

REDACTED_AUDIO_FOSSEGREEN_SESSION2_ISH3_110326

Wed, Mar 13, 2026 10:00AM • 1:16:02

00:05

So we will continue with item agenda, Item 3.1

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but we'll be moving on to mitigation versus biodiversity net gain.

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So we might be giving Mr. Snedden a bit of a break of answering questions at this point,

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not if I've got anything to do with

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it. So we've discussed by biodiversity net gain. So I'm going to call that bng, because obviously I have difficulty saying those words. So we discussed bng at our first issue specific hearing and back in January, and we've taken note of what the applicant said in Appendix D of the written summaries of oral submissions for issue specific hearing one, which is Library Reference rep, 1046,

01:09

this sought to explain how the fields provided for bird mitigation are considered within the bng calculation. However, with that in mind, we do still consider that we still need some further clarity that there is, in effect, no double counting of the land that's been identified for both mitigation and bng. We touched on that or hinted about that in

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one of our second round of questions that was published a little bit

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ago. So I think what we thought was maybe a good way of dealing with this is to go through a couple of examples. And I don't know whether there's anybody from the applicant side that can display documents on the screen right. So I was going to suggest that we use it's sheet, four of figure, 7.15

02:01

dash, one of the framework landscape and ecological management plan, which is rep 2021,

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and sheet four, which is electronic page 56, in The bng report, which is a PP, 194,

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so I'm giving those examples now, but before we get on to the examples, I just like to touch on a couple of questions, but hopefully it'll give a little bit of time to display the documents.

02:34

So I was turning to the first sort of point. It would be helpful with our understanding, if you could explain how you've established the size of the bird mitigation area that would be needed to mitigate the effects on ground nesting birds that was identified in es chapter eight, which is rep one, Dash 019,

03:04

Bill Gates, the applicant.

03:07

So I think to deal with your question at the end there, in terms of how we've come to the areas, or the size of the areas required for bird mitigation.

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So there's not really a standard piece of guidance, or a calculation which sets out how you should determine that. So we've taken the baseline context. If you use Skylark, for example,

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the main reason for skylark decline is that current arable farming practices essentially don't allow them to produce enough chicks to be able to maintain their population. So with that in mind, we've considered elements and measures as part of the scheme which can improve that productivity of those birds. So for example, in retained arable farmland, we will include skylark plots, which is a fairly standard and approved for environmental stewardship schemes, etc, as a way to enhance arable farmland for Skylark.

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Typically, they can have a three fold increase in the number of skylark territories which could occur in a standard arable field.

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In addition, we've looked at measures which include sort of retaining the habitat over a longer period of time. One of the main problems is currently sort of

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autumn sown cereals. So by the time it comes around to the skylark breeding season in the spring, the crop is essentially too high. So they can only get off one, if they're lucky, two broods, whereas in reality, in permanent, stable habitats, they could have up to four broods. So again, we're looking at including that as part of the scheme.

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There's also all of the areas of grassland which we're creating which will enhance and improve the insect diversity and availability for them so they have greater foraging opportunities. Again.

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More provision for the chicks and hopefully more success. So they're the three measures that we've really taken to try to improve, for example, skylark populations as part of the scheme.

05:12

Okay, thank you.

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In terms of Skylark, for example,

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the ES chapter noted that there would be displacement of the species due to the solar panels going currently. Where, where the the areas that they use. You're

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obviously proposing other alternative areas where you would do the bird mitigation? I mean, are skylark a population that are very fixed in where they like to be or like to go to, or are they quite flexible in? I mean, would they know to go to the new fields, I guess is what I'm trying to say. Or would they return to the area that they could no longer be in?

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Neil gates, for the applicant, there is a certain amount of site fidelity in Skylark. But as we're looking to

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essentially use the existing farming methods and cropping regimes in the area, there will be a certain amount of movement skylark on an annual basis. So I in any given year, there will only be certain fields which may be suitable for skylark breeding. So they will be moving around the the local landscape to a certain extent already. So we're not proposing to put mitigation a long way from where they currently are. We'll be using the existing sort of retained arable farmland within the scheme, and obviously enhancing that through skylight plots to be able to accommodate some of the displaced Birds.

06:48

Thank you.

06:58

So again, turning to the applicant,

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through various documents and again, at issue specific hearing one you mentioned that the land that's described as bird mitigation, managed arable may be rotated within the areas of the site identified as proposed species rich grassland or retained arable outside of the solar PV areas, for example, in the landscape and ecological management plan and also on the bird mitigation plan.

07:32

To me, that suggests that this area, which I think would amount to around about 156 hectares, would also be suitable for bird mitigation purposes. Now, Mr. Taylor may well have touched on this a little bit at our previous question, but I'll ask Mr. Gates to expand on that a little bit. If it is the case that the area outside of the solar PV areas and the bird mitigation arable areas

08:01

are both suitable for bird mitigation.

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Why? Why do you need all of both? I guess is the point.

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Neil Gaius, for the applicant, I think, as my colleague Mr. Taylor, sort of highlighted earlier, really, it's to be able to allow landowners to continue farming those areas. So we're accommodating bird mitigation

within those existing farming regimes. So essentially, we can use the Current Pattern of use by skylark as an example, and move that around the areas within the order limits, depending on where the suitable crop may be in any given year

08:56

in terms of the bird mitigation area and the Other arable areas. How does that fit with any country countryside stewardship scheme that may be in place on the land? Are you aware

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Bill Gates for the applicants? Yes, there will be existing countryside stewardship schemes, I'm sure, across various parts of the order limits.

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However, obviously we're looking at mitigating for specific impacts of the scheme, so they will be contributions in addition to anything which is currently being used on the site.

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So what you're proposing would be in addition to any countryside stewardship scheme that might be in place,

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yes, yes, that's correct. It would be mitigating for the specific displacement or loss of well arable farmland through the solar arrays. So.

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I'll just turn to the Councils now, and I appreciate that the District Council, psychologists obviously can't join us today. I mean, if there is anything, once he hears what is discussed, obviously you would be able to put it in writing. But from what you've heard, is there anything that you want to add at this point in terms of

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of the discussion?

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Ben hunt for North Stephen District Council, yes, you're you're correct in reminding us that Chris Harrison, our course is not available. However, he has specifically been dealing with bng other than, rather than mitigation. So I'll perhaps hand this over to

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the county council. Further comment? Do? Darren Clark for Lincolnshire county council, yes, we've mentioned at the previous hearing we've been working very closely with with North Stephen on biodiversity, net gain and ecology. I've been dealing with ecology. So happy to sort of speak on this matter. I think the only thing that I would say is that, yeah, as far as what's been said so far, council agrees with with the applicants approach to defining the areas of land that are required for both ground nesting, bird mitigation and for biodiversity net gain. And we're of the opinion that the areas are necessary, appropriate and proportionate. That's probably all I need to say at the moment. Thank you. I moment.

11:47

Thank you. Thank

11:57

you, Mr. Lyons, thank you, Nick Lyons up on the hill parish council, with reference to the last point that you raised with the applicant, if I understood it correctly, the summary conclusion was that

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the steps undertaken by the applicant would be in addition to the

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stewardship arrangements

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that exist, surely a component of those would be, in effect, a substitution, rather than a rather than an addition, because some of the land that would become part of of screen may already have existing stewardship arrangements in so the new arrangements will be effectively substituting, rather than be all additions.

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Just an observation, does the

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applicant want to come back on that

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Neil gates for the applicants.

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Yes, any any existing sort of stewardship practices or entrance into various schemes would be, have been considered as part baseline conditions. So anything that we would need to provide in terms of mitigation would need to be in addition to that.

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Does the applicant have a plan showing any current stewardship schemes across the site boundary?
Do

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you'll go to the applicant. I may have to defer to colleagues, but I'm not aware of one

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written Taylor for the applicant. I'm not aware of one either. So that's a matter. We'll have to come back to you in writing on I'm afraid. I think it will assist I think it will assist us. If we can see something that does show any land within the order limits that are subject to stewardship,

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we'll, we'll make sure that that's done.

14:19

I think Neil gates to the applicant, just to sort of clarify in that position as well. Quite a lot of the things which are covered by arable covered by environmental stewardship, would be picked up in the baseline habitats. So they would be field margins, for examples, they would be other cover crops, areas left as

fallow, all of those types of things. So they would be picked up and shown on the relevant habitats maps, which are part of the application documentation.

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Don't doubt what is, but I don't think there's a clear indication specifically that

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field whatever has got the northwestern corner in stewardship and the south eastern corner, isn't i.

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I think it's that sort of information that would assist

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us. Okay, noted, thank you.

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Is it worth putting that down as an action point? I think end for that stewardship on Thank you.

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See another hand up in the room,

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thank you.

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Yes.

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Mr. Elvin from Digby, also involved in the campaign, the

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cliff villages campaign,

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yeah, I noted in the comments at the beginning, it seems to be a fashionable thing to do

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is to blame agriculture and farming for a lot of the problems that we face in the environment, and they seem to become an easy target for that sort of thing. And I find that

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unacceptable. Actually, there are problems, but so there are much bigger problems, and there's a in other sectors, and there is a history of stewardship and looking after the countryside, so far as agriculture is concerned now. And it does seem that so far as this scheme is concerned, it's quite ironical, given the kind of environmental, ecological, wider damage that this proposal, the FOSS Green Project, would result in, that I hear what's being planned for skylarks. Obviously, it's important to maintain those those particular birds, and it's good that something has been put in place for them, but I don't think I would urge people on the council and locally not to lose sight of the fact that that's probably vastly outweighed by the damage to ecology and environment in the area as a result of this, and also that it would be entirely possible to put that kind of program in without

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covering 3000 odd acres in cables and solar panels and goodness knows what else.

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So you know, before we lend our support to that idea, I think we need to put that have not only a biodiversity net gain, look at it, but also a general net loss, actually, so far as wildlife and ecology in the area is concerned, particularly, I'd ask the question,

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what is going to be done about the fact that

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fencing off large amounts of ground, land is going to do so far as

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terrestrial animals, hares, deer, other other mammals in the area and their communication lines and what have you. So that's that we need to know more about that and also that.

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What sort of planting are we talking about? It's very easy to talk about, you know, a biodiversity net gain, without really getting the details of a lot of what that is in terms of planting, what would result in so far as invertebrates and mammals is concerned, and why those kind of schemes couldn't be implemented anyway, without FOSS green, because there are wilding programs, there Are things available to agriculture farmers are working on those areas of

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putting what used to be called set aside, but leaving areas around fields and so on and so forth, which would make an enormous difference, whilst not covering the rest of the the area with panels, and the sort of effects long term that that could have actually on the soils and what actually grows beneath those panels, because it isn't. It's nowhere near what we've been told it is. When you actually look at solar panel schemes and what does and what doesn't grow, it doesn't amount to an awful lot, I'm afraid. Thank you. Thank you. Mr. Relevant, one or two of those points we touched on at our earlier hearings and responses to our first round of written questions, but especially in terms of the connectivity issue that you raised. But I'll just ask the athlete if they do want to briefly come back on anything that Mr. Elvin raised before we move on to the examples that I asked about earlier. Thank you.

19:45

Neil gates, the applicant, I think I'll just make two points on that. Firstly,

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point the gentleman to the

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chapter eight of the environmental statement, which is the ecology and nature conservation chapter. And in.

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Particular table eight point 18, where we set out clearly a wide variety of net benefits for a whole host of species and habitats which would be delivered specifically as part of the scheme. Secondly, in terms of

the details as to where all of the habitat creation and enhancement is set out. Again, I would point and gentlemen, in the direction of the framework landscape and ecology management plan, which details all of those prescriptions and measures.

20:33

Thank you,

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Overton, Thank you. Just a question. I think you've asked some very pertinent questions, for example, about the stewardship scheme. Obviously, if it's already in and has an extension, then that mitigation would happen anyway. You know that those, those things are there already, so they're not additional, as we said. But I also would like to know whether these could happen without the solar because, you know, there are grants for Defra which many of landowners are accessing about in order to increase their landscape restoration. And I understand that your your organism as well. This land is in as well. So I'd like to know how much of it would happen with or without the solar because in that if it happens anyway, obviously it's not additional. And I think the other point, just like you did pick up, is about the rotation. And again, if it's farming and bird mitigation, I do find that a little bit confusing. I think it should be, you know could be stewardship, farming or something like that, but calling it both is confusing. Thank you.

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Can you just bear with us? There do

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and I'll turn to the applicant to see whether you want to respond to councilor rowton's points about the stewardship side of things.

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I think the only point I'd make on stewardship, obviously, yes, landowners are perfectly

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capable of signing up, and they can do if they wish to. I suppose the point I'd like to make is that really, the scheme is looking to deliver long term, permanent mitigation and enhancement as part of the scheme. Obviously, any stewardship really is at the discretion of a landowner to be able to do that. They will have a fairly short term period against which they would sign up to so I think yes, really it's just putting it in the context of the the operational life of the scheme, and how long the proposed enhancements that we would be providing would be in place.

23:30

Thank you. Just come back the sign up for 30 years now is the plan. That's the new proposals for landscape restoration. So it's certainly not short term by any means. And I understand that those plans are already in trade. Thank you.

23:47

Neil gates, the applicant, yes, I acknowledge there are wider landscape restoration plans and projects for the area. I think that is slightly different to the existing environmental stewardship schemes that are in place, though. Yeah.

24:03

You. I did want to just touch on when you've mentioned the landscape, the land restoration projects, and it's obviously not the countryside stewardship scheme that you're talking about. Could you just explain for us briefly what what you're referring to, just so that we're we're clear that we're talking about

24:21

Marianne Overton Cliff villages, soil Action Group. It was a question I asked because I have, I understand, I've been told, but I haven't got any evidence. I've been told that the large portion of this is being proposed for a Defra landscape restoration grant, which would mean that much of this mitigation could be, or would be included in that and would therefore happen whether or not there was a solar application, and that was actually a question that I put, rather than a statement of facts. Thank you.

24:58

So councilor Overton, you don't have any.

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Like hard evidence that you could submit to us at the moment on that see if I can get some. Thank you. Thank you,

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Mr. Lyons,

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thank you. Nick Lyons, Chairman Thorpe on Hill parish council.

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As this topic has been raised, I could offer some commentary. It was a point I was going to bring up in the open floor hearing, but I will just,

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I'll just refer to my notes.

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So there's the Lincoln and Witham landscape Recovery Project.

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And this project, and the applicant, I know is has been in discussion. So the applicant is familiar, I believe, with the project. The project

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is currently approaching the end of its feasibility study stage. The feasibility study was funded by Defra

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for a value of approximately 200,000 pounds, and the next stage is to bid for a multi million, probably in excess of 100 million pound grant on a competitive basis to Defra

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and the scheme covers a very similar geographic area, but much larger. It extends into the city of Lincoln

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and south

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to beyond Newark. It goes as far east as the A 15 and as far west as the river Trent

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and the aim of the project is to encourage willing landowners to contribute their land

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to promote

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carbon capture, biodiversity, flood mitigation

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and

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join corridors up to

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help restore

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nature.

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And

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if you looked at the map of the

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scheme, what you will see is, against that, vast area is a mosaic of contributions

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from various land owners. I know this because Thorpe on the Hill is a contributor to the scheme, because we have a village Lake, and we have

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put that into the feasibility study. But I just, I think it would be worth you speaking to the project team. There is a very limited amount of information available, because it's a feasibility study, and until it's approved, the information in terms of who's contributed particular pieces of land is can be regarded as confidential, so landowners do not want necessarily to publish that information, but some of the same landowners who are contributors to the FOSS green energy scheme, contributing large pockets of land to

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the FOSS green sorry, to the Lincoln and Witham landscape Recovery Project. Indeed, the land where we were yesterday on the accompanying site visit, the orbit of states are a large contributor, for example.

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And

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I think because of the limited information that's available, because it's only a feasibility study, is worth stressing. There's no certainty of it progressing, but it would be worth you contacting the project team, I would suggest, to get some information. It's very contiguous to what to this scheme.

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Mr. Lyons, we don't have

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what our role is, not to go out and contact various parties. We can receive evidence that either African provides, local authorities provide or other parties. Do either the local authorities have any understanding of

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the application that's potentially been made to Defra? Are they involved in any way as a possible conduit for some information being provided to us? City council are involved?

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Um, because hartshone Park, hartshone Park in Lincoln is a, is a contributory piece of land, for example, turn

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into the county council first, and then we'll go to the district Sherwood shape for Lincolnshire county council. So we don't know we need to take that one away, and perhaps we'll consider it and respond in writing.

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North, kestervan,

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Ben hunt, North Stephen District Council, yes, we're aware of the project and its early stages. This district council is involved and has, for instance, offered project management support,

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possibly website support.

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But I know little more than that before we ask the applicant what it might know.

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Could we therefore ask the council if you can possibly take this away and perhaps arrange for some sort of briefing note for whoever within your council is leading on the project, so that we've got a better

understanding, and if at all possible, accompanying whatever note, some sort of plan that might show the extent.

31:13

Certainly, sorry, Duncan, North Casin District Council. Certainly we can take that away. Felt some nodding away. I think we can try and sort of assemble something to tell you what the level of Environment and the progress is the date.

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It may not be possible to provide that for deadline three, but possibly deadline three a

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second, yeah, three A is not too far. It's towards the end of this month. So I think we we can all live with that. Thank you. Turning to the applicant side, is anybody present that knows anything about this potential project?

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Neil gates, for the applicants, yes, we have been having dialog with the project team. I can pass it on to my colleague, Mr. Neil Titley, if you'd like further information on that specific matter, if

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Mr. Titley is able to help,

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yeah, thank you, Neil Titley, on behalf of the applicant, we're aware of the project, and we've been speaking with various stakeholders involved in that project, including the landowners Lincolnshire Wildlife Trust as well, are very involved, as well, as you've mentioned, the councils

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and the Forestry Commission. I think there's a map, actually, if I recall, on the Lincolnshire wildlife site, website, that the principal aim is, as you described, sir, is to assist landowners, farmers achieving net zero farming, sustainable farming, and environmentally friendly farming, which the the solar farm proposals sit very well alongside and as part of the land holdings. In fulfilling that aim, we've continued the conversations throughout the process with the landowner, landowners involved

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as part of the design evolution. And we've been speaking with the the

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lead officer, the project, lead officer for the Lincoln with them landscape Recovery Project, who has accepted that the the proposals align with the aims of that recovery project. So we're satisfied as an applicant team, the project sits well alongside the aspirations of that project, and we'll see whether we can seek to get that in writing for you.

33:46

Might I make one small comment additional? Ben hunt, not seen District Council. I think it's also in the context of all the topics we're covering at the moment. To bear in mind that this nature Recovery Project is also has a substantial public access to nature and tourism element to it as well.

34:11

Thank you.

34:22

So before we move on, I see that Mr. Williams has had his hand up for a while online. I think we'll bring Mr. Williams in, and then we'll move on. I think to the examples, just to help us with the

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I can hear me. Okay, yes,

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Mr. Williams, we can hear you fantastic Mark Williams, Springwell solar Action Group. I'm just going to follow on from some of the other conversations that have been listened into. So obviously, you know, I'm really happy that you've raised the issue of skylarks and other wildlife in the area, and as to the.

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Inspectors point, you know, how will skylarks know where, which fields they're allowed to go into and which fields they are no longer allowed to go into? Likewise, that impacts all other wildlife, deer, Hare, foxes, badgers, etc. We see the applicant puts in things like little little hatches to allow animals to move from field to field again. How does Mr. Badger know where to find that? That access point, etc.

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It's also really critical for me is the applicants, whether it's FOSS green, Springwell, cleave Hill, they come forward with all these figures around biodiversity, net gain, etc, etc. Where are the penalties if they don't achieve these, these these claims, because

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it's quite clear that some of these applications are nowhere near reaching the milestones they claim, if you look at the recently opened Cleve Hill solar farm, that that is essentially a complete mess from the works that have been carried out and are now significantly underwater. So again, where are the where are the benefits and where, where are the guarantees that this sort of thing won't happen? So if the applicant is prepared to put a bond behind some of their claims, I'd be really interested to learn about

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Thank you, Mr. Williams, I just saw that we had a couple of hands up in the room. Have

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you got points that you want to raise that haven't already been covered on this particular topic? If they're new topics, and then I'll come back to the applicant to give them sort of the final word on this particular topic. Thank you. This is going to be very brief,

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from what we've heard. Yes, of course, we

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encourage and support any attempt to improve the environment. But everything we've heard points to one thing, and that is the Witham Valley. We're talking about all the way from Lincoln to Newark and beyond, is regarded by our council and everybody around as an area of exceptional value, both for recreation and also for diverse agriculture. And what I think we've all agreed on is this is the last place we want to put an industrial complex. Thank you.

37:28

Did I see another hand up? Must

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have imagined it. Okay. Thank you. I'll turn back to the applicant. Now. Do you want to briefly respond to the point that you've heard from Mr. Williams or Mr. Overton,

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Neil gates, for the applicant, I think the only point I will make is on long term monitoring and again,

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subject to the scheme receiving consent. Obviously, there will be a detailed design process. There will be finalized management plans, and in those would be monitoring requirements. We would agree those alongside the local authorities, and we would have to report on the actions of those monitoring activities for a set duration of time,

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and that would include corrective action if the monitoring was showing that things weren't materializing as expected. Okay, so the applicant, yes, that's correct. Okay, thank you.

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I think the monitoring is, you're coming back to later. The question is, who's going to monitor, where's the funding, and also, for how long? If this is a 60 year project? Thanks. Yeah, we might well cover that actually, in the DCO hearing that we've got on Friday. Thank you.

39:00

So, turning back to the examples that I mentioned at the start of this section on biodiversity net gain.

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Thank you.

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Yes, that was it. It was it was sheet four. I think it's just so this is sheet four in the landscaping ecological management plan. I think it was also sheet four

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in Appendix D of the biodiversity net gain report. I think that was the same sheet. I think just using this as an example,

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can you explain how bng has been calculated for the area that's identified as proposed bird mitigation area, permanent grassland on the figure. That was part of the landscape and ecological management plan. So the other plan that you had,

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yeah, it's the sheet the hatched green area shown on that plan, just to help us understand how you've used the bn.

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Calculation on those particular areas. Thank you.

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Bill Gates, for the applicant.

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Okay, so probably the best place to start is with reference to the biodiversity net gain report. That's a PP, 194,

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suppose we clearly set out in Section 2.7 of that. Just to give some context, I think before I go into responding on this specific point, but I think this is really dealing with how we've applied the mitigation hierarchy to undertaking the biodiversity net gain calculations. So there are a set of good practice principles. Principle one is following the mitigation hierarchy, and we've set out in Appendix f of the biodiversity net gain report how we've complied with each of those principles specifically in this scheme.

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So I think in I suppose, in fairly straightforward terms,

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how we calculate the biodiversity net gain. So we obviously look to avoid impacts on important ecological features where we can where we can't, then we need to provide mitigation for those, as is the case for providing permanent grassland for skylark in this in this context. So I don't know if that's picking up particularly well. It seems to be cutting in and out the microphone, so hopefully everyone can hear me. So yes, whilst areas like that are included within the biodiversity net gain metric calculations, they don't contribute towards biodiversity net gain beyond achieving essentially a neutral position, so they take it back to zero, essentially. So then on top of that, we have to

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apply a whole series of other enhancements through creation of habitats. And quite a lot of the unit gain from solar schemes is essentially turning farmland which is low scoring or doesn't score in the biodiversity net gain metric, and creating some form of grassland in and around the panels, and that gives us the vast majority of our unit gains.

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So I suppose in summary, yes, the areas of bird mitigation are included in the metric calculations, but only in the context that they take the baseline essentially back to zero. So

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so when you see that, they take it back to zero,

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it's not adding

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to

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biodiversity. Then,

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yes, that's correct. It's not. It's not providing the gains. So I above the 10%

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it's obviously included within the baseline, because it's part of the order limits, and it needs to, needs to do that, but it's not generating the additional units gains. That's all of the other non mitigation areas. So

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okay, and staying with a similar point. So in terms of hedgerows, for example. So in the assessment is the landscape and visual assessment appendix 10 F, which is as 120 in examination library, the proposed vegetation is identified as a reason why the magnitude of impact for several receptors would reduce between years one and 15. So for example, page 125,

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specifically says that. So that seems to infer that the proposed vegetation would be there for mitigation purposes.

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Within this context, has the bng assessment differentiated between lengths of hedgerow required to mitigate effects that the proposed development would create and those which would be an additional enhancement beyond meeting the existing obligation. To refer back to what MPs one says about this particular area. So.

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Perhaps just by way of example, if we take clay lane, which, of course, is what South Western extremity of the order limits, where there's quite a large array area,

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currently no hedgerows whatsoever, roadside

45:18

as part of the landscape screening. Side of things extensive. New hedgerow is plant would be planted, I think in one section it's nearly half a miles worth that were there that hedge would primarily be planted for visual screening. But presumably because it would be new hedgerow, it is counting in amongst the bng score.

45:45

But is, is there an effect,

45:48

almost a double counting in that you're getting a bng benefit, but actually the primary purpose is not for bng. It would be to provide visual screening

46:04

Neil gates of the applicant. I think the short answer to that is yes, you are correct. So it is probably slightly more nuanced than that, but yes, where we have mitigation for other environmental matters, then they would be contributing to the specific biodiversity

46:26

benefits and gains reported so

46:43

perhaps to avoid prolonging a discussion too long, you referred to basic

46:50

principle, but there are some nuances. Perhaps, post hearing you could explain what the nuances are.

46:59

You'll go to the applicant, yes, we can sell that out with some specific examples I think.

47:12

Mrs. Overton, Thank you very much. Thank you for that. The other points that I think is worth raising is about the game, about the issue of going from arable to arable, stroke, bird mitigation. The

47:30

point is, I wonder how much changing from arable to arable and bird mitigation increases your bng, and yet practice on the ground may be completely unchanged. The

47:50

applicant. Want to come back on that particular point?

47:55

Neil gates to the applicant, apologies, I not sure I followed the question

48:01

I raised before, about the confusion calling something mitigation, bird mitigation and also calling it arable. So you've got quite a number of sections where you've changed, apparently, from arable to arable, stroke, bird mitigation, and you've not clarified which is which. So what my question is, how much has that increased your bng, bearing in mind that the practice on the ground may be entirely unchanged the farming practice, thank you. Bill Gates, the applicant,

48:38

it doesn't change the bng position, so it stays as arable, and it's retained as arable. And the specific mitigation measure for ground nesting birds, in particular, Skylark, is the application of essentially bare ground plots, so undrilled plots within those fields. So it remains as arable farmland. But there's specific prescriptions within that arable farmland which provide the necessary mitigation. Thank you so it does not affect your bng,

49:13

Thank

49:16

you, ma'am. I presume regarding bng, anything that is removed in terms of vegetation. Sorry, I should have said full heard on behalf of Clifford, actually anything that is removed

49:30

counts off of bng, and I've been trying to get my head around the hedgerow removal.

49:37

Rep 2030,

49:39

clarifies that quote, a total of 3.48 kilometers of hedgerow will be removed if, and sadly, I did, you go into schedule 11 of the draft DCO, and add up all the

49:52

individual elements of

49:55

of hedgerow to be removed. That comes down to some 1000

50:00

985 meters, 1.985

50:02

kilometers, which means somewhere there is 1.5 just

50:09

confirm 1.5 kilometers of hedgerow which don't appear to be listed anywhere. Could the applicant please, through you ma'am, verify the situation or how much is actually being removed.

50:24

The applicant able to come back on that point at the moment, or,

50:31

all right, as part of the follow up to the hearings, I'm afraid that's going to have to be sorry, Reuben Taylor, for the applicant that's going to have to be in the follow up. We just don't have that material immediately to

50:45

hand. Thank you. We'll come back quick on that point. Mr. Heard

50:51

before we leave the this particular topic, and a pass back to Mr. Gold for, I think, our last couple of questions on this particular agenda item. I'll just turn quickly to the councils. Is there anything that you wanted to raise On this point?

51:04

District? Council, okay, thank you. I

52:02

just turning to the operational phase. And I said, I might have something for Mr. Snedden, but I don't think this is actually for Mr.

52:15

Snedden. The application is being promoted on the basis of it being a temporary development with an operational life of 60 years,

52:25

and that it's required as part of the United Kingdom's transition away from using fossil fuels

52:34

to generate electricity.

52:37

And the question is, how likely

52:41

is it that the proposed development would be decommissioned 60 years after its commissioning?

52:47

Given, given the likelihood that at the end of this century, and going forward into the next century, there is still likely to be demand for electricity, at least at the levels currently projected, if not even more than currently projected.

53:06

So

53:07

get to the end of 60 years,

53:10

or somewhere shortly before 60 years, is whoever is operating the site at that time going to seek to extend, or will there be a decommissioning because as a the application has been promoted on the basis that it's got a limited operational life of 60 years. So who from the applicant's team wants to field that one?

53:37

Reuben Taylor formal for the applicant. So what you're asking us to do is to speculate as to what

53:46

life will be like in 60 years time. Now, one way of looking at that would be to take ourselves back 60 years. That would be in 1963

53:59

biomass. We're in 1963 and we're looking forward. We're we're taking decisions about how we're going to provide electricity.

54:08

I hate to support the party 60 years back, 1966

54:13

if we're

54:20

in that timeframe and we're looking forward and trying to speculate as to what decisions will be taken in 2026

54:31

about the way in which, in policy terms, we're going to provide power and Electricity to our communities. I doubt that anybody in 1966

54:44

would have said to themselves, we would be looking to get to a net zero position.

54:51

And just think about that for a moment, because that is

54:57

that is an example of the nature of.

55:00

Change in society over 60 years. What we can do now

55:06

is make judgments, and they are just judgments based on the best available scientific material

55:15

as to what we think may happen in the future, what is likely to happen. That's what environmental impact assessments about we are unable to know in 60 years time what technologies will be available in terms of electricity production. Certainly down near where I live, in Callum in Oxfordshire, there are a bunch of people working on nuclear fusion. Will that have come forward? Who knows

55:43

what we can do is to deal with this particular technology now, this particular application now, and we can make a judgment as to what its impacts are going to be on the basis for which it's applied, namely that it's temporary,

56:02

anything, any extension of the this facility and this scheme would require a further consent and would have to be then justified at that particular point in time, in the context of the technology that exists and in the context of government policy that exists at that time. And so that is a judgment and a decision for a different generation of people to take in a different context.

56:34

And so in my submission isn't really a matter that we need to worry about in determining

56:41

this DCO application. Now,

56:47

hear what you say, but of course, the premise of the application is that it is for a limited life, expiring 60 years after commissioning, and then when you're looking at potential reversion uses in some areas, back to farmland.

57:06

That does present a bit of a quandary as to

57:11

how this should be properly assessed in that sort of context.

57:17

I take the point that the applicant sitting here today can't say what will happen in 60 years. Neither can examine authority nor for the secret state, because none of us will be fulfilling the roles that we are currently fulfilling, quite in this room, quite. And that really rather reinforces my point. Sorry. Ruben Taylor, for the applicants, again, it's a decision for a different generation of people in a different context, what we have to manage in determining this DC application in my submission

57:48

is the application that's in front of you. What has to be considered is whether the decommissioning proposals are acceptable and

57:58

what

58:00

their impacts would be within the context of the current policy framework. So

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I can see various hands. I don't think we necessarily need to take all the points, because I suspect some may repeat,

58:45

if we look At perhaps Mr. Conan first,

58:51

Kobe, sorry,

59:01

Gordon Covey's Thorpe on the Hill resident

59:06

is this, I hope I'm not going into semantics, but it's this word temporary that I have an issue with. Surely, 60 years is not temporary. It's almost permanent. And also,

59:21

at the last hearing, it was said that the infrastructure in the ground below naught point nine meters will not be removed at the end. So you can foresee what's going to happen in 60 years time. You can't have it both ways,

59:40

and a lot of the not being local. A lot of the local media has picked up on this temporary business, and they've rather ridiculed it, because to most people's understanding, 60 years is not temporary, it's permanent, isn't it?

59:59

So.

1:00:00

Were, can we please look at that and thank you that easy pressure for my five minutes this evening. Thank you,

1:00:18

whoever. Thank

1:00:21

you. Alistair King, local resident, very quick one this. I think we just heard a pretty reasonable definition of permanence from the applicant. That's it.

1:00:42

Mr. Robin, thank you. Mr. Yeah, there's two ways of looking at that. To most people, 60 years doesn't sound like temporary. I agree there.

1:00:56

This one's longer than some of the others, which have been 4040 year applications.

1:01:02

There's no way of looking at

1:01:04

if it is temporary, then what on earth are we doing, ripping up hedgerows, putting this material in the ground, with all the knock on effects that could have for

1:01:19

ground pollution,

1:01:23

ground water pollution, soil pollution,

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taking away productive farming land and creating an environmental eyesore, which we'll be talking about in the next session for, For a temporary fix for what? What are we doing?

1:01:44

These things we're being told are temporary. So if they're temporary, why do them?

1:01:49

Why aren't we looking for some permanent

1:01:52

solutions to generating electricity that involve far less acreage, are far more efficient in output would be far less environmentally damaging in many senses, and particularly in terms of not industrializing the countryside. Which is what is being proposed here.

1:02:15

I find it quite remarkable that a scheme has been put forward, which from the answer we heard, and it was a very good question, by the way, from the answer that we heard, sounds that I haven't got

1:02:31

an end plan.

1:02:35

There isn't one properly that is going to actually

1:02:39

do anything but leave a mess for future generations to pick up and on that alone, this scheme should fall. Thank you. Thank you. Mr. Alvin.

1:02:52

Mr. Lyons,

1:02:55

yes, thank you. Nick Lyons upon the hill parish council. A number of other speakers have covered points that I was intending to make, so I won't simply repeat them, but there is a bit of duplication. Perhaps I am greatly concerned that this 60 year, 60 year duration of the application seems to be an outlier. Does a compelling case really exist for 60 years duration when standard technology development curve suggests that these kind of solutions will be obsolete, will be superseded.

1:03:31

You know, already, already these technologies are at a mature state, in order to, you know, an early adoption state that they're established and mature, and I understand that's a justification they use. I understand that, but a six year duration seems way beyond the technical likelihood that they'll that will still be an effective solution. And furthermore, the applicant relies on this project being temporary and reversible in planning terms and yeah, does the applicant really consider 60 year land use change to be temporary in its impact upon local communities?

1:04:14

Thank you very much. Thank

1:04:20

you. Mr. Lyons, just on the point of 60 years. This is not necessarily an outlier. There are other applications in the system affecting other locations where we are seeing 60 years, apparently, being promoted by applicants. I'll take Mrs. Powell then Mr. Williams. I think we'll probably call this line of questioning a debate. There are, we understand as an example, there are varying views on what is temporary.

1:04:51

Mrs.

1:04:53

Wilkinson and I also have done minerals cases in the background, and we've worked on and.

1:05:00

Of minerals extraction cases

1:05:03

which also have fixed duration, so we understand what Temporary means in that context, which is a bit different to what we're seeing with some of the solar applications. Mrs. Powell, thank you. As a couple of things, I would like to say going back 60 years, but

1:05:25

and I have a very good farmer friend in Bourne that tells me, after 60 years, the land won't be growing anything.

1:05:36

I heard an awful thing on the radio, which I've never forgotten. And in China, 40 million people starved to death because their leader had taken his eye off the ball. All the farm workers had been taken off the field, the rice fields, and they'd been put in to build armaments. No one was there to harvest the rice, and 40 million people died because there was no harvest that year. And so it does worry me that all these huge 1000 acre

1:06:07

applications are going in as if land is nothing. Lincolnshire land is the richest in the county and produces the most that any other county produces to fall fuel, sorry, fuel the great British food industry chain. So you're meddling with something major here, taking out Lincolnshire land. And actually 60 years is almost three generations. 25 years is a generation. So we have to be very careful with what we hand on to our children. Thank you,

1:06:43

Mr. Williams,

1:06:46

thank you Mark Williams. Springwell summer action group really appreciate the question that the

1:06:54

chair has posed to the applicant, and actually what staggers me is the response from the applicant's representative, because the applicant has created this great, big document, which we are meant to be taking on board as kind of the

1:07:11

path that they're following for to get this application granted. And one of the big chunks of that application is yes, although I find it hideous, a 60 year application, but within that document, a huge amount about decommissioning and what will be done in 60 years. It will be all this infrastructure will be removed and it will be returned back to

1:07:38

agricultural land.

1:07:40

We've just heard the applicant's barrister say, Actually, none of us know what's going to happen. It might not, that might not happen. So a good, a good proportion of their application has just had a

1:07:55

missile through under, you know, through it, because essentially, they're telling us now, what part of the application can we believe? Because they've actually said one huge amount of it is pie in the sky. They can't guarantee the decommissioning.

1:08:14

I struggle to guarantee. They can guarantee the the bio, net gain,

1:08:20

you know, so what part of the application can we generally take as being

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solid? Thank you.

1:08:49

So I wonder if I might come back on behalf of the applicant. Well, what I was going to suggest is we perhaps hear Mr. Cobish And then you have a final sweep. Thank you.

1:09:04

Is there anything that the Councils want to raise on on this point? At this stage, Miss Felton will Koby, then we'll go to North kestervan, and then back to the applicant, and then we'll have lunch.

1:09:19

Thank you, sir. It's actually Carl Kern and my colleague, he's Koby Sean Kern, and we're both

1:09:26

afraid sometimes, don't worry. Listen, we get easy to do Thorpe on the hill. One of the things I think should be recognized, particularly while we're talking about this 60 year period, we're not looking at one solar development. We're looking at two because, by the

1:09:44

applicant's own admission, at a recent liaison meeting we held in Thorpe on the hill with them, it was stated, and again, Mr. Snedden has said that the these panels have degrade over time, over time, so that.

1:10:00

Within the 60 years. By the time you get to year 30, you're going to have to start to roll through a new program of panels. So to my mind, that looks as if you're going to have to rip everything out and put in new before you get to 60 years. So that's two solar developments within the period of 60 years, and you're adding to all sorts of carbon degradation, presumably in the manufacture. But having taken Nick Lyons point about the developments that were you likely to see in this 60 year period, I do think it's important to recognize the turmoil isn't just at the beginning, it's for the whole duration of those 60 years. Thank you,

1:10:54

Alison,

1:10:56

thank you, sir. Nick felt from North Castle, even District Council, just to sort of you'll be aware of this, obviously, the reference in the framework to the significant weight given and to repowering of schemes at the end of Project Life, accepting the point about we are looking into the future and a decision would have to be taken at that point in time in terms of whether the project remained and was repowered suffice to just point out that there is significant weight behind the principle of repowering in national planning policy. Thank you, sir,

1:11:42

Mr. Taylor for the applicant. Reuben Taylor for the for the applicant, sir.

1:11:48

The use of the phrase temporary

1:11:51

is done very carefully on this side of the room, and it's drawn from mpse in three which states that paragraph 210, 66

1:12:02

that a time limited consent where granted is described as temporary because there is a finite period for which it exists, after which the project would cease to have consent. So the use of the word temporary in the context of this application is drawn from that paragraph of national policy, the

1:12:24

that policy position is then also reflected in recent Secretary of State decisions, where, for example, a paragraph 4616,

1:12:34

4.167,

1:12:36

of the gate Burton decision On DCO, the Secretary of State confirmed that the 60 year consent lifespan in that case was, quote, temporary and reversible for the majority of the land.

1:12:52

So the applicant is seeking a time limit, time limited consent for the proposed development to be in operation for 60 years, with decommissioning to take place following the end of the operation. Mr. Williams appears to have a misunderstood I think your question to me, sir, and B my answer,

1:13:13

but I hope that that provides some clarity in relation to other 60 year consents that have been sought. What has been sought in this particular case is consistent with other recent, similarly sized solar projects coming forward, including consents granted for a number of them, tilbridge solar farm, Mallard pass solar farm, West Burton and the gate Burton energy Park, which I just referred to,

1:13:45

I think that's probably all I need to say, that particular stage the application is for a temporary consent as defined in policy, as recognized by the Secretary of State in recent decisions. I

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is the point brief? Because I did very brief. Thank you,

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Inspector,

1:14:32

sir. The point is that it is as

1:14:36

I understand the legal framework, but that has to be balanced, and it has to be balanced with the impacts over a long period of time. And the Extended Period don't appear to be justified. These if it's permanent, if the cables in the ground, that's permanent, they're going to be out of date very quickly and need to be replaced. It's not just 60 years. There's a number of replacements.

1:15:00

On the way as well. Thank you.

1:15:06

That does then bring us to the end of

1:15:11

agenda item, sorry, yeah. Agenda Item three, one.

1:15:18

We've now got to quarter past one. It's how long do people think they would like for lunch, remembering that we've got to cut off at four o'clock to make arrangements for this evening's open floor. Hearing is 45 minutes. I coming back at two o'clock. Sufficient? Or do people want the full hour?

1:15:40

Prince team, any views on resumption? I'm being told 45 minutes is fine. So thank you. Anything from the council? Yeah, I think we're generally getting the view resumption at two o'clock. So the hearing is therefore adjourned until two Thank you very much.