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SUMMARY KEYWORDS

traffic and transport, construction impacts, public rights of way, cumulative effects, mitigation measures, stepping out network, biodiversity net gain, ecological impact, traffic management plan, strategic road network, local nature recovery strategy, habitat assessment, compulsory acquisition, action points, written submissions

SPEAKERS

Speaker 14, Speaker 5, Speaker 3, Speaker 2, Speaker 6, Speaker 11, Speaker 4, Speaker 8, Speaker 12, Speaker 15, Speaker 16, Speaker 13, Speaker 9, Speaker 1, Speaker 7, Speaker 10

Speaker 1 00:08

Okay, just everybody's attention. We're now just after 10 to four. So can I ask everybody to take their seats? And we'll recommend. Thank you. Oh, okay, so I'm I'm conscious that I've still had some questions on the farming and soil side of things, but given the time where we are, and we've still got two other topics to go through. I'm just going to have them as written questions, which you've already seen some of our draft ones. We might we can add to them, bearing in mind what we've heard from the councils and the interested parties in the room. But I think just in the interest of time, we'll move on to traffic and transport. And I can see that, yeah, the applicants read my mind on that side of things, and similarly, with the council as well. So we'll move then on to traffic and transport. And this time, I will remember to ask who is going to be speaking for the applicant and the council before we get into the discussion. So if I can turn to the applicant first, please,

Speaker 2 01:28

good afternoon, madam. Mark Watson, on behalf of the applicant,

01:39

and if I can turn to the District Council now please.

Speaker 3 01:42

John Hunter, on behalf of North cassidyn District Council, it will be Mr. Hunt transporter

01:50

and the county council.

Speaker 4 01:53

Justine foster for Lincolnshire county council with me today. I have Mr. Ian field from the County Highway Authority.

Speaker 1 02:03

Okay, thank you. So we'll start off again with the applicant's summary of their case with regard to what we set out in our agenda, and I'll hand over to you now. Thank you again.

Speaker 2 02:23

Good afternoon, Madam. Mark Watson, on behalf of the applicant, so I'm just going to set out a brief summary of the approach taken to the transport, traffic and transport work. Start with an approach, and how the approach was formed. Bit of detail about the predicted traffic generation, the construction impacts for the strategic and local road networks and public rights of way, and then there's potential for cumulative effects. So touching first on the approach to transport assessment, this was undertaken in consultation with key stakeholders such as LCC national highways and nkdc from the start and has been incorporated, and is incorporated, sorry, and responded to stakeholders inputs throughout the approach and suite of documents produced is consistent with the approach undertaken for other DCA schemes we've been involved in the we're aware of began with an EAI, sorry, EIA scoping Exercise undertaken in June 2023 then transport scoping again with LCC, NH and then KDC was undertaken in December 2023, and a peer traffic and transport chapter produces October 2024, and subsequently led to an ES trans traffic and transport chapter document, A, PP, 038, which is produced alongside some associated management plans which sits alongside the ES chapter, and these include details of proposed mitigation for traffic and transport. Namely, they are the framework ctmp or construction traffic management plan document reference as 102 and the framework prow or public rights away management plan, Prowl, MP document reference, a P, P 195, in addition, we also undertook a transport assessment note document ref, a P, P, 167, and this was produced to catch other measures not covered in those prior documents. And this approach was agreed with LCC and national highways in terms of the predicted traffic generation, both the construction, construction and operational phases for the construction phase, and then a first principle approach was adopted to determine the trip generation, the proposed development during construction. This approach is consistent with the approach adopted for other similar DCO schemes, and has been discussed with stakeholders, including LCC and NH as the two highway authorities and nkdc, during scoping and peer stages project, a number of assumptions for this, for the construction traffic generation were adopted. These include the assessment of construction traffic volumes being based on a two year construction program, which is the shortest. Construction timescale expected. The assessment is then based on the peak construction activity within that period, as the core construction working hours will be Monday to Friday, seven to seven and Saturday, seven to one, with no Sunday or bank loaded working. A weekday assessment was carried out in order to provide, again, a worst case assessment the peak construction phase, following consultation with LCC highways, a worst case scenario for staff movements was and has been used to provide, again, a Russian robust weekday assessment. So accordingly, rather than adopting six to seven for staff arrivals and seven to 8pm for staff departures, in line with the working hours, construction worker patterns, travel patterns that were based on the shoulder peaks to the network peak hours and therefore, staff arrivals have assumed to take place between seven to eight, and staff departure has been assumed to take place between six to seven, Monday to Friday, terms of HGM HGV movement. Sorry, these have been distributed across an eight hour window, arriving departing between nine and five as to not be traveling within the traditional peak hours of eight to nine and five to six. And these measures, so you can sure this happens, are summarized in paragraph 13, point 6.1, of the ES document, a, pp 038, and detail further in Section seven of the s of the framework, construction traffic management plan document is 102 LGV movements have been distributed across an eight hour window between nine to five. And these are based on a flat profile in terms of start work, staff, workers. There'll be a daily peak of 575 staff expected of the principal site and 25 of the cable corridor. All staff will travel to the principal site with the 25 staff working on the cable corridor. Transport transported to their work site by mini bus or shuttle bus from the principal site. The construction staff vehicle split has been based on the same assumptions used for a similar solar DCO scheme of comparable size and receive planning consent in July 2024 the mode shares used for assessment of staff, 55% of staff, so 330 traveling using up to eight shuttle busses, which will run from hubs close to centers of staff accommodation, residential locations. 35% of staff driving, with a further 10% traveling as passenger, equating to an average car van occupancy of

1.3 staff per vehicle. And these 270 staff will generate a peak demand of 208 cars for the purposes of assessment and based on information providing sort of the application, peak daily number of HGVs. And lgvs for the principal side are as follows, 50 HGV deliveries, 100 movements per day, 25 smaller van LG deliveries, so 50 movements per day. So bring that all together. On the basis of pre construction, there will be a total daily traffic generation for the principal site of 300 arrived. 301 arrivals, and 301 departures per day broken down as follows, 50 HGVs arriving departing each day, 25 lgvs arriving and departing each day, 18 shuttle busses arriving and departing per day, and 208 staff cars. Based on these assumptions, the trip generation peak of the construction period has been used as the basis of assessment of the construction period impact. It should be reiterated as this is the peak trip generation development for much of the period construction, the traffic generation will be lower the operational phase during general operation and maintenance. The proposed development is expected to generate a very low level of trips, up to four permanent staff sorry, four permanent staff vehicles per day, and that's across the entire site, and around two visitors per week. Staff vehicles and those used for maintenance, will be four wheeled drive vehicles and vans with HGVs rarely accessing the site during the proposed 60 year operation life of the proposed development site wide. Replacement of the solar piva, solar PV, panels, inverters, batteries and other equipment may be required in line with the design life of these components. These will be planned to occur in stages, which means the replacement activities will be of much, much lower intensity compared to the construction phase. Site wide equipment replacement activities are expected to generate in the order of 20 HGVs, or 42 way HGV movements per day, and in the order of 20 staff car trips, or 42 way movements per day as obviously, this is a much lower figure than the vehicle trips generated during the peak construction phase, and the effects of these trips will therefore have a negligible significance for all assessment categories in terms of the construction that impacts the. And the impact of the construction phase is assessed in the traffic and transport chapter of the s again document, A, P, P, 038, and follows the email, or now I said, guidance whereby the significance of effects is determined through the consideration of two elements, the sensitivity, the receptor, and the magnitude of the impact. Day 46 SRN and several local roads form the study area. This was discussed and agreed with LCC national highways and nkdc during the transport scoping meeting in December 2023 extensive traffic surveys, in combination with DFT, manual traffic counts, we used to develop the baseline traffic flows for the study area and impact assessment for highways impacts on road links and junctions during construction recess and determine for the following categories, severance of communities, pedestrian delay, non motorized user immunity, fear and intimidation, road vehicle, driver and passenger delay, road user and pedestrian safety, hazardous and large loads, in terms of impacts on prowl receptors during construction. These were assessed and determined for the following categories, severance, pedestrian, pedestrian delay, pedestrian, cyclist amenity, fear and intimidation, a number of proposed embedded mitigation measures will be implemented for highways. These are detailed in the framework ctmp document as 102 These include, for example, working hours resulting in staff movements outside peak hours, shuttle busses from local centers and car sharing to minimize staff worker trips of the network to find HGV routings and HGVs avoiding peak hours and time deliveries. And similarly, a number of proposed embedded mitigation measures will be implemented for public rights of way. And these are detailed in the public rights of way management plan document, ref, A, P, P, 195, and for example, these include safe management of crossing points, temporary diversions for short term closures, and management of prowl routes and construction traffic as necessary. With these embedded mitigation measures in place, the assessments in the yes conclude there is not expected to be the potential for significant effects on any traffic and transport receptors within the study area for either the principal site or the cable corridor during the construction phase. And should be noted that Lincolnshire county council and national highways have not raised any objections or concerns with these conclusions. Finally, with regards to potential for community of transport effects, given the nominal number of trips associated with the operational phase the proposed development cumulative effects during this phase were scoped out of any cumulative assessment. From a short list of schemes and developments, five residential scheme, schemes have the potential to result in cumulative effects for the proposed

development during the peak construction phase in 2032 were screened in for assessment for each scheme that was screened in submission documents, reviewed relevant traffic forecasts extracted from them, and they were assessed against traffic flows during the peak construction phase of the proposed development. And in conclusion, the cumulative effects expected on traffic in transport receptors within the study area expected to be slight adverse or neutral and therefore not significant. Thank you, ma'am. Thank you very much.

Speaker 1 13:37

Just turn to Lincolnshire county council now for any comments on what you've heard, thank you. Mr.

Speaker 5 13:44

Enfield from Lincoln Council highways, we've prepared a LIR, which you haven't seen yet, but I'll just read out the sort of summary paragraph from the end of it. In summary, the methodology and assessment of the traffic impact is generally agreed by the council, and it provides a reasonable estimate of construction traffic that would be associated with the development. The local high authority do not expect capacity issues on the highway network as a result of this development, provided the mitigation measures that are included in Section 13.6, of a P, P 008, are undertaken and delivered, and this we expect to be achieved through the framework ctmp. The framework ctmp also provides sufficient detail at this stage for all proposed access locations, and it outlines proposals for the working hours, HGV, routes, security, compound, parking, wheel washing, delivery, management and traffic monitoring. These elements must be detailed in the final ctmp, monitored and controlled and enforced and provided all of that is goes through them, we we think the we would agree that the impact is sort of neutral on the highway. Thank you. Can.

Speaker 1 15:00

Thank you. Does the District Council want to make any comments?

Speaker 6 15:05

Yes, please. Thank you very much. Ben hunt for North Stephen District Council, you'll remember, in the preliminary meeting, we asked the question about where issues relating to the stepping out walk network might be dealt with, and you indicated you did see this sort of issue as being cross cutting. So if I could just raise a few issues in relation to this stepping out network, but with a very much a focus on, if you like, actual physical provision, rather than the impacts on it, in terms of things like landscape, visual impact effects on tourism, or research we'll do is later on. So the stepping out network involves, I believe, 31 walks, which are actively promoted across the district, recreation, health, tourism benefits. I in terms of the impacts of the proposals on the statutory rights of way paths that are included within the identified walks. The District Council has no significant concerns. There are one or two changes, we don't think those effects are particularly significant. Most of the points I would raise are actually about the permissive paths and the way the application deals with these as 16, which is the ES chapter 12, socio economics and land use, deals with rights of way and including permissive paths as well. It identifies at 12, point 5.34, that there are seven existing permissive paths within the DCO site boundary, it says and it gives identification, sort of numbers and codes for them, unfortunately, and please accept my apologies in advance if I've missed something, but I can't find those paths. I can't see them recorded on the County Council's electronic versions, definitive map. I don't see them on, yes, figure 13 two. Sorry, I don't have the library reference for that to have at the moment, but that's the plan showing the existing Walking and Cycling Network. I also can't see them on as 024, which is es, figure three, three, proposed permissive paths plan. And I can't see in ES chapter 12, where the stepping, white out walks are identified or assess. So I would be grateful if the applicant could provide, if you like, a sort of baseline of where we're starting with for permissive pass, because the stepping out what network does use lengths of permissive pass at the moment, and that, then, in turn, raises a couple of

issues. So the broader one is that the in in as 16, which is yes, chapter 1212, point 6.4, reports design principle document as in as having mitigation measures embedded in the design, including, and it says, avoiding closure of public rights of way and existing permissive paths. And it goes on to say, and keeping any public rights away diversions as localized as reasonable as possible, additional permissive paths are proposed to further enhance, enhance local connectivity. Now I looked in a PP 186 the design approach document, and I couldn't quite see that wording. So this seems to be slight difference, because the emphasis I placed on the reference to the design principle in ES chapter 12 was that it includes a reference to avoiding closure of existing permissive paths, as well as enhancing things. So design approach currently says the proposed development will enhance, where possible, the existing connectivity within the network of public rights of way, through the provision of permissive paths and circular routes to be available for public during the operation of the authorized development to improve accessibility. So it doesn't actually there talk about a. Avoiding closing existing permissive paths. So we've got these two things. One, what is the existing baseline, and then where are we heading with the design of the development now the design, the this design approach, document, A, P, p1 86 does go on in paragraph 5.13, to identify that nine and a half kilometers of new, permissive paths are provided, and that's referencing quite a few other of the the application documents. This nine nine and a half kilometer. Now, what I'm unclear, because I don't know quite where we're starting with for the baseline, is whether this nine and a half kilometers is entirely new in addition to what's already there, or alternatively, is it in part, replacing some lengths of path that are currently in place? And that leads me on to the effects directly on the stepping out network, because I have identified a couple of places on two of the walks within the DCO boundary, where the plans showing permissive routes to be provided and maintained during the operation of the development those plans, they don't appear to show some of these lengths of permissive paths, which the stepping out walks currently use the two walks. And we'll be providing you this along with our LIR and possibly further in written representation. We'll be providing you is a copy

22:03

of the the

Speaker 6 22:04

stepping out, what maps which are published. And these are published through not only a website, but also through all trails. And it might be slightly far as the we use one of the applicants plans to add on plot on those routes, or the applicant may, may want to sort of look at those and provide themselves. That might help to see how the two things overlay. So when we, when we look at that, we we've got a sort of slight gap in knowledge between where we start and where we end up, and a little bit of confusion about how that affects the stepping out walks as they are currently configured. The drawing I was referring to in particular, where I thought I might see them was the as 007 which is the streets, rights of way and access plans, which do show proposed permissive paths, but It's not clear how they're altering the existing permissive paths. Pass. So I think really that on in terms of direct impacts on the stepping out networks in terms of rights awareness, probably concludes our comments, right.

Speaker 1 23:39

Thank you. I would certainly find it helpful to take up that offer about putting the stepping out network onto a plan, and if you could submit that. I mean, would that form part of the local impact report, or would it? Would you submit it round about the same

Speaker 6 24:00

time Ben hunt, North steam District Council, the local impact report, I believe, didn't actually include append the stepping out walk network leaflets. We can put that with it. I was thinking rather of a separate plan.

Speaker 1 24:19

That would be fine. We can put it down as an action point following the hearing, then as a post action a post hearing action point then, okay, is there any other point that the district council want to make at this time? Okay, thank you. I'll go to national highways. Now I see that we still got MS Grosvenor here. Is that correct? Online? Yes. Thank you,

Speaker 7 24:50

ma'am, and good I'm Miss Krishna highways. National Highways has reviewed chapter 13, traffic and transport of the environmental statement. Reference. App 038, national highways is satisfied with the overall approach taken and the conclusions reached in the transport assessment. We agree with the predicted trip generation and distribution for both construction vehicles and staff during the construction phase and once the development is operational, given that the construction works are temporary and that only minimal movements are expected during peak hours on the strategic road network, we don't consider any further traffic assessments to be necessary. There is also no requirement for additional junction capacity assessments on the 846, Trunk Road. Finally, national highways has agreed to the applicant that we will be consulted on the detailed construction traffic management plan in line with requirement 14 as schedule two of the development consent order in relation to construction environmental impacts, national highways has agreed with the applicant to be formally consulted on both the construction Environmental Management Plan and the operational environment management plan under requirements 12 and 13 of schedule two of the draft development consent order, this consultation is essential to ensure that any potential environmental impacts on the strategic road network are properly mitigated during both the construction and operational phases of the development given that the A 46 truck Road shares a boundary with the application site and will be used for construction routing. Another key point in our relevant rep we highlighted that the framework construction traffic management plan as 102 did not include any reference to proposed signage on the strategic road network, nor to the routing of construction vehicles national highways would expect appropriate signage to be provided to guide construction traffic safely from the 846, trunk road onto the local road network and towards the agreed construction access points. This is important to ensure the safe and efficient operation of the strategic road network and to protect all road users, particularly by avoiding situations where HGVs may stop unexpectedly on the carriageway. It has now been agreed with the applicant that these matters will be addressed within the detailed construction traffic management plan on which national highways will be consulted, in addition any temporary traffic management that remains in place for longer than six months, including associated signage, will require a stage one road safety audit and either a walking, cycling and horse riding review assessment or an exemption note in line with the design manual for roads and bridges. GG, 119, this is set out in the protected provisions which are being discussed with the applicant, as set out in the design manual for roads and bridges. GG, 142, walking, cycling and horse riding. Assessment and review is the responsibility of the applicant's design organization to determine whether a Witch Heart assessment is required. However, until the details the proposed traffic management are confirmed, it is not possible to determine whether there would be any impacts on non motorized users. Discussions on this requirement for which are still under discussion with the applicant, in relation to the potential for cumulative effects the authorized development has the potential to impact national highways major capital project the A 46 Newark bypass, which received development consent on the first of October 2025 from the Secretary of State for Transport, although not located in close proximity, given the scale and significance of the A 46 New York bypass scheme, it is important that The authorized development does not undermine the substantial public investment already made by national highways. To protect this investment, it is necessary for the applicant to work collaborative, collaboratively with national highways during delivery of the authorized development. The applicant has now agreed to consult national highways in relation to requirement 14. Ctmp set out in schedule two of the draft eco this

consultation will take place during the development of the detailed ctmp to ensure effective coordination with the delivery of the A 46 Newark bypass scheme. Thank you.

Speaker 1 29:17

Thank you. Ms Grove, now is there anybody in the room or online that wants to make points on what we've heard from the applicant? Again, if we start, we'll start from the front this time and work our way back. So start with Mr. Lyons and councilor Overton. Thank you. Thank you

Speaker 8 29:35

very much. Nick Lyons, Chair of Thorp on the Hill parish council. I traffic is one of the principal concerns of residents of Thorpe on the hill, and it is a preeminent priority of the parish council the Western single carriageway section of the A 46 Lincoln bypass is frequently congested. This combined with the flyover injunction at the bottom of FOSS lane that connects to the A 46 has turned the village of Thorp on the hill into a rat run, particularly at peak times during holiday periods, or when there are accidents that occur on the bypass. In such circumstances, the village can grind to a complete standstill. Daily traffic flows of around about 3000 a day can easily be increased by 50% and as a result of such incidents, and those tend to be concentrated during specific peak rush hour periods, in Light of the persistence of traffic problems and the tendency of the traffic volumes to increase. The parish council has had several meetings with Lincolnshire county council highways. These meetings have been very productive. And insofar as I believe that Lincolnshire county council are receptive and understand the genuine nature the problems, and have tried to make some suggestions more recently, in light of things that we might evaluate to combat some of those problems, particularly during The proposed building and construction of the new hike and relief road might be a way to actually try some measures so there's a serious intent to address the problems. But one of the observations made by one of the senior managers from Lincolnshire county council highways is an explanation that typically, road systems are finally balanced and operated effectively within certain limits, and a small increase outside those limits can tip A balanced system into chaos and blockages and very specific local conditions can contribute to those. And you would need to visit Thorpe, and I would need to show you what those are, or perhaps I explain it in a in my submission, for you to fully appreciate why there are those local conditions. But in essence, there are localized, significant traffic problems, and taking an aggregate picture of average traffic flows, in my view, misleads and misrepresents the situation. I'm not saying that that situation is prevalent constantly, but it repeats itself with high levels of frequency, and it's a major bone of contention. So there are, as a result of that, deep concerns about the construction traffic and whether that will could lead to overloads on the narrow roads. Now we note that the applicant refers to traffic management and monitoring that is intended to take place during the construction phase, and we take some reassurance from that, but in the documentation, it says that they will be precisely defined during the contractual appointment of the con the the nominated contractor and the parish council would like some some assurance how that provisional intention to introduce what looked like quite good measures can be turned into a binding commitment, Because without that, there's a real concern that it will be diluted in practice. So then moving to rights of way. Thorpe on the Hill is exceptionally well served because of its adjacent position relative to Woodland nature reserves. So there's a very good walking recreational footpath network. The entrance, the car park, the main lakes and the cafe at Wisby nature park are also located in the village, and that formed a basis of attracting a wide range of visitors who also extend their visits to the village, because, as I said, that's in the village they extend their visits by walking many of those footpaths, and there is, in fact, the parish, the. The Village Hall, there's a car park, a free car park, which is promoted to to encourage the use of those walks. Furthermore, there is door upon the hill. Has two locations which are defined within the Witham Valley Country Park and the Witham Valley Country Park is promoted as connecting and promoting a variety of distinct and individual public spaces in the heart of Lincolnshire. So those two locations are the area of tunman wood and also risby Nature Reserve. They're specifically highlighted and this footpath connectivity is important. So my colleagues to the right have also already pointed out there's one particular stepping out route that runs from the

west of the village down to tunman Wood via Morton Grange and returns along Westfield lane, which which uses a variety of public rights of way and permissive paths. The route is widely used by walkers, runners, dog walkers, and attracts villages, as I've mentioned, whilst construction disruption of this route would be significant the operational the operational impact is permanent. The character of this wall would be fundamentally and irreversibly altered, with the exception of the section through tunman wood itself. In other words, when you're in the wood, this route would pass through or alongside extensive solar arrays and associated infrastructure, recreational value, visual appeal, contribution to community well being of this route would be effectively destroyed in practical terms. It would no longer function as a stepping out route in its and would need to be removed in its current form from the promotion by our own parish council that have been promoted on our website and nkdc in their brochures. And in addition to claims that the Witham of the Witham Valley Country Park would be completely undermined by the proposed industrial solar development. Thank you very much.

Speaker 1 37:25

Thank you very much. Mr. Lyons, and just in connection with the point that you made about your traffic concerns, I think it would be helpful for us if you did put them in your written submission. Thank you. Councilor Overton,

Speaker 9 37:40

Thank you very much. Councilor Marianne Overton, the chair of the cliff villages solar Action Group. There are just a few different points I'd like to pick up to follow on from the point about the stepping out walks. The other really important walk for us is the Viking way, and that is along the cliff edge, which would be overlooking this area. And I'm not sure we've entirely picked that up sufficiently to date, is that this is in a low the whole of this application is in a low area overlooked by the cliff edge, which is a very significant feature in our area, and the proximity to the development, I don't feel, has been adequately taken into account and the overlooking effect. So the Viking way is currently a really important walk, and I think putting it overlooking solar industrial development would completely diminish, would significantly diminish the value of this important walk that we have of longtime heritage. The second different point I wanted to raise was about the the peak hours that are in here, and it suggests a 12 hour working day. I don't know if you can really have a 12 hour working day every day for all your life. That seems to be quite hard to imagine. Perhaps it's about changing staff you only work every second day or something. But I think I'm not sure that that's actually legally allowed. So I wonder about the 11 hour the 12 hour day, and then you've got to add on to that an hour up to 60 Minutes travel, it said at each end, so you're talking about a 14 hour day for people. And I'm not sure that that's actually practical. And maybe we should look at some different alternatives on that to consider the traffic that would emanate the 18 shuttle busses a day, I think they said, and up to an hour's distance. Where are these? Hubs where these 330 staff are coming from. Again, I I'm not really sure this is practical, and it might be that they need to live on site, or they might need to be some other arrangements, but it's very hard to imagine 18 shuttle busses coming from, from where? So I think that wants to be ascertained exactly what's really going to be happening. There 225, parking spaces that suggest, to me, a lot of traffic, and also the impact that was suggested, was suggested as slight adverse or neutral. Our roads are generally very small, and whilst we would hope people would come on and off the A 46 not everybody is going to be coming from that direction. Some will come from other areas, and using the smaller roads in Lincolnshire means that they will be significantly they can be significantly damaged if there's a lot of HGVs coming from those directions as well. Certainly. Just to back up the point made earlier about traffic in our villages, it is the one thing that these villages in these low areas complain to me about every single meeting, actually, which and they meet monthly, so it's a lot. So last night, I was at Auburn and Naveen. They both concerned about traffic through the village and parking, that's their key, key issue, and you know, the exacerbation that would be arisen from this process. So I'm deeply concerned, and I don't, and I would like to see that this is much clearer and more convincingly put forward. Thank you.

Speaker 1 41:51

Thank you. Okay, I'm seeing still quite a few hands, and I'm also conscious of time, and we've still got another topic to get through before we have to close at five. So I think if I take I'll take one more question, because I've got a question I also would like to put especially how we've got the council and national highways in the room, and then I think I'm going to ask, if you then put the point that you were going to make in writing to us by deadline one or as part of your written submissions, I think just because of the time we've got left, I think that's that's the way we're going to have to deal with the rest of this topic. I do appreciate that it's obviously quite a sensitive topic for people in the room, but I do want to also be able to touch on the biodiversity net gain side of things. So

42:56

very brief. Can you wait for the microphone?

Speaker 10 43:04

301 traffic movements are those HGVs in each direction every day? Doesn't sound like a lot when you're talking about the A 46 as soon as you move into the area of operation, it's an enormous turmoil, which is going to be very significant to the residents. I don't think that has been properly highlighted. I'm quite amazed that linkshire highways have got such a laid back, neutral assessment of the impact of all this traffic. Thank you.

Speaker 1 43:33

Thank you. I'll wait till you get there. We've got one more point. Is it going to be a new matter, or some points that have already been covered,

Speaker 11 43:44

some additional aspects of points that have already been covered, and that is to do with how the traffic plan is enforced. We know that the highways, it's a fine balance at rush hours, and that the and in reality, on construction sites, traffic plans are never followed. There's always, always problems on construction sites, people don't come and go at the time they're supposed to. And that really is not surprising at all, because it's a massive logistics enterprise to get multiple different contractors to arrive evenly through the day, when they're doing things in accordance with their own plans and everything. So I'd like to know what the consequences will be, how those consequence for not adhering to the plan? How those consequence I mean? And I'd also like to know is whether the applicant has sufficient logistics, knowledge and experience so manage such a complex, complex thing, and whether they'll do it themselves, well, they'll subcontract that out to people who have got that experience, because it's a big job. Thank you. Thank you.

Speaker 1 45:12

Right. Okay, so, yeah, just conscious of time, and also conscious of giving the applicant the opportunity to comment on what we've heard, I think, rather than ask my questions, some of which are quite a few of which were actually based in our draft written questions, anyway, I'll leave those to our formal issuing of our written questions, and I'll just hand over to the applicant now just for to respond on some of the points that you've heard. Thank you. I i

Speaker 2 45:43

Thank Thank you, Madam Watson, on behalf of the applicant, obviously, quite a few things to pick up there. There's quite a few detail, particularly around the permissive path, stepping out and public rights away, which I think is probably better dealt with a written response. There's quite a lot of detail, and its specific issues there.

Speaker 12 46:01

Can I just come in there? Reuben Taylor for for the the applicant, and just to assist us in dealing with the points about the stepping out network we we've been having some trouble identifying its policy provenance, and so it would help us if nkdc could identify for us what policy what policy support there is to that protects a footpath that forms part of the stepping out network, and secondly, what policy gives footpaths within the stepping out network a higher degree of protection than any Other footpath. Those are the issues that we've been struggling to identify ourselves.

Speaker 1 46:45

Okay, thank you. Can the District Council supply that information to the examination? Thank you. Mark

Speaker 2 46:55

Wilson, on behalf the applicant, just to pick up on a few of the other queries there. Obviously we are there's an obligation to provide the detailed construction traffic management plan, which will be liaised with national highways. Lincolnshire county council has both have asked. That's certainly happening, and also national highways request for Stage One road safety audits and walking cycling, horse riding assessment were also noted. There was a mention of 301 HGVs. That wasn't the case. It was actually only 50 HGVs. 50 202 way over the day, 50 in the AM, 50 sorry, 51 way and 50 back, if you like. And regarding, regarding the work plans and enforcement litigation, the breach of a requirement is actually a criminal offense. So these will have to be monitored in that way followed in that way. Think I've made responses to both the comments there, but is there anything particular I've forgotten? Madam, please

48:10

let me know that's fine. Thank you

Speaker 1 48:20

very much. We'll very quickly move on to our last topic. Then this afternoon, does the applicant or the Councils need a bit of time to reshuffle the table for Thank you? It looks as though everybody settled in their seats. I think while we've been asking for the applicant to give a 10 minute presentation, I think for for this topic, given the time that we have left, I'm not going to ask you to do that. I'm just going to go straight to the interested parties to ask for comments especially focused on the four points that we did. I'll just go straight to the interested parties, but I would ask the applicant, obviously, to submit. In the presentation I'm sure you prepared for this that would be very helpful for us. Thank you. So I'll just turn to the District Council. First of all, if there are any points that you briefly want to make on this topic,

Speaker 3 50:14

thank you. John Hunter, on behalf the District Council, this topic will be dealt with by Mr. Harrison, who I believe is on the attending remotely.

Speaker 13 50:28

Hello. Thank you very much. Can I just confirm? Can everybody hear me? Thank you, lovely. Okay, so there's a few concerns that we have with the baseline assessment at this moment in time for the bng, to be as brief as I can, there are concerns over the total area within the statutory metric that's been provided.

50:58

We've got quite a bit of echo with you. Oh, that's a bit better. Thank you.

Speaker 13 51:05

Okay, so we've got, we've got some concerns over the total area within the statutory metric that's been provided in conjunction with the documentation. It doesn't align with the total DCO boundary. It's about 1000 hectares currently in that metric compared to the 1300 proposed by the development. In addition to that, there are there's a lack of clarity, from my perspective, in terms of the methodology used for that baseline assessment, phase one habitat assessment was completed, some of which was identified as being outside of optimal survey seasons, rather than actually a UK hab survey done. Initially, it was translated over to UK hub afterwards, so understanding the reason why that translation was done rather than a full UK hab survey.

Speaker 1 51:55

Sorry, Mr. Harrison, to interrupt you again, it's still quite echoey. I'm not quite sure whether it's

Speaker 3 52:03

I wonder if it might help as well. It's just the way it's coming across. It might be if he could speak a little bit more slowly as well, that might assist. I'm not too much more.

Speaker 14 52:10

But the other thing, Mr. Harrison, are you speaking to a note?

Speaker 13 52:16

I've got some documentation in front of me, but I am. I can hear myself now.

Speaker 14 52:21

Sorry. Now I'm just wondering if you've prepared a speaking note, although, yeah, we'll hear what you're saying as we are struggling a bit in the room, if you have prepared a note that that could be submitted post hearing

Speaker 13 52:38

if that's more, if that's suitable, I'm more than happy to put together into a written format and share that,

Speaker 14 52:43

yeah, but certainly carry on and we'll see where we get to with you. No worries.

Speaker 13 52:50

So yeah, so in terms of the baseline assessment, understanding the methodology for that for phase one translated to UK hub, rather than doing a UK hub survey initially, in addition, no mention of minimum mappable units has occurred in any of the documents from what I've seen. So to understand what scale those habitats have been assessed at is also important. The understanding of that scale for the mapping units is also imperative, in comparison to one habitat identification, but also the condition assessments are required. Moving on to the condition assessments, some of those have not been verified with in field evidence, but have been assumed. The documentation does reference that a precautionary assumption has been taken. But the metric, the associated metric shows that several parcels of modified grass and have been assumed to be at a poor or moderate condition, not a good condition, so that precautionary method has not been followed through on all parcels. Of understanding why that's the case is important. I also can't see. So it's a require, a requirement under bng usually is that habitat degradation is taken account for there's no mention of habitat degradation in any of the documentation that I've been able to see. So understanding that if, for example, a permanent grassland has been recently converted into cropland, whether that's been accounted for, into their baseline assessments to get a true value of that baseline. So those are my concerns that I have over the baseline assessments. There are other area based issues in the metric itself. So there are nought point

two, five hectares not accounted for in the post development part of the metric compared to the baseline. So ignoring the fact that it doesn't cover the whole development area, there is a error in the metric related to that, and that'll need correcting. Yeah, sorry. I've just my notes are just finished. Apologies. Do. I'm sorry about that. The other concerns I have over what we've been provided at the moment is the use of the strategic significance multiplier. They have used all aspects of that multiplier, which is only appropriate when the LPA is not set in absence of the Inrs. And what should be classed as strategically significant the LPA, the LPA has set that and as such, they are, they need to not be using the middle multiplier, which is the which is the local location, ecologically desirable, and not locally, but not in a local strategy. So that needs removing from the metric. I will point out, though, however, that once the draft Inrs, which is the local nature recovery strategy, is in place, that will become a material consideration, and probably, and we would prefer that to be referred to rather than our local policy at that point, that is due to be published in draft format in the coming in the next month or so, well, in the next month, hopefully. So we would ask that they refer to that also in the metric, there are a number of habitats that are linked that state have zero area. This is a little confusing from my point. I can't, can't quite figure out why they're all associated with cable routing. So to understand kind of why they're listed as zero would be, would be much appreciated. There are a few minor concerns over the post development. The although over 10% has been reached in all modules, the trading rules have not been met. This is primarily due to identifying arable field margins at baseline, which have then been lost. I'm happy to discuss with the applicant a potential solution around those depending on the species mix of those arable field margins in a way of possible reclassification to avoid those trading rule issues. But that is something we will need to discuss in more detail. And I think that gets me Yes, the only other issue on the post development I had at the moment was the hedgerows. Much of the hedgerow percentage gain is as a result of enhancement to those hedgerows from a native mix to a species rich mix. The outline length at the moment suggests that that will be achieved by gapping up with additional species. However, many of those hedgerows are already, already identified as being in good condition, which would indicate they don't have gap in us that could be gapped up. So an understanding of how that will be achieved on those good condition hedgerows is a requirement to know that that's an achievable gain. I think that is everything I wanted to raise. Thank you.

Speaker 1 57:57

Thank you, Mr. Harrison. I'll quickly turn to the county council, and it will have to be very quick. Thank you.

Speaker 15 58:06

Darren Clark from Lincoln County Council, yeah, it will be quick. Probably the easiest thing for me to say at this point is that we've worked collaboratively with North Stephen District Council on biodiversity net gain and ecology elements. Mr. Harrison's dealt with biodiversity net gain. I've dealt with ecology, so everything that Mr. Harrison has said I fully support, probably that's all I need to say at the moment.

58:27

Thank you very much.

Speaker 1 58:35

So are there any questions in the room on biodiversity net gain, especially with a focus on the four points that we raised in our agenda. I'm not seeing any hands. Is there anybody online? I'm not seeing any hands there either. In that case, I'll turn to the applicant just to very briefly, comment on the points raised by the District Council, or other points raised, possibly with a focus on, again, the agenda points that we set out. Thank you.

Speaker 12 59:13

Thank you. It's Reuben Taylor for the applicant, some of those very detailed points that we've just heard. We've just heard for the first time, so we will not be in a position to deal with every point that's been dealt with, which is probably a relief for everybody. But I'm going to hand over to Mr. Gates,

Speaker 15 59:36

good afternoon. Everyone. Good afternoon, Madam Neil gates, on behalf of the applicant. So yes, thank you, Mr. Harrison, for your contribution there. I think essentially, we will continue to work with yourselves to resolve some of those queries that you have and provide those further clarifications. I note that obviously we haven't provided sort of responses to your relevant reps yet in a few. Details or picked up in those but there are some further points which you've raised this afternoon, which we can also take away and discuss with yourself to hopefully resolve. On a couple of those points, I think you mentioned degradation, for example, as one of them, so the applicant can confirm that there's no evidence of purposeful degradation identified, we will sort of include that where necessary. I think there will be a revised version of the biodiversity net gain assessment report put into the examination at some point as well where we'll hope to close out some of these issues and clarifications in terms of strategic significance, we note your comments on local nature recovery strategies. We haven't seen a draft version of that, so we've applied the standard approach set out in the statutory biodiversity metric, which we think is appropriate in this context. But again, that's considered local plans, biodiversity opportunity mapping, which has been produced for central Lincolnshire as well. So that has considered sort of national and local policy where it is available, I think, in terms of trading rules as well, we've set out in the biodiversity net gain report as well our approach to where we don't comply with the trading rules. So just skipping through my notes, this was all prepared in the in the response which I was going to provide, but obviously we can give that to you in writing as well post the hearing. So yeah, essentially we don't meet the trading rules for free habitat types, and we've set out why. We don't think that that is essentially a sort of a major issue for this, the ecological function associated with those habitats is provided through other habitat types that we're delivering as part of the scheme. I think that probably concludes as much as I can say at this point. Thank you.

Speaker 1 1:02:07

Thank you. Mr. Gates. I mean, we've obviously got a number of questions that we're not going to have time to ask this afternoon. One or two of them we might be able to raise through the compulsory acquisition discussion tomorrow in the center around, I think, trying to understand the justification for the extent of biodiversity net gain that's been proposed, and how it sits with what would be the statutory minimum of 10% when that comes in. So they may well be raised tomorrow with you. If not, then we'll obviously still put them in writing to you,

Speaker 14 1:02:45

just just just picking up on the issues that Mr. Harrison has raised. And you've not heard. It was the first time you'd heard. Is there an active dialog going on at the moment between applicant and North Kesteven And for that matter, Lincoln County Council, if there isn't, then it sounds like there possibly does need to be, to perhaps bottom out some of these issues, because some of it did sound methodological. And if methodological things get sorted sooner rather than later, then sometimes some of these types of issues become less significant as you get examination progresses.

Speaker 12 1:03:30

Reuben Taylor, for the for the applicant, my understanding is that there has been some discussion more generally, between the applicant and nkdc relating to biodiversity net gain. But there hasn't been, as I understand it, a meeting between the experts to bottom out these sorts of detailed aspects of methodology, which I think is a fair way of putting it clearly, that that needs to be remedied and remedied quickly.

Speaker 14 1:03:59

We would certainly endorse an early meeting. It's, it's, as I say, it sounds like it's the sort of matter that face to face, whether that should be impersonal, via some sort of online discussion, might address some of the issues, at least both sides will understand where the other is coming from, and something the wrinkles might be ironed out sooner rather than later. Is that something that can be set up fairly quickly?

Speaker 15 1:04:36

Neil gates, for the applicant, yes, we'll, we'll take that away. And Harrison,

Speaker 14 1:04:40

is that something that you think you can arrange fairly quickly with the applicant? Yeah.

1:04:46

Christopher harrisonford, North Coast, even more than

Speaker 14 1:04:49

happy to arrange something. And likewise, the council, county council, yes.

Speaker 15 1:04:53

Darren Clark, Lincoln County Council, very happy with that. And I think it's probably fair to say that most of the issues would be. Fairly confident that we can resolve within the timeframe of the examination.

Speaker 14 1:05:10

I think then what we'll do. We're going to go through action points in a minute. Unfortunately, they don't seem to be quite as many as I thought they were going to be. Will, I think, suggest there's an action arising out of the hearing that at least by deadline, one we're notified of whether a meeting has already taken place or when one has been scheduled, so that we're aware of what's going on in the background.

Speaker 12 1:05:34

Ruben Taylor, for the applicant, certainly, so we'll make sure that you're you're kept in the loop as to the nature of the discussions that's being held. There is just one point that I need Mr. Gates to just address you on briefly which is relevant to the issue that you just raised in relation to bng and ecological diversity and compulsory acquisition. So I'm just going to ask him to deal

Speaker 15 1:05:58

with that. Neil gates on behalf of the applicant. I'll keep it very short. I think it's they are pertinent to the discussions for tomorrow. So just to clarify that there is no specific land required to deliver biodiversity net gain as part of the scheme, but rather, biodiversity net gain has been considered and calculated holistically across the entirety of the order limits this builds on maximizing the potentially inherent change from agricultural use to grassland in and around the solar panels, and also looking at maximizing the benefits of the wider environmental mitigations. I think, also just to follow on from that, and what's sort of discussed in in terms of soils and agriculture as well. And my colleague, Mr. Titley was commenting on earlier, we'll look at the the overall sort of areas proposed and what they're being used for, and we can provide clarification or clarity in that none of those are for delivering biodiversity net gain. I game. Thank you.

1:07:07

Thank you. That's helpful. Thank you. You

Speaker 14 1:07:39

I think that then does take us to whatever the agenda item? Is it four or five action point wise? Well, I think we'll go to five, which is action points. I'm not sure that there's anything on any other business matter arising out of this hearing. Anyway, we've covered, I think, one way or another, quite a lot of ground over the last couple of days. Now, between Mrs. Wilkinson and I, we scribbled down stuff relating to action points. I'm afraid my handwriting has got increasingly worse. I think as we progressed, is there somebody from the applicant's team that can start the process of running through the list? Now, what unfortunately tends to happen when we get to this stage of a hearing is the applicant's representative that runs through this tends to go at quite a pace. So can I ask that we we don't go too quickly, I presume you've got the note. And what we normally suggest is, once we've everybody's heard what you've got on your note, we ask you then to submit that to case team. We will then check that, and we will then produce the action point note sometime next week, when you've been through your list, I'll then have a look at my list and see whether we're kind of on track. And then I'll ask others in the room with anything that they think that's been missed.

Speaker 16 1:09:18

Thank you, sir. Emma Holling Phillips from Womble Bon Dickinson, on behalf of the applicant, thank you, sir. I've noticed I've noted down six discrete actions from ish one, the first being under the scale and need. Agenda item the applicant is to produce a note to explain what niso are doing to manage the process of generating stations and batteries and what the implications are for the scheme. The second is a much more lengthy one, and that's the technical note that was discussed at various stages of the scale and need agenda item you've asked for the note to address all technical. Issues in one place regarding the various technologies in the application documentation, noting that that note is likely to evolve throughout the examination. I've then noted down a number of very specific points that have been asked to be addressed in that note, and I'm happy to go through those points now if it would be helpful or leave it for the email

Speaker 14 1:10:24

again. I think because of where we are time wise, I think we'll rely on the email because part of that process. Also, I think I indicated yesterday, when Mr. Stenton was here, that some of the points we'll cover in written questions, but then highlight whether we think they should go in the in the technical note or the guide or just be dealt with a free standing response.

Speaker 16 1:10:52

Thank you, sir. Emma Holling Phillips, on behalf of the applicant, in relation to cultural heritage, I note that you requested a not a note to sign posting where in this scheme there have been active design responses to address setting issues or buried archeology in relation to the alternatives. Agenda item we are to include, include in writing the registers searched by the applicant to identify brownfield and previously developed land, and you've asked for a section to be added to the statement of common ground with both councils to address the availability of brownfield land. You it's not so much an action for us, sir, but you know in the written questions you were going to ask the applicant to clarify minimum site requirements, and I took a note of that in case it can be dealt with in the written summaries. And then the only action I have for biodiversity and ecology is for a meeting to be held between the experts from the applicant team and the councils to progress the matters that have been discussed this afternoon.

Speaker 14 1:12:14

Thank you. And there are also actions for North Kesteven District Council, submitting a plan showing the stepping out network plan. And also, I think it would be helpful, I think you indicated you're going to do this to provide an indication of what where the policy support for the stepping out network is, and also in response to a question that Mr. Or point that Mr. Taylor put, if you can give some explanation as to why the stepping out routes get extra protection effect over and above other paths. Is there anything else that anybody thinks has been missed from the list that the applicant has identified? So, starting with North Kesteven District Council, is there anything action point wise that you think has might have been missed, or have we captured them all?

Speaker 6 1:13:24

Ben Hunt for North Kesteven District Council, I don't think so. Are you going to sort of publish an action list for us to have a quick look at, just

Speaker 14 1:13:33

because, well, following the hearing, there will be an action list, but there won't be much opportunity for further engagement. It'll just be whatever the actions were. But I don't think, certainly, from your Council's perspective, other than stepping out, there was anything that arose during the discussion over the last couple of days. Sorry. John Hunter, Northcote, Stephen discussed, I was just going to stress, perhaps, if we get a draft of the email to avoid confusion, just because I know there's a specific points that we're going to be covered in the technical note, if we could just see that in advance so that we can agree that and then it can be selected onwards. Is that going to have to do that? The draft of them, of it gets circulated to both North Kesteven and, for that matter, Lincolnshire county council. Hopefully the three of you can agree that, and then it comes to us to avoid too many ping pong episodes

Speaker 16 1:14:32

and myself, on behalf of the applicant, yes, very happy to share that now with you. And I think it's worth noting that the notes that I have down are for specific additional actions, as opposed to those areas where we confirmed that we would be coming back in writing on a particular issue, because that will be dealt with in the Britain summary.

Speaker 14 1:14:52

I mean, on my list I've highlighted what I thought were the headline points that were out of the norm. Let's put it that way. If.

Speaker 9 1:15:03

Yeah, thank you. Just two small things. One is that we talked about brownfield Absolutely. I also mentioned about industrial areas, and I wonder if that could also be included at the same time.

Speaker 14 1:15:16

Well, my definition of previously developed land or brownfield is all embracing as far as that's concerned, right?

Speaker 9 1:15:26

That's perfect. Thank you. And lastly, we didn't discuss the ecology framework, but there are some comments that I hope will be just will come out later. And the other thing is that a number of us were asked to produce documents to back up what we'd said. So just to confirm that we'll be doing that,

Speaker 14 1:15:46

we've taken it as read that an individual interested party that said There was reference earlier to a letter exchanged between Secretary of State and that IP Yeah, we're taking that as read that IPS will, and I

think you're down for submitting some niso documentation. Yeah. So, yeah, this generally is more where, particularly, we're asking the applicant quite a lot of things. And sometimes it can be that a council also is asked quite a lot of things. In this instance, it looks like we actually, we've only got one action. Will be a two part action for the council, but I've certainly been in other hearings where there's been quite a lot, not just necessarily on the applicant side of the table. Is there anything else from anybody on action point rising doesn't look like any indications. Nothing online either. So that therefore means we can draw this hearing to a conclusion. Thank you very much for your forbearance over the last couple of days, and all being well, at least some of us will be attending the compulsory acquisition hearing one tomorrow morning, which will start at 10 o'clock. And then perhaps others will be attending the issue specific hearing two, which will specifically look at DCO matters now, just for the benefit of interested parties who are still here, just because we are holding a very early hearing with respect to the draft order, does not mean that either Mrs. Wilkinson or I have arrived at any recommendations. It's standard practice for DCO hearings to be held in effect on without bridges basis, because, irrespective of whatever recommendations the examining authority makes the Secretary of State, we need to ensure that we've got a draft order that we think is in a fit state to be submitted to the Secretary of State for his or her consideration, I therefore am going to close this hearing at 10 past five. Thank you very much. You.