt to the applicant from the very beginning, from the non-call from the non consultation period.

01:18:45:17 - 01:18:57:10

And whether or not it has this official designation of ASC, it, I think, should have been given more attention in terms of its biodiversity value and the potential effects.

01:19:01:09 - 01:19:43:09

Um, the second point is that we are still somewhat concerned about the impact on ground nesting birds. Uh, we've seen the the applicant's responses to our previous mentions, but, uh, my question of the, of the examiners is as to whether these meta populations of important species like marsh harrier and Eurasian curlew, uh, are going to be considered functionally part of the Humber Estuary Ramsar spa, uh, since these they effectively function as meta populations where in the case of marsh harriers, they winter within the DCO but do not breed there.

01:19:43:11 - 01:20:20:11

We're fully accepting of that. And and the assessment from Aiken. Um, but that still means that there is a loss of important wintering habitat for birds that breed within the Ramsar spa. In the case of Eurasian curlew, there's a breeding pair on the site which is now also acknowledged by, uh, Natural England, and that that forms part of the wintering population within the Humber Estuary. So again, there are important considerations in terms of what the effects are on populations within the Humber Estuary, uh, of ground nesting and ground feeding birds.

01:20:21:08 - 01:20:32:10

Uh, and only a few, a handful of species, admittedly. But we are concerned that without appropriate mitigation, there could be impacts here that aren't being considered on the Ramsar SBA.

01:20:38:04 - 01:20:42:23

Mr. Mitchell, um, you'll have to remind me, but have you proposed a certain type of mitigation?

01:20:43:14 - 01:20:53:02

We've asked that, uh, additional, uh, areas remain on panel and be, uh, designated as kind of, uh,

01:20:54:16 - 01:21:13:23

used for some level of ecological restoration, which would provide, uh, greatly enhanced feeding opportunities for both those species. The problem is that they're both species that require a long line of sight. So there is no, uh, possibility to, uh, have them within panel areas.

01:21:15:19 - 01:21:30:09

So what we've requested in, in some of our representation is that I think about, uh, 30 hectares at the northeast of the site remain, um, paneled, uh, with some additional ecological mitigation.

01:21:30:12 - 01:21:34:23

And those 30 hectares under the applicant's proposals are paneled, just like.

01:21:35:00 - 01:21:39:02

Yes, currently their panel by the applicant. Yeah. Thank you. Um.

01:21:41:23 - 01:22:01:12

I'll just double check whether I think it was. Anyway, in our written representation, we have the exact figure, but it was around that source. And we also think that, like given the scale of the site, that's not an unreasonable request. And it's actually in keeping with, uh, a lot of other similar solar infrastructure projects.

01:22:03:04 - 01:22:28:24

Uh, notably, Cleeve Hill has a far larger area of ecological restoration area, uh, designated for um priority species feeding areas, uh, adjacent to a Ramsar site. So the distance really to the Humber Estuary Ramsar shouldn't matter, given that this is functionally a meta population of marsh marsh harriers and of curlews.

01:22:33:04 - 01:22:41:08

And, Mr. Mitchell, I understand that Natural England's position doesn't necessarily align aligned with the trust's position on the functionally linked land. Point is on.

01:22:43:05 - 01:23:21:20

My understanding of Natural England's position, is that the appraisal of. Functionally linked land was taken in small parcels, and that that was not appropriate. Um, and I would have to refer back to the documentation, uh, and probably comment to you afterwards. But our reading of of what Natural England had said in response is that they were not, uh, fully satisfied that, um, the impact on the Humber Ramsar Spa had been properly mitigated.

01:23:23:02 - 01:23:24:01

Thank you, Mr. Mitchell.

01:23:27:17 - 01:23:58:12

Um, if I could make one further comment as well. Uh, just regarding and this is perhaps not a, uh, a comment about the the way the applicant has gone about something, but it's in regard to biodiversity net gain more broadly. Um, which is why I didn't want to raise it specifically in response to their approach to biodiversity net gain. But I would just like to make clear for you, ma'am and sir, that biodiversity net gain is, uh, whilst it's being widely adopted. It does.

01:23:58:17 - 01:24:33:15

I think you ought to be mindful. It does have some inherent problems. It's a very broad brush approach, which is about just the the status of a grassland. Right. So it's not actually assessing anything about species composition. And in any situation there'll be there'll be winners and losers. So there are there are two issues surrounding that. Firstly that because none of this is mandated for more than 40 years, uh, the life of the scheme, essentially any ecological changes are creating two completely separate perturbations.

01:24:33:17 - 01:25:05:22

Right. So you, you lose the curlews when you put the panels down, but you gain a lot of other species because boom are doing excellent biodiversity offset. But then if that all reverts after 40 years, all you've done is have two events where everything is kind of thrown into turmoil, uh, and without some kind of either, um, additional mitigation or something that's preserved in perpetuity. It's the, the, the position of both the Burnett and the Yorkshire Wildlife Trust that

01:25:07:15 - 01:25:32:13

you don't really achieve a net gain unless you can do something additional. So, you know, the legislation is meant we are not in, in, uh, context of that, but we believe that, you know, unless something additional can be done, these schemes do not necessarily mean long term wins for biodiversity. So we're very wary about that.

01:26:09:20 - 01:26:21:10

Thank you for the points you've raised. We will take take those points away and review them against the information that we have. But I will just give the applicant an opportunity if they wish to respond back to anything on that point.

01:26:22:15 - 01:26:23:05

Taylor.

01:26:23:07 - 01:26:58:14

Power for the applicant. Um, I'll just briefly respond and then I'll pass to Mr. Gates, who I think will be able to speak to some of the technical points a little bit better than I am. So I understand there were essentially three points raised in respect of how the RSI has been taken into account. Then the application, um, the impacts on ground nesting birds and the connection to the Ramsar Spa and the



then the B and G commitments and and essentially how how well those translate beyond just what is legislatively required to be met.

01:26:59:02 - 01:27:30:13

Um, I suppose I would just note, in respect of the first two points in the discussion around Natural England, I'd just point to the recent statement of common ground in the position of Natural England, which shows that, um, perhaps while earlier points were raised, um, there's now complete agreement between Natural England and the applicant in respect of the impacts of the scheme, so that Natural England's concerns in that regard have been addressed. And while it may be that a triple ESA designation is not being taken forward because of capacity.

01:27:30:24 - 01:28:06:14

Um, there has been an assessment of that habitat that was is within the ISC, and there's been no concerns raised by Natural England in respect of that. So, um, it doesn't appear to the applicant that there's a specific concern in respect of that habitat or that area of, um, that has been raised by Burnett Heritage Trust. Um, and then on the Beng point, I would just note that, um, it's very much the norm across the solar farm, DCO that have been made to date, that being is tied to the operation of the project and is not imposed in perpetuity.

01:28:06:16 - 01:28:31:03

Um, the applicant says that the correct approach underneath the regulatory requirements that are there, noting they're not actually enforced yet, but, um, the applicant would only be seeking that commitment in line with, um, other made DCS in the past and doesn't consider there's a particular justification in this case to depart from that approach. Um, but I will just pass to Mr. Gates now in respect of some of those more technical points.

01:28:33:08 - 01:29:06:15

Neil Gates for the applicant. I suppose I'd probably just start off by saying that we have provided detailed responses to those specific points, both our deadline one and at deadline two as well. A number of those comments obviously came through the examining authority's first written questions as well, which we've provided detailed responses to. That includes our position on the ASC, uh, status being a candidate site, and how we consider that even though there isn't, uh, a designation going through a procedure at the moment.

01:29:06:19 - 01:29:40:10

Um, we have considered the relevant reading bird assemblages, which is what the trust had put forward as the um, qualifying, um, parts of the proposed ASC. So we've looked at the two um relevant breeding bird assemblages proposed the habitat types, those breeding birds Occurring and there is assessment where relevant within the ecology chapter. Again, a number of specific species were raised by the trust as well. And we've provided detailed comments on those specific species both at deadline one and deadline two.

01:29:40:12 - 01:29:47:08

So as opposed to repeating that, I'd probably refer, uh, members back to those responses.

01:29:49:09 - 01:30:25:11

Uh, before you before you move on. I just had a quick question, just to make sure I understand the applicant's position on the SC point. Are you saying that even if it had ASC status, you've already considered it, so the outcome of your assessment wouldn't change? Or is it the case that you've you haven't considered the ASC status in full? Uh, but you considered the population of the different species. And I suppose what I'm trying to understand is, from Mr. Mitchell's perspective, if pole status to the island land had been granted by Natural England.

01:30:25:13 - 01:30:27:10

Would that change the outcome of your assessment?

01:30:27:23 - 01:30:59:14

No, it wouldn't change the outcomes of the assessment. So whilst we haven't specifically assessed a policy with a physical boundary to that. See, the proposed is for various breeding bird assemblages consisting of the relevant species which make up those habitat types which were put forward. Now, where we've recorded those and where we think they're within a zone of influence of the scheme, we've assessed impacts on those species. So i.e. the assessment that we present, um, would equate to an assessment of sea.

01:30:59:24 - 01:31:04:14

And England is, um, in agreement with your approach on that point.

01:31:04:22 - 01:31:11:08

Yes. They haven't raised any queries about, um, impacts on breeding birds in relation to those.

01:31:11:10 - 01:31:17:18

So I suppose that's different to whether they're in agreement with the approach. But yes, I take your point. So.

01:31:26:05 - 01:31:27:01

Thank you sir.

01:31:29:15 - 01:31:32:10

Would you like to say anything further, Mr. Mitchell?

01:31:34:06 - 01:32:23:01

Yeah. I'd just like to point out that the reason, uh, the Burnett felt compelled to, at this stage, submit the AEC application was actually because we didn't feel that the proper, uh, ecological oversight had been taking place on those high biodiversity areas to the north east of the site. Uh, as regards to the specific replies that have put forward, we are still not in agreement that those are sufficient. I mean, I can give you a single example of that, for instance, uh, which is a species that we said it bred in close proximity to the site is one of the reasons part of the breeding bird assemblage, which would allow for designation of a triple C, uh, boom, has said there is no breeding habitat within the order limits.

01:32:23:08 - 01:33:10:13

Now, I can say that on the south side of the river went on the north side of the site. Within the order limits, there is a small area of marsh where Gargan could conceivably breed. And I feel like there's a

process that's taking place here for for each species where there are these very detailed, verbose explanations, but they don't actually meet the proper criteria or what our experience is on the ground. Um, they've also stated that they've referred to the same, uh, publicly available databases where we've logged all these records, um, which has formed the basis for our submission to, to Natural England, uh, and that they those had been referred to since the, the initial submission stage.

01:33:10:22 - 01:33:33:05

But you can actually track individual records that were submitted to, uh, that database, which is called eBird, and then tell that they are not included in the desk based survey that was provided by Boone. And we can provide more documentation to demonstrate that if you'd like. So we're a bit disappointed that we don't feel that the.

01:33:35:09 - 01:34:06:16

Surveys, particularly pertaining to that area, were necessarily thorough enough and didn't properly consider the functional link with the Spa Ramsar area. Um, more broadly, we are we do want to commend boom, because in general there surveys over the wider DCO have been quite good. Uh, and we do believe that they're taking steps that for a lot of elements of biodiversity will have benefits.

01:34:06:21 - 01:34:12:16

So we don't want to just, you know, heap criticism. Uh, but we are still concerned about these issues.

01:34:17:24 - 01:34:28:17

Thank you very much. We'll take that point where it's part of our, um, consideration. Thank you. Does anyone else wish to raise any, uh, any of the matter? Sorry.

01:34:37:20 - 01:34:42:11

But the applicant wish to respond any further on anything else? No.

01:34:45:23 - 01:34:51:02

No, I don't think there's anything further we wanted to address right now. No, no.

01:34:51:04 - 01:34:57:07

Thank you. No. Uh, is there anyone else in the room or online that wishes to comment at this stage?

01:34:59:02 - 01:35:00:19

No. Um.

01:35:03:22 - 01:35:36:21

I'm aware that we have run over 90 minutes, but given that we're now on the last agenda item, I'm going to propose that I move on. Uh, on that matter. So, um, just to check, is that are there any other matters that anyone else would like to raise this morning and online? No. So can I please remind you to provide a written submission? Um, any written submissions you've committed to? And we can please remind the applicant and those who have contributed today to provide a written summary of their responses by deadline three, which is the 2nd of July.

01:35:37:09 - 01:35:59:19

The transcript and recording of the hearing will be published on our website as soon as practicable after the hearing. So all that remains is for me to say thank you very much for attending and for your assistance during the hearing, and we look forward to receiving your written submissions and other contributions throughout the rest of the examination. The time is 1135 and this issue specific hearing is now closed. Thank you.

01:36:00:04 - 01:36:00:21

Thank you all.