



Hearing Transcript

Project:	Fosse Green Energy
Hearing:	Issue Specific Hearing 3 (ISH3) – Part 2 – Session 1
Date:	12 March 2026

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AUDIO_FOSSEGREEN_ISH3_SESSION1_12 0326

Fri, Mar 13, 2026 9:22AM • 1:16:24

00:04

Well, good morning, everybody. It's now 10 o'clock, so issue specific hearing

00:12

three is resuming.

00:16

I'd like to welcome everybody back to this hearing, or for those who are joining us for the first time. Can I confirm that everybody in the room can hear Yep, thank you. And can I just check those who are online that you can both hear and see us? Can somebody please indicate

00:36

Yep, thank you.

00:42

Can I also can check that the live stream has started and we've got cording getting thumbs up. Thank you.

00:50

I'm going to quickly run through some sort of introductory formalities for this morning.

00:57

Hopefully we're not going to have to do the full version. I'll come to that in a minute. My

01:06

name is Graham Gould. I'm a charter town planner and an inspector with the an inspectorate, and I've been appointed by the Secretary of State as the lead panel member to examine this application. I'll ask my colleague to introduce herself. Mrs. Wilkinson,

01:21

good morning. My name is Frances Wilkinson. I'm a chartered town planner and planning inspector, and I've also been appointed by the Secretary of State to be a panel member to examine this application. Thank you.

01:34

And together, we comprise the examining authority for this case.

01:39

Also in the room present with us are a couple of colleagues from the inspectorate, Simon Ray woods and Jessica Dunlop, who are members of the case team,

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assuming you're pretty familiar with them now. And also present our representatives from the audio

01:58

visual company, production 78 who've been attracted by the applicant to provide recording and line live streaming services.

02:07

If for any reason, you see us discussing anything with the sections of production 7018 it will be because we've encountered some sort of technological issue.

02:20

I would ask everybody in the room if you can make sure that your devices and phones are on silent mode, and

02:27

anybody online, if you can please make sure that your devices are muted and that you

02:35

unmute When have you are going to be participating.

02:42

Toilets are behind me to my right, there's a corridor for both ladies and gentlemen.

02:48

We're not expecting any fire test today, so if the fire alarm does sound, we will have to evacuate

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and gather, apparently, outside gates one and three, and then wait for instructions from the venue staff as to when we can return.

03:06

Is there anybody present today, either in the room or online, that's not familiar with

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an

03:16

conduct of an issues specific hearing,

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either because you've not been present one of our sessions previously, or because you've never been to one before. Looking at the applicants team, Is everybody familiar?

03:31

Yep.

03:32

Reuben Taylor for the applicant, yes. North kesterman District Council,

03:40

one of my colleagues to my left, I don't think, has attended one of these, but we've given them some general briefing.

03:48

Is your colleague familiar with the data protection side of things in terms of recordings and how we handle that recorded information? I haven't specifically made them aware of that. Now

03:59

I'll just check the account, and then I'll just quickly go through that side of things and for the county council,

04:07

W shape for Lincoln County Council. So our position is the same. We have some officers that haven't acted previously at

04:13

hearings. Try and make this short as possible. Thank

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as

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is standard practice, this hearing is both live streamed and will be recorded.

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And as far as the recordings are concerned, they are the only official recording of the proceedings the Inspectorate has the practice of keeping those recordings for five years post the determination of the application by the Secretary of State,

04:52

and

04:55

we we generally ask that participants recognize that.

05:00

That's how the inspector handles the data. And as long as you're content with how we do things, then we can proceed on that basis. So from from either the council, aside the officers who are newly attending, do they have any issues with how we we handle the data? Either recordings, getting nothing from North Cuban, nothing from this? I think that's all I need to say. Then on

05:24

those housekeeping matters,

05:29

not going to do introductions in the normal we'll do that as we get to each item. I was remiss yesterday, I think for the opening of the landscape session, I forgot to get details, but we we managed to get by.

05:58

And as those of you who were present yesterday, we rejigged the agenda order slightly,

06:05

but we will start this morning by finishing off

06:10

item 3.2 which is landscape and visual effects. Then we will return to agenda item 3.3

06:18

which is population effects, to deal with sub items A, B and C,

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and then, having completed

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item 3.3 We'll then move on to item 3.4

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which is cultural heritage and archeology, and then we'll deal with any

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other business. And certainly the examining authority has got a few questions

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of a more general nature, but we'll, we'll come to those in due course, and then then take up any other

06:50

matters of outstanding,

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attribute, areas of

06:56

any other business.

07:05

All right, so I think we could

07:07

move on to agenda item 3.2 unless there's anything of a procedural nature, then everybody wants to raise anything from the applicants team, nothing.

07:17

Anything from the Councils not seeing anything, anything else of a particular nature from anybody else. Before we go

07:24

back to agenda item 3.2

07:27

not seeing anything in the room, seeing anything online.

07:32

Okay?

07:36

Mr. Taylor, if I could ask that you just do a few introductions for your team.

07:43

So thank you. Reuben Taylor, for the applicant. In relation to this section of the agenda, I've got Mr. Griffiths to my to my right, who will be speaking for the for the applicant.

07:59

Thank you. Then turning to North Keston District Council.

08:03

My name is Ben hunt, Charles, town planner and sip consultant to the council. To the left half, Mr. BOD David, who is environmental health officer, yeah, so we'll just do landscape and visual at this stage. Okay? Myself and Mr. Nick Felton, development manager at the council, may make comments. There's a comments on landscape, but we are advised by the same consultancy as the county council, and then turning to the County Council Chairman shape for Lincolnshire county council. So yes, Mr. John Brody, who sits two to my left, is a landscape consultant at a ah landscape, and he acts for both councils. Thank you.

08:47

If at any stage, other interested parties want to raise a point, we'll just ask you at the point, if you can give your name and introduce yourself at that point, remembering that on each occasion, everybody needs to introduce themselves. That's for the benefit of the recording. I know it gets a bit repetitive, but it helps those that are following on recordings later on. I

09:27

My first question

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is for both the applicant and the council, but we'll start with the applicant first, and then I'll ask the councils to comment

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the majority

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of the proposed order limits are characterized by farmland enclosed by hedgerows to varying degrees, set within a wider landscape, character dominated by arable farmland with scattered settlements of varying sizes.

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Post.

10:00

Introduction that open farm line farm land would be occupied by arrays of solar panels

10:09
with

10:11
existing hedging and additional

10:15
enclosing hedging to provide visual mitigation.

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Would the introduction of those solar arrays

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and the accompanying particularly the new hetero planting, be compatible with the character of the farmland,

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and has the landscape visual assessment

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understated the proposed development effects on the area's character.

10:53
Mr. Chris, are you content with

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understanding the nature of the question? It was a bit long, but happy to repeat if needs be. No need Sam Griffiths, on behalf of the applicant, just turning to the relevant section of our Lvia here towards the back, where we have a summary table and a couple of observations on the first part of your question before before arriving at the second part,

11:19
we I agree with your summary. Broadly speaking, it is a an arable landscape, and it is well enclosed by hedgerows and some blocks of woodland. It's also just to expand upon that description, there is some variation across the order limits, which is borne out in the Lvia and the baseline description of landscape character. And I think also fair to say, was seen by parties who attended the accompanied site inspection earlier this week. For instance, there is some more elevated land towards the north, and then also some areas of greater enclosure, for an example, where the substation and best are sited for that very reason. And then there's the areas around clay Lane, the southern clay lane, we're all aware that there's a couple of them, the southern clay lane, which is a lot more open, where actually there has been a loss of hedgerows. And therefore, in a sense, by restoring them, we are going back to a character which has been lost previously. Now within that existing landscape framework, the emerging design sets itself some parameters and some design principles to respond positively to that. So, for instance, hedgerows will be retained across the Ord limits, other than where it's absolutely necessary to remove them for for access,

12:32

otherwise all of those key landscape features would remain in situ. For instance, valued trees, for an example, are protected via either the works plans or then by the design parameters. So we're looking to maintain those key characteristics and respond to that prevailing character in the sighting of key elements, and all of that feeds into the landscape assessment.

12:57

Then to your part of your question, which says, Have the impacts on landscape being appropriately reported and recognized? I would say the answer is yes. And to give you a couple of examples at the end of the Lvia which is submitted into the examination library, which I will find the reference for shortly, at

13:20

the end of that document, table 10 point 15, there is a summary of significant residual effects. And within that it is recognized that, for instance, during construction, the principal site would

13:34

be subject to major adverse impacts

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beyond the principal site. We then also assessed published landscape character areas in the council's landscape character assessments. And for instance, sub area two and sub area five have been found to experience moderate adverse impacts and therefore significant and in this instance, the applicant felt that whilst the baseline character assessments published by the councils were of use and were all assessed. We also conducted our own landscape character assessment, and we defined local landscape character areas because there is an element of considering magnitude which speaks to the geographical extent of an area which might be impacted, and if it is less, then there is guidance which says that actually the associated impact could therefore be reduced. So to make sure we weren't underplaying those impacts by defining local landscape character areas which were more appropriately sized to the Ord limits and the study area, we therefore

14:39

identified that there would be further local impacts beyond those published studies. So for instance, local landscape character area three and eight. So Thompson Hill and Thirlby farm, Fenland and then 1314, and 15 are also all found to have significant adverse effects during construction. So I mentioned those as examples. They're all in table, 1015,

15:00

18, as are then the impacts at year one, year 15, which is considered year one at winter conditions, year 15 at summer and winter and decommissioning. I'm sure that we probably don't need to read them all out, but they're all listed there at the end of the Lvia, which I can now confirm the examination Library Reference is as 117,

15:22

so I would say that the design has responded positively to the landscape character, and those residual impacts are indeed reported within the Lvia. I'll just finish there by making the point that NPS, em one, paragraph, 510, five does confirm that virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, and that is what is indeed reported within the Lvia. However, em one does go on to state at the next paragraph, 510, six, that projects need to be designed carefully taking account of potential impacts on the landscape, having regard to siting, operational and other relevant constraints to minimize harm, and again, that is the exact approach that has been taken

in this proposed development through that iterative design process that we've spoken through Yesterday a little bit just now. Thank you, sir. Thank

16:30

Thank you, Mr. Griffith. Griffith,

16:32

Mr. Brody.

16:36

Hello. My name is John Brody. I'm a landscape architect representing both local authorities,

16:46

generally, we would agree that the applicant has identified some significant impacts,

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but there are a few areas that we feel that the effects of the development have been underplayed.

17:07

We think basically that in terms of landscape character, we feel that

17:14

there are some locations that have not been identified as having significant effects that will be directly impacted by the principal site. These are listed in table 1013,

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of

17:29

the ES chapter 10, which is app 035,

17:39

we also feel that

17:43

another, another issue that hasn't been factored in is that, and it was discussed yesterday, to some degree, is that during operation, there's no discussion about replacement of panels and and the disturbance that that may have on the landscape,

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so there will be additional traffic.

18:09

Hedgerows may need to be removed intermittently to allow large vehicle access during the operation period. Don't think that's been factored in. So

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the effects on the landscape within the operation period, we feel has been under underplayed.

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And then at year 15, we feel that there's been a quite heavy reliance on mitigation to

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again. Solve all problems, but in reality, we have some concerns about

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how, whether it will be maintained properly, and whether it will establish as well as has been assessed.

19:04

In general terms, we feel that there's going to be a fundamental and permanent change over an extensive area compared to the baseline, and there will be inherent land use.

19:21

This is an inherent land use change, an alteration to the landscape character. That's not it. We're not dealing with sort of temporary, short term change from construction activity, for example,

19:33

there

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will be permanent changes to the open agricultural character of the landscape to its land use and the rural qualities of the landscape. So in particular, I'd like to mention seasonality. As someone that lives in the countryside, one of the benefits of agricultural land is that

19:58

it varies throughout the year. So.

20:00

And we'll be replacing that with something that's going to be static and man made, and we will lose the balance between man and nature that exists with agricultural land in terms of seasonality, things I've observed myself like the wind rippling through crops at certain times of the year, the smell of freshly plowed fields. These are perceptual

20:29

variations that presently exist, that we will lose on a large scale. I've tried to get my head around how big this development is, and I think it's the scale that has in places, been under, under under represented in the assessment. So

20:51

I've tried to put the scale of the development into into into something that I could understand, which is football pitches. And I was working to 1300 hectares.

21:03

Football pitches, point seven hectare. And that means the total development would cover an area which is seven, 970

21:11

football pitches. Now I know, I know not the whole area of the developments being developed, but even if we take away a third, I'm being generous there, and we're still talking about our development. That's going to be 600 plus football pitches in size. So that's the scale, and

21:32

I think that should be reflected in the magnitude assessment, assessments,

21:39

which have been understated in some, some, some, like some, for some areas,

21:59

I think we, I think you were also interested in the

22:03

cumulative impact,

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and

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I think we are quite concerned that cumulatively, this development with other developments

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of similar sizes is going to result in a sort of regional change, regional scale change in the landscape,

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again, that that can be anything other than a high magnitude alteration to the landscape.

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I can also talk about mitigation.

22:51

I think there is a general over reliance on on the outcomes of mitigation. We feel that

23:01

we understand that mitigation may reduce adverse localized effects of the development, but

23:09

the magnitude of this development is such that it cannot be fully mitigated, and overuse of mitigation will indeed change the character of the existing, existing open character of The landscape.

23:37

Think that's we made a few points. I

23:59

so this was also discussed yesterday a bit as well, which was this whole argument about whether development is permanent or temporary. And again,

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because we feel this is a fundamental and permanent change, because we are talking about 60 year lifespan, and it's across an extensive area, again,

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the magnitude we would expect to be judged as high in most instances.

24:39

So there were, I think there were like, I think I've talked about this table, 1013, there are lists that, that lists,

24:51

lists, some character areas that we believe have are directly affected by the principal site and have been.

25:00

And valued as having

25:04

minor, adverse, non significant effects. And we would suggest that this should have been valued at at least moderate, averse and significant. Let me check

25:16

for

25:19

Lincolnshire county council, so perhaps if I can just add some Clarence, can just add some clarity on that point, what Mr. Brody is discussing is the landscape and visual impacts from a planning perspective. We obviously discussed whether or not the scheme is temporary or permanent, and our position is aligned with the applicant in that respect, but Mr. Brody is dealing with the landscape and visual impacts in terms of landscape assessment and whether or not it should be treated, given its temporal period of 60 years, from a landscape perspective, as temporary or permanent. Some of those comments in detail are set out in paragraph nine point 18 of the council's LIR, which is rep 1053,

26:01

and there are probably two points to that which Mr. Brody's dealt with. First is, is the fact that it's a 60 year lifespan in respect of landscape changes more generally, but also secondly, in respect of retained mitigation, including hedgerows, which will ultimately change what is currently an open arable landscape. And

27:01

sorry, did you have anything else you wish to say, or does that really

27:07

kind of structured my points based on the on the agenda,

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so I don't know whether to go on and cover all the issues that I what you might need answers to, or

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we put the running order down. But in fact, the way the questioning

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have

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developed when we put our detailed questions, we kind of ended up with a bit of a malaise. Anyway.

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In terms of those subtopics,

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it's one of those subjects that is a bit prone to that

27:44

understand,

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but I think you wanted me to clarify the impact on residents and also potentially the impact on public rights of way

27:57

I could discuss that, for example, I think we've kind of got, yeah,

28:05

there is an issue about public rights way which, if we've got time, we'll come back to. It's about the data side. Well, I've raised it. This might now be an opportune time to do it. You'll be aware that

28:18

in ex q2 we raised a question, TT

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to

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02 which, which is really a request for applicant and or the councils to indicate, as far as public rights of way are concerned, we heard yesterday, there seems to be a bit of data for the stepping out routes,

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whether there is any count data for use of any of the public rights of way affected by the development,

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and if there is data, then we we suggested the two sides should agree who submits it, if it's particularly if it's from the council side, And or whether the applicant has undertaken any counts,

29:05

because it would appear that perhaps some of the routes are more heavily used than others, but from the information certainly that was submitted with the application, particularly in the LVI, that was not clear. This is a question I've asked on quite a few cases,

29:23

there often doesn't seem to be much background count data that's used or survey data to try and understand patronage or use of particular routes

29:35

from the applicant side. Do you have any data? Or did you rely on any data? Reuben Taylor for the applicant, sir, I'm afraid we're going to have to go back and check that we've not got the answer that question from from the council side, as it's public rights way I think we look at Lincolnshire first, is there any data? Do.

30:00

Any of the routes that are affected? Shall we shake for Lincoln County Council, so I'm afraid our position is the same, because we're waiting for response to the rights of way team in order to respond to that question. I think this is definitely an area where the both sides, rather than duplicating effort,

30:16

Mr. Hunt, Ben hunt, North Coast, even District Council, just to clarify as well. Of course, we do, as we discussed yesterday, we do have count data for the stepping out routes. What I will endeavor to do

30:28

is to find out where that count data is collected from, because, of course, the stepping out routes also use stuff we write that way, so we may be able to contribute to both parts of this. I'm sure both Lincolnshire County Council and the applicant would welcome any assistance,

30:48

because there are quite a few routes affected by this.

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Otherwise, certainly examining authority is left in a bit of a quandary as to, how do we assess whether a particular route is going to be

31:04

more effective than perhaps some others. If there's low levels of patronage, this is higher levels of patronage.

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But I think in terms of general considering, consideration of public rights, we've probably gone as far as we can in terms of the discussion that we had yesterday.

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Mr. Brody, was there anything else, particularly on wider character type

31:30

issues that you wanted to

31:36

raise? John Brody, landscape architect for representing local authorities.

31:43

I think, I think, I think we've made the general point that, you know, it's impossible to like mitigate Along Entire like public right of way without creating a corridor of hedging. And people actually use public rights away to appreciate the open, openness of the landscape and to see the landscape, and that's something that's that's a given. So

32:09

we have to be careful how we use mitigation so that it's appropriate for on our first for specific locations and for specific purposes. And we haven't discussed hedge heights, which I think is an issue that was on the agenda.

32:28

Hedging heights, I think using, I don't know whether it was used, and it is the examining officer, but you have been on site, and I think you concluded that most hedging in the existing landscape is about 1.5 to two meters in height, and some of the development, some of the mitigation proposed will be higher than that, and there are not many examples of that in the existing landscape.

32:58

We're not saying that it's not a good idea to have higher hedges in some instances, but what we are saying is that mitigation must be tailored and site specific.

33:21

Yeah, so basically, we want to avoid a sort of uniform application of of mitigation, you know, so it it will be appropriate in some instances not to have hedgerows to allow view views of the wider countryside,

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or to maintain those views.

33:56

Yes, certainly, as recorded in our USI note

34:02

it did appear that once you got south of the A 46 in particular, hedge heights seemed to be fairly uniform, at no more than about two meters.

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Some of the pruning

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was quite heavy, I think would be a way of describing but it did seem to be extremely uniform,

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more uniform than perhaps I've seen in other parts of the country, country. I don't know whether that's a Lincolnshire character or something that the farmers in this particular locale tend

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to do any view on

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I don't, I don't know, but I think it possibly to do with modern farming practices and the fact that you use cutting equipment mounted from tractors and

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but I that's just supposition. I think traditionally, hedges were higher and.

35:00

Could become a lot higher and because they were cut by by hand and

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Mr. Griffith, have you got any observations about hedge heights? I say, just having the opportunity to travel around various bits of the country, it does seem that in this part of the world they they do seem to be very uniform. I recently did some casework in Essex, and didn't see anything quite like what I observed driving around, particularly the south of the 846,

36:02

so Sam goes on behalf of the applicant. We shall come back to the wider matters just a moment, but specifically on hedgerows. We've undertaken field work across all seasons, and I can say that the head rows were looking particularly trim recently. I think it's the time of year that we happen to be on site. They differ throughout the seasons, Depending on when they've been cut.

36:45

Mr. Elvin,

36:47

can you wait for a microphone? So I wonder if we might get a chance to respond to Mr. Brody. Yeah. I'll come back to that. We've got some quite significant points to make. I'm afraid.

36:59

Good morning, Mr. Elvin from Digby and Cliff villages, solar Action Group.

37:07

I'd like to make a few comments, but before I do that, well, I would like to ask some questions. Now we do the asking of the questions.

37:16

Specifically at the moment, I'm just asking about hedge height, whether can you assist on or is somebody else going to, perhaps, comment on hedge heights? Then what we'll do is we're healed from the rest of the floor in terms of any comments, in terms of what the applicant said and what the council said, and then we'll ask the applicant to respond, alright, so I'll be able to ask perhaps some questions about things to do with the hedges. Well, I when I speak, you can, you can make observations about the hedges when you speak,

37:50

but you can't ask questions, because it's for either Mrs. Wilkinson or I to ask questions of the various parties. I'm trying to look for details about things before I actually make comments that might be uninformed or misinformed. Do you see what I mean?

38:10

Not now. I can. I can. I can wait

38:14

until

38:16

I express my point of view. Yeah, I think I could include some questions in that perhaps, or some points, make some points, we'll see where that takes us. Yeah, whether it's too much questioning from you rather than us. But on the hedgerow point, did you specifically have anything to say about hedge heights? And

38:37

no, okay, I didn't want to say anything about the local hedge heights or comments in particular, but I've know somebody who might do, yep, Mrs. Over to she's indicated that she wants to speak. That's fine.

38:53

Yeah, she's got one.

38:57

Thank you very much. Our family's farmed in the area for several generations. So just to cover a little bit about it, there was a time when they were very short because it was convenient, and if they were keeping in animals, obviously very tight, and therefore had to be, couldn't be allowed to grow out. I think with the modern farming, all of us are moving much more towards being sustainable and increasing the diversity of our farms. And I think that's a very important change that we've been seeing over the last maybe 10 years in particular. And that means that hedges have been allowed to grow a bit taller, up to two meters, but not cutting every year. So if you cut every seconds year, if you leave it too long, they get too thick and they won't flail. So you have to leave it two years, maybe three at the maximum. And that means that there are berries and flowers, which obviously increase the diversity tremendously of the area where you've got a single landowner, they may be making a.

40:00

Single uniform choice throughout farming. It a bit like a garden or like an industrial area, perhaps, but where you've got farms who are thinking carefully about this hedge and that hedge and this path of hedge and what's best for that area, then you get a much greater diversity, or if you have different landowners, thank you. Bye.

41:00

Thank

41:11

you, Mr. Service. Then

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on this, on this general character point in terms of views as to whether or not

41:23

there would or not would all not be in effect. Does anybody

41:30

in the room want to make any observations?

41:37

This is Overton, oh, sorry, very briefly, just councilor, Mrs. Overton. I think the point I was getting at is that diversity is a good thing, and the thought carefully about which hedge should be left to allow a view and which shouldn't, and which could grow up even into a string of trees, possibly, and which needs to be laid to make a tighter, longer lived hedge. So I think it's quite a thoughtful approach, and I think the diversity is useful, rather than having a standard something for every hedge. Thank you.

42:15

Thanks. Chairman Thorpe on the Hill parish council, I'm not sure whether it's appropriate, I've got some general comments on landscape and visual not specifically about hedgerows, so I don't know whether it's best to leave my general total comments till the end. Happy, happy to deal with the general points now, because we've got an answer to the hedgerow type point. Okay, so some a collection of general points just on this topic.

42:44

So I've obviously raised the importance of walking routes, and simply want to reiterate that alongside their recreational value, they help to characterize the village because of its specific location relative to surrounding fields and woods, and they established the context of the village, which is indivisible from its wider location, and no amount of screening or other mitigation steps will redress the loss of a want appealing, attractive rural landscape which will be industrialized and the factors which draw people to The landscape will be lost for 60 years. The LVI Lvia

43:24

acknowledges that moderate and in some cases significant residual effects during operation,

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I would contend that these effects will persist for the full 60 year operational period.

43:41

I'm not convinced that the applicant has accounted for the strategic cumulative transition from a predominantly agricultural landscape to clustered energy infrastructure across this part of Lincolnshire.

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The cumulative assessment seems to treat schemes discreetly, rather than evaluating the structural transformation of the landscape character.

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If multiple end solar ends are consented in this region,

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I would contend that it will mean that the national and local landscape character descriptions will need to be revised. They will no longer be appropriate for this location.

44:32

And finally, it is in the form of a question, but I'll state it

44:38

is the assumption that mitigation planting will perform effectively for six years, and if so, is this supported by secured funding and enforceable long term monitoring mechanisms, including monitor including performance measures rather than just management arrangements. Thank you very much.

45:29

Thank you. Mr. Lyons,

45:31

Mr. Elvin.

45:37

Thank you very much, very much. Mr. Elvin. Digby and Cliff villages, celebration group, yeah, I think it goes without saying. It's very well understood, I think, by the people in in the local area, that

45:54

the visual impact of this, of these, of this solar project, is going to be profound. Probably one of them the hardest

46:05

blows will be the visual impact.

46:09

And that, again, has to be remembered, that we're talking about a cumulative effect because of other similar size schemes over the whole of that area of North Coast, Stephen

46:24

and yesterday, there was talk about the wide open skies and the unobstructed views and so on and so forth.

46:32

And of course, much of that will would disappear if the whilst hedges are a beneficial thing in the landscape and also ecologically. The sort of

46:47

hedging being proposed by the developers here, it's not entirely clear to me what species of plants, trees and so on are being proposed, whether they are deciduous or evergreen, how tall they are and whether they'll be accompanied by extensive fencing and possibly flood lighting in places that is not clear to me. The other thing I want to say is that

47:20

whilst much of the area that we're talking about, FOSS green is fairly flat, Clay, Clay, rich soils,

47:29

rich for agriculture, there are elevated areas like Thorpe on the hill, where no amount of hedging will Stop you looking down onto solar arrays, if you want. Now, immediately to the east of the area we're talking about

47:51

is the Lincolnshire edge,

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otherwise known sometimes as the it's a limestone edge. It's scarp slope, very steep scarp slope in places,

48:04

and that marks the boundary of the Lincoln Heath area, which is also threatened by some of the developments. The views from that

48:17

cliff edge or from that scarp slope are immense. They spread right but you can see right across the Witham Valley. You can see that the Trent Valley, you can see in the Nottinghamshire. From there, that is a significant piece of landscape,

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and it's recognized as being of significant importance, geologically, scenically, geographically, landscape.

48:44

The FOSS Green

48:47

Project is visible

48:51

from that from that slope, and I would urge people to go up on there. We were talking about different landscapes yesterday, and how significant and how

49:01

stunning they might be, or otherwise,

49:04

the view from there

49:07

on a clear day is marvelous. On a stormy day, it's even more impressive in some ways, because you can see the weather arriving before it gets to you. You can see showers or being driven across that flat landscape as you look out towards Nottinghamshire, and you will see, unfortunately as well, those solar panels on a large scale.

49:33

If anyone's ever looked down on a large scale, green housing, such as you see in parts of southern Spain, where the massive it'll look similar to that, and you won't be able to hedge that round, and you will be destroying an important landscape, as well as an important productive farming area underneath it. So I think that, I think that needs, needs to be taken into account. And.

50:01

Um, yeah, but again, I would be interested to hear, you know, what sort of trees was just and all the rest of it that are proposed. But in my view, that's a very good reason why this project is not a is not a good idea. In fact, it's a destructive idea, and I think it should be opposed. Thank you. Thanks very much.

50:23

Thank you. Mr. Allen,

50:25

Mr. Cobish,

50:33

good morning. Gordon cobish, Thorp on the hill, resident, can I just support the previous speaker yesterday, I did say that

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Lincoln edge, which has been described, is really, geographically speaking, the northern end of the Cotswolds.

50:54

And

50:55

I can't help thinking sitting here, I feel that many people, certainly the the applicants aren't residents here. Our masters in the county council and local authority, as we are on the periphery of their district,

51:13

tend not to live in this area, but we who live in this area, I sit here and I think that a lot of you have fallen into the feeling that I said about the often held view that Lincolnshire is flat. Well, it's far from flat in this this area. And in many ways, I think the area of the FOS green scheme could be divided into three. You've got the Lincoln edge, you've got the

51:44

clay veil,

51:46

and then you've got Thorpe on the hill, the outlier from a previous

51:53

Ice Age Lake, which which creates an undulating and

52:00

view which has the name implies, and I think it should be treated a little bit in that way, and should be, should be thought of in that way. So I think it's very critical. I couldn't help thinking, when we went on the site visit, the Contra distinction between the area around Auburn, where we sat there, and it was almost the flat Fenland, in a way,

52:25

a little bit monotonous, I think, whereas walking down clay lane at Thorpe on the hill, there is some topographical features that you that you can see, and all this sort should be taken into more into account, I think, and should be probably treated accordingly. And could I also quickly add, when if you mentioned clay lane, there are two clay lanes, basingham and Thorpe on Hill. Can we make a distinction if you're talking just rather than saying clay lane? Thank you very much. Thank

53:02

you, Mr. Kerbish, Mr.

53:06

Kirby, is it a quick one? Because I really want to move Yes. I understand. I know. Thank you. The point I just want to pick up is support the council's and colleagues case, because this is very much underestimated when you look at that table, 1013, nearly all the way through, it's negligible, no effect. That's because they've taken a really tiny, well, a small piece, and then said, by the time we've passed the hedge in front of it, no one. There'll be no effect. But that isn't the point. I think the whole point is about the change in the landscape. Because they're saying, is this an effect on the whole area? If you make this little change, is it a big effect on the whole area? This one piece, whereas that's not. The thing is, the scale of it is the cumulative impact changes the whole nature of the character of the area. And that's why this is a an exercise, and it's important to look at each of these,

54:05

each of these points, and mitigate correct. But it's no good saying that therefore, you know, the moderate is or not, no effect is just. It does not reflect what anybody would imagine in the circumstances. Thank you. Do

54:24

you, Mrs. Overton,

54:28

turning to the applicant and the opportunity to respond, Yes. Reuben Taylor, for the applicant, sir,

54:38

as you'll be aware, there have been discussions between the parties in relation to a number of matters with a view to reaching staples of common ground, which I think are due in about 12 days.

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Part of those discussions have involved meetings between Mr. Griffiths and his team and AAA.

55:01

Consulting

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at the those meetings a colleague, Mr. Brody, was the lead,

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and there have been discussions primarily with with that colleague

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at the last meeting that Mr. Brody was present at on the 23rd of February,

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it was agreed between Mr. Griffith's team and

55:30

a ah, that the standalone effects set out in the Lvia were agreed,

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and the current draft of the statement for Common Ground reflects that agreement.

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My understanding is that Mr. Brody's colleague has left a ah, and

55:51

that Mr. Brody's been responsible for representing the councils for, I think, about a month, as are my instructions

56:01

the the Yeah, the comments that you've received today criticizing specific aspects of the standalone assessment are the first time that the applicants have heard those comments.

56:19

There's been no attempt to explain that the agreement, as set out in the draft statement of common ground is is being resolved from we have no specific

56:32

communication whatsoever, other than the comments made this morning for the first time as to the nature of disagreement. We have 12 days before statements of common ground are due, and it is disappointing to say the least, never mind discourteous to raise a change of position in the way that has happened this morning.

56:55

And obviously we will do our best to explore the nature of those differences now that aah has changed its position,

57:04

maybe we can get back to the agreement that was reached,

57:08

but we've got 12 days to do so, and from our side, we would exhort LCC to Explain immediately precisely what the disagreements are with the LVA

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and why those disagreements exist? What is the rationale for that disagreement?

57:30

This is unacceptable, given the resourcing that has been thrown at reaching agreement and agreement having been reached. So I just make that point before I ask Mr. Griffiths to respond.

57:44

Thanks, Sam Griffiths, on behalf of the applicant, I'm going to run through several of the matters that were raised from the various representations there try and take them in order as best I can, but there were a few that we should be responding to. So the first that I noted down was the replacement of panels across the order limits, and the question of, has that been assessed? The answer is yes. It has within the Lvia and the wider es, the applicant's approach to replacing various solar infrastructure and components is secured in the framework operational environment Environmental Management Plan, which is rep 1033,

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and the framework om explains that it is not anticipated that wholesale maintenance or replacement would be required, but rather it be programmed in phases across the order limits, and therefore it would

be in short phase, temporary periods, rather than wholesale change all at one time with respect to cumulative

58:48

first of all, the Lvia started looking at cumulative projects within two kilometers of the order limits.

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But then we extended that to also to consider similar typology and scale developments beyond two kilometers extending all the way to one Earth solar farm, which is 7.1 kilometers to the west of the oil limits. And all of those similar projects, ie N SIP scale solar projects, have been considered the cumulative impact assessment included consideration of landscape impacts, given the combined impact to the physical or the perceptual qualities of the landscape, as has been raised by other parties this morning, and also the visual impacts resulting both from the combined visibility. IE, this is a a single location where one could see two developments at one time, but also sequential impacts, which, as it sounds is where developments may be seen one after the other, albeit not in the same view, such as, again, as has been recognized by other parties, the Viking way, which is elevated on Lincoln cliff.

59:49

This approach is in line with the pins guidance on cumulative effects, and follows a proportionate methodology, as outlined in glva, three guidelines for landscape and visual impact assessment.

1:00:00

Third Edition, and it was also agreed with the host authorities in technical memo three. This dates back to November 2024, and this is contained within Appendix A of North Coast evens local impact report, which is rep one, hyphen, 056,

1:00:17

where aah welcomed this approach and accepted its robustness and appropriateness in assessing the cumulative effects on landscape and visual amenity.

1:00:28

It's worth going on, sir, to explain that section 10, point 10 of the Lvia, again as 117 identified the number of cumulative effects for an example, north of Steven district landscape sub area Witham and Brent vales. Motorists along the A 46 and people traveling along the Viking way have been identified as experiencing significant adverse effects due to the combination of the proposed development with North hike and relief road during construction, and also during construction from Springwell energy farm and the ODA solar farm during construction. So the point is, these reports are in the Lvia as submitted into the examination library. There are quite a few points raised, sir. So I'm going to go on to the consideration of temporary impacts, which we did have some discussion on yesterday afternoon. And Mr. Taylor established the fact that our approach is in line with npsc and three, paragraph 210, 66 which speaks about time limited consent, and therefore it is appropriate for the Lvia to consider it as temporary. However, it is important again, this is actually in line with the representative representations that have been made this morning, that 60 years is a very long time, and therefore

1:01:45

the temporary and reversible nature of the proposed development has not been greatly relied upon in the assessment of landscape or visual impacts. Duration and reversibility are elements that are considered as part of the assessment of magnitude, which is a component of the Lvia, but I draw your attention, sir, to table five within the Lvia methodology, which is reference a, p, p, 149,

1:02:12

and this explains that the highest classification of landscape magnitude includes scenarios where development is long term, but may be reversible. And the same is true of visual magnitude. And therefore, for that reason, whilst recognized as being reversible due to its temporary nature, the significance of landscape impact reported has not been reduced in comparison to if this were classified as a permanent development. So in summary, sir, I'm saying it hasn't made a difference to the findings of the Lvia.

1:02:46

So there's also been discussion on the approach to mitigation, and I've explained a couple of times, so I won't take up more time here that the mitigation has been embedded in the layout of the proposed development it would be downplaying the approach to design to say mitigation is limited to hedgerows. However, once those impacts have not been avoided via offsets or the reduction of fields proposed for solar, then it is right that the next iteration of mitigation planning is to introduce visual screening in the form of hedgerows, and this is in keeping with the character of the local environment, as has been seen on site and as is recorded within the Lvia. But also, sir, it has been mentioned this morning that this planting, in and of itself, could have an impact on landscape character and the Lbia that is submitted wholly agrees with that stance. So as a result, once established, a proposed planting is considered to bring a degree of benefit to the physical landscape, strengthening its structure, and that's recognized within the bng calculations. But it is also accepted that new planting, particularly those hedgerows, do have potential to change the visual experience of people traveling in proximity to and across the order limits. So for example, chapter 10, Lvia as 117,

1:04:12

states that recreational uses of public rights of way which traverse the principal site would have a change in view from long distance and open views to shorter distance by that new vegetation. And therefore one of the residual impacts of the proposed development is therefore a major adverse impact or effect, as reported year one and year 15. However, it is recognized that this is an appropriate method of mitigation, given that prevailing character. But the point is so this has been considered and is in the impacts that are before the examining authority and

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then, sir. It's also just worth noting that there is some flexibility allowed in the height of those hedgerows, where they are specifically designed to minimize.

1:05:00

A visual impact, they will need to be higher. But there is flexibility within the framework length, which does outline the species proposed and their heights, that where it is not only for mitigation for visual impacts, they could be lower. And this is directly aligned with some of the representation that has been made this morning, that diversity is good and appropriate for this landscape, and that be agreed via the detailed length, which will be secured via requirement eight of the draft ECA, rep, 1007,

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so there

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are several other matters raised which will have to come back on anything specific, if it would help the examining authority. But otherwise, that's our initial response. Do Thank you, Mr. Chris just for perhaps Mr. Elvin benefit. I think I know the answer the question. But in terms of hedge species, what do you think are the likely species to be used.

1:06:04

It seems Hawthorne is very common in this part of the world.

1:06:10

Thank you, sir. Sam Griffiths, on behalf of the applicant, I would draw attention to the framework, landscape and ecology management plan, table two indicative mix for hedgerows.

1:06:24

And indeed, Hawthorne is there Fourth on the list, as it happens, sir. But we've got a mix of plants. We've got filled maple, dogwood, Hazel, Hawthorne, Holly, wild privet, crab apple, blackthorn, dog rose, Elm, and also some rose in there as well. This is a mix varying between five and 15% of the total mix. The reason for that, sir, is biosecurity. If one species were to fail, we wouldn't want the whole hedge to fail, because then it would not fulfill the purpose for which it was planted. These are to go in as whips, as is typical for hedgerows, at 40 to 60 centimeters of bare root stock, sir.

1:07:18

Thank you, Mr. Chris, this

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Mr. Chair, did you want to make any comment on

1:07:36

the applicant's concerns about perhaps changing positions on on advice? Yes, please, council. So I think the short answer is that I don't think we accept that there's been a change in position. And I'll just give you a couple of references. The first is the council's LIR, which is rep 1053,

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which sets out many of the comments that Mr. Brady has already made today. The second is the County Council's response to the examining authority's first round of questions, which is rep 2043,

1:08:11

specifically the landscape and visual immunity impact questions dealt with LV,

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dot 1.02, to 05,

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many of which again align with the position Mr. Brody has set out orally today in respect of my instructions, are in respect of the ongoing statement, draft statement of common ground, which is not before the examination. The matters, again that Mr. Brody has raised today are all listed as under discussion currently. And there are a number of comments that have been put in that draft statement of common ground by Lincolnshire County Council, which again align with what Mr. Brody has said today. So the council's position is that there hasn't been a change those matters which are still under discussion are likely to remain under discussion at the time of signing the the draft statement, the statement of common ground, albeit they will continue to be under discussion and progress will be made by the parties insofar as possible.

1:09:21

So I should just add, obviously I'm not privy to the conversations that have happened offline. I don't think it's particularly helpful for me to ask Mr. Brody to discuss them in as part of the examination. But obviously the parties will continue working together to seek to narrow the issues in the statement of common ground and reach agreement into far as possible in respect of matters that are still under discussion. Thank you. Mr. Shaped, yeah, certainly don't think this is the place for any detailed discussion. I think all the examining authority would say, as we've indicated with statement of common ground, we're not expecting absolutely everything to be agreed. We.

1:10:00

What we're seeing the statement of coming around doing is highlighting the areas where there are the most significant areas of disagreement at this stage, that then gives us the opportunity with what remains, the examining, authority examination, sorry, to potentially consider those matters in greater detail and potentially raise further written questions in response to what we see,

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but it is important that the dialog goes on. Hopefully there's not been a breakdown in communication. Both sides are still on track.

1:10:35

As I say, if there are matters that are in disagreement. That's what we'd expect to see. We're not expecting people to agree absolutely everything, but that should not delay the submission of step in the common ground. From our perspective, the important thing is that we see where those areas of disagreement are sooner rather than later.

1:11:00

Did North Kesteven want to say anything on this particular point? Are you content?

1:11:07

Because you're presumably working on a different statement of common ground, but with the input of Mr. Brody there as well

1:11:15

Ben hunt, North Stephen District Council, that's broadly correct, separate statement common ground, but it is likely to be very highly aligned with that the county council, given our shared advice, we may be expanding in relation to specific issues, like the visual impact on stepping out walks. Other than that, no further comments to make at this point.

1:11:38

Did the applicant want to say anything in response to what we've just heard from both of the council. Reuben Taylor, for for the applicant,

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I have to say it

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is in it's verging on the disingenuous to say that there hasn't been agreement reached,

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but nevertheless, the council hasn't signed a statement of common ground. It can change its position up until that point, and it has done so

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with 12 days to go before the statement of common ground needs to go in. We make another plea that we get given the detail of the nature of the disagreement with the methodology in the LVA, we should have had it months ago if we were going to have it at all. We didn't have it because it was agreed. So let's move on

1:12:33

and try and narrow these these disagreements in the 12 days we've got. But I have to say, from the applicants side of the room. This is unacceptable behavior. It's not helping you. It's not helping anyone.

1:12:48

So if I might say subconscious, the applicant has the final word, but if I might just to say Sherman ship for Lincoln County Council,

1:12:55

I think perhaps we're getting slightly slightly lost in the detail, because there are matters which are agreed in the draft statement of common ground in respect of the general methodology in the Lvia that the council is not seeking to resolve from there are specific nuance points which have been raised by Mr. Brody today, which very much reflect LTC comments that are currently as I understand, with the applicant, and are listed as under discussion. They are detailed comments which again, align with the various references I've given you. So rather than airing this in public forum, I think there are matters which do align with what has been seen by both parties. But of course, we'll work proactively to seek to narrow that as much as we can for submission and statement common ground.

1:13:40

Thank you. Mr. Shapen, does the applicant want any final response, or shall we move on? I think we should move on. Thank you. It would be good idea.

1:13:50

Mr. Koenig, is it a quick point because we need to start looking at other agenda items. Yep. Can you wait for the mic? Please?

1:14:03

Thank you, sir. Good morning. Carl Kern and Thorpe on the hill. I just wanted to pick up on Mr. Brody's point with his calculation of the number of football pitches,

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he's saying 970

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he's taken off some if you translate the area of 349

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hectares, which are proposed within the parish of Thorpe on the hill. That's 498

1:14:26

football pitches. I think the only football pitch that we should be concerned with is the one behind that wall, not 498

1:14:38

in the parish of Thorpe on the Hill. Thank you.

1:14:56

Right? I think that then brings us to the end of.

1:15:00

With

1:15:01

gender item 3.2

1:15:05

I'm going to hand back to Mrs. Wilkinson to continue with gender item 3.3 population effects.

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I'm

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we're just discussing whether we take a short adjournment now,

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perhaps 10 minutes,

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and then reconvene

1:15:56

to potentially go through what remains of 3.3 and then

1:16:01

four point sorry, 3.4 which is archeology and the historic environment, where we haven't got a lot of questions, mainly looking for updates of where we are with certain things. So I think we can usefully do that. So we if we adjourn

1:16:17

to half 11.