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Um, it's 1120 and the hearing is resumed.

00:00:15:27 - 00:00:50:02

So moving on to agenda item five, which is health and safety. Um, so the applicant will note that some interested parties raised concerns about health and safety matters regarding the battery energy storage system, or. Bess. Um, I thought it might be helpful for the applicant to briefly summarize the mitigation measures set out in the Outline Battery Safety Management Plan, which is rep 1058. And also just to explain how these will be secured through the draft DCO and any final DCO.

00:00:50:12 - 00:00:51:06

Thank you.

00:00:53:06 - 00:01:23:14

Sophie Reese for the applicant. Uh, I'll be passing over to Jim Toth, who's on line to the technical context on that. And then just in terms of how it's secured, I can deal with that now. Um, so the outline plan is secured via requirement eight of the draft DCO. Um, that requires a detailed plan to be approved by the local authority and the consultees on that other Humberside Fire and Rescue and the Environment Agency.

00:01:24:18 - 00:01:26:05

Um, I'll pass over to Jim now.

00:01:29:08 - 00:01:57:26

Hi. Uh, Jim, tough for the applicant. Uh, I am a safety specialist in bass and lithium ion technologies. Uh, the Outline Safety battery management plan contains all the management processes and safety processes that we will adopt with regard to this site. And the obvious EMP in its entirety is generally aligned to FCC planning guidance for best installations. So we have the table.

00:01:58:02 - 00:02:00:04

Could you just explain what an FCC is, please?

00:02:00:06 - 00:02:31:21

Uh, the National Fire Chiefs Council planning guidance. So it's the underlining, underpinning guidance that comes from the National Fire Chiefs Council, uh, for the design and layout of better insulation. So it's a it boils itself down into a set of 14 recommendations. Um, and we have, uh, aligned the site, uh, to the best that we can to, uh, you know, uh, align with these recommendations and that, uh, detail is contained in table 5.1.

00:02:31:23 - 00:02:58:26

And as alluded to, the OBS EMP is the start of the process and comes at this stage, uh, further down the line, it is no, uh, enhanced when we get more information on the infrastructure that is to be employed at the site and it turns into the DBS, EMP, the detailed battery safety management plan, and that is further followed up prior to energy with a site safety audit.

00:03:06:25 - 00:03:36:25

Okay. Thank you for that. Um, so just moving on to the next bullet point. I'm aware that some solar farms have a battery energy storage system, which is clustered rather than dispersed across the site, as the case would be for the proposed development. Um, could the applicant please firstly clarify the reasons for adopting a dispersed best approach? And secondly, explain whether there are any differences or benefits of one approach over the other in terms of battery safety management.

00:03:36:27 - 00:03:37:22

Thank you.

00:03:37:25 - 00:03:41:09

Sophie Rees for the applicant. Um, I'll pass over to Jonathan Harris.

00:03:42:00 - 00:04:15:21

Thank you. Jonathan Harris of the applicant. And the choice of a dispersed arrangement, rather than a clustered one, is informed by the preference to have a DC coupled site rather than an AC coupled site. And having the best dispersed around the site is inherently but co-locate a DC co-located site whereby the best units in the solar array areas adjacent to the inverters on a DC coupled scheme, Best and solar are connected on the same DC bus or power distribution system and use the same inverter with a DC DC converter added to match the battery DC voltage with the DC bus voltage.

00:04:16:18 - 00:04:50:05

So in simple terms that the battery is charged directly from the panels, and this is different from an AC coupled scheme where solar and better connected to separate inverters. At AC coupled schemes, the best would usually be located in a clustered compound adjacent to the main substation. So in terms of the benefits of a DC coupled scheme, these are more efficient, less power losses. There's only a single conversion required in comparison to AC coupled, and this can be sort of 1 to 3% more efficient, which on a utility scale site for the time period proposed is obviously significant.

00:04:50:25 - 00:05:26:06

The DC coupled scheme requires less infrastructure in comparison to the AC co-location, so there's no additional inverter required and there are less clipping losses. So solar DC generation in excess of the export connection capacities utilized to charge batteries, and the best can be charged by these, unlike in AC co-location. AWS portfolio of approximately five gigawatts is always follows a DC coupled approach. We've got two sites now exporting at Lang, including a further 11 under construction as well as sites and design.

00:05:26:08 - 00:05:34:06

Also earlier this year, Buyers Gill was granted a DCO, which is an RWA scheme with a DC coupled approach.

00:05:38:25 - 00:06:10:10

Okay, thank you for that. Um, so we touched on on this a bit on Tuesday, but, uh, I know that the applicant has, during the course of the examination, sought to liaise with the Humberside Fire and Rescue Service over the Outline Battery Safety Management Plan, and there was input to begin with. You address some of their comments, but then you had kind of no further, um, input from them because you've had you've had difficulties in, um, reaching out to them.

00:06:10:29 - 00:06:29:22

Um, could you just outline the next steps you intend to take to seek agreement from the party? Um, as to the acceptability of the outline battery safety management plan, I think you said you had a new contact. And have you been able to do anything? It's only been a short time, but in the intervening period since Tuesday. Thank you.

00:06:30:24 - 00:06:36:28

Sophie Rees for the applicant. Uh, conveniently we have do have an update. So Jonathan Harris will be able to provide that.

00:06:37:07 - 00:07:05:21

Thank you. Jonathan Harris to the applicant. We actually got in touch, um, or received a response yesterday. Um, uh, to the new station manager at Humberside Fire and Rescue Service. This last night we sent them an email issuing the Outline Battery Safety Management Plan, which is rep 1058 and an example SOC. And for clarification, the rescue service are a consultation on the management plan. And we intend on continuing engagement and will provide an update on progress at deadline for.

00:07:07:25 - 00:07:16:02

Okay. But they didn't indicate. You said it was last night so they had no time to look at it and, um, provide any comments so far?

00:07:16:04 - 00:07:21:15

Uh, Jonathan Harris for the applicant. Yeah, nothing back to date, but we'll endeavour to get that as soon as possible.

00:07:22:09 - 00:07:25:18

Okay. Thank you for that update. Um.

00:07:28:07 - 00:07:58:07

I was going to say if the response was still not forthcoming towards the end of the examination, how would you suggest the examining authority approaches the matter? I think we'll leave that until deadline for, um, you know, obviously there's we have we can issue rule 17 letters or all that kind of stuff, but let's. Let's see what happens. The deadline for. And then take it from there. In that case, um, are there any comments on battery safety management, Mr. McManus?

00:07:58:22 - 00:08:30:05

Uh, George McManus. But anyways, uh, thanks for the explanation, Jonathan. Um, I'm glad to hear that some sort of dialogue has taken place with Humberside Fire and Rescue. That was a question that I think I raised on Tuesday in the visit this morning. So, uh, that that's good. Although again, I'm

concerned that it's taken so long to get to that stage. And I would like to see what their responses are. I appreciate Jonathan, my question. I appreciate the description that you gave for the for the dispersed battery arrangements.

00:08:30:07 - 00:09:08:12

It sounds as though from what you said, these are almost like little self-contained solar farms within the big development. You've got your own inverters, everything. Everything's generated on on DC so that if one bit goes down another bit. That might not necessarily be affected. Is that a bit right? Because my question is that arises from that. Uh, are you not worried that dispersing the, the, the, the messes across the piece, especially in a very rural area like this, uh, could make emergency response more difficult? More complicated.

00:09:08:22 - 00:09:09:11

Thanks.

00:09:13:14 - 00:09:18:10

Sophie. Race for the applicant. I think that might be best suited to be answered by Jim. Tough.

00:09:22:09 - 00:09:58:14

Uh, Jim. Tough for the applicant. Uh, the dispersed nature of the site, uh, the details of where all of the, uh, the cluster ccdc, uh, units will be, will be contained in the emergency response plan with detailed. What? Three word locations of each of them, uh, at the Entrances to the site. We positioned a box, a girder type box in which there will be a laminate which no details where everything is, and this will also be circulated to the Humberside Fire and Rescue, so they will know where the sites are.

00:09:58:21 - 00:10:19:13

The advantage of the dispersed nature is that they don't have to try and transit through a clustered arrangement where there can be up to no, no, 50 or 60 best containers, and the identification of the best container under stress can be difficult to assimilate, especially at nighttime. Thank you.

00:10:22:23 - 00:10:26:29

Thank you, Mr. Tuff. Um, does that answer your question, Mr. McManus?

00:10:28:23 - 00:10:42:15

Okay, thanks. Did you have anything further to add, Mr. McManus? No. Okay. I did say I hadn't go up to the back of the room. Hello. Hi. Could you please introduce yourself? Before you speak. Thank you.

00:10:44:02 - 00:10:48:27

There's a roving microphone if you'd rather use that or. Well, you're welcome to come to the front.

00:10:50:17 - 00:10:52:23

Just talk to me. Hello.

00:10:53:02 - 00:11:34:09

My name is George. I'm a local resident. I live in Leven. Um, but I'm also a retired chemical engineer. Chapter engineer. Um, I've just got a few concerns regarding where the fire system, the protect against the fire system. Um, it seems to be reading the documentation. It's purely reliant on suppression against the thermal runaway to mitigate the fire spreading. Um, my experience is suppression system will isolate the atmospheric air, oxygen, getting to the fire to an effect, blanket the system.

00:11:34:11 - 00:12:14:05

But with a battery, we, uh, there's internal oxygen comes from the system, so I'm not sure how effective suppression system would be. Indeed, there's been a number of battery energy storage system fires which have had suppression systems which don't seem to have been effective. Um, as mentioned earlier on, about, uh, being a lower risk and the frequency should be low of a fire, um, provided these suppression systems work and they've got a good design, but the consequences of a fire are high.

00:12:14:23 - 00:12:45:23

Um, with any fire, um, you're going to get toxic, uh, harmful chemicals released, especially with these metals in the battery systems. Um, and there will be released by the and the battery management system that's shown a d fluctuation panels on the roof of the building to release the pressure, which is going to release these chemicals out into the atmosphere, which will then can fall on the local land and get washed down into the ground.

00:12:46:04 - 00:13:02:23

Um, and from the responses I came earlier on, I am a little bit concerned whether this is being fully assessed. Um, I've not actually seen anyone the documentation how much the total battery capacity would be, um,

00:13:04:10 - 00:13:16:27

and all the, uh, we're talking about 320MW for the whole of the solar system, but I don't know what percentage the, uh, the battery system would be on that. Um.

00:13:20:16 - 00:13:29:03

I think that's that's the main point. So I was worried about, you know, the the release and how effective the system will be for, uh, suppression.

00:13:29:09 - 00:13:34:15

Okay. Thank you, Mr. Swallow. I'll just add that you are an interested party because you did submit a relevant representation.

00:13:34:17 - 00:13:35:07

Yes, I have.

00:13:35:18 - 00:13:41:09

Yeah. Thank you. Um, well, the applicant like to respond to those points, please.

00:13:42:21 - 00:13:48:13

So can you race for the applicant? Jim Taff, would you be able to respond to those points, please?

00:13:49:06 - 00:14:19:12

Certainly. Sophie. Jim, tough for the applicant. Okay. Sort of trying to unpack, uh, the questions there that were presented. So, uh, suppression is not the only means of mitigation in these systems. Internal to the best units are off gas sensors. Um, when a cell is stressed, it will start emitting levels of outgassing, most notably hydrogen. These are picked up by the sensors, and they know isolate the best unit from the, uh, the DC plasma.

00:14:19:14 - 00:14:55:29

So they don't accept any charge or they don't do any discharge. So the the stimulus on stress on the cell is removed. Uh, that, uh, action is, uh, immediately sort of alerted the 24 over seven operational control room, which oversees the monitoring of these units. Um, in addition, prior to it getting to the stage where the, uh, the cell is stressed, uh, the uh, battery management system, there are they are layered battery management systems in these units as a battery management system across the module or battery as such.

00:14:56:01 - 00:15:27:16

So a multiple of cells, there is then a rack battery management system and a unit enclosure battery management system. Um, the battery management system on the battery, uh, senses the temperature, uh, voltage of all the cells. So the temperature of each individual cell, each voltage, uh, and balances the charge to the cells and monitors, uh, fast discharge and slow charge. Any deviation outside of these parameters is also alerted at the operational control room.

00:15:27:18 - 00:15:59:15

So they can, uh, from a remote location, isolate the particular rack inside the base, and call out a maintenance team to go and switch out the affected. Uh, and, uh, you know, uh, non-performing, uh, battery module. So that is just basically slid out of the unit. A new one is replaced, calibration goes ahead, and then if everything's okay, it sparks the system back up. Um, the suppression systems that are in there, uh, if a flame front does appear, uh, can be twofold.

00:15:59:17 - 00:16:31:11

They can be aerosol based. So a liquid based aerosol, which is, uh, no standard cluster and has a cooling and capping effect on, on the, the effective cell and a gaseous asphyxiation system. Uh, some best enclosures use both. So the central power Titan employs a gas system which employed deploys immediately and is backed up by an aerosol system. Um, of course, the gaseous system is only effective if the, uh, unit fabric remains intact if there is any breach of the fabric.

00:16:31:13 - 00:17:05:15

The gas will naturally go to atmosphere and be ineffective. So an aerosol has the advantage over that. Um, one thing I didn't pick up on is when the off gas sensing does detect an elevated level of hydrogen, it will activate the ventilation system and start sweeping the internal of the enclosure. So any build up to the lower explosive limit for gases is negated, and it keeps it at about 25% below the level of the lower explosive limit. So, uh, we we don't usually see a D flag in port moving.

00:17:05:22 - 00:17:50:15

Um, on the question about, uh, toxic fumes and movement, uh, in the UK today since the sort of, you know, initial inception of of uh, base units on this industrial scale, we've had, um, four incidents, only one of which has been sort of no detail, uh, reported in detail on. And that was the Carnegie Road incident in Merseyside in 2020. Uh, at the time, the Merseyside Fire and Rescue Service called in the environmental protection Officer, who in turn called in a science consultancy, a scientific testing consultancy called Bureau Veritas, and they assessed the plume as negligible in contamination.

00:17:50:17 - 00:18:18:24

And this is further backed up by an incident that occurred in California earlier this year in February at a place called Moss Landing, where the US EPA monitored all cardinal points around the site whilst it was on fire, doing one second sampling, and they found no elevated levels of contaminants in the plume. I think that answers all the questions bar the one on the total capacity of the site, which I will have to hand over to one of my colleagues on. Thank you.

00:18:19:07 - 00:18:29:23

Mr. Tough. Before you go. I think maybe it's worth just mentioning anything about, uh, Distances of the best units to sensitive receptors. Maybe.

00:18:30:05 - 00:19:05:12

Yes. Jim. Jim Toth for the appellant, uh, FCC planning guidance recommends a minimum distance of 25m from any occupied premises and a ten meter cleared vegetation policy around the best units to stop the spread of fire. So the the the unit, the area in a ten meter sort of perimeter around the units is generally laid over to gravel, which was mentioned earlier. And that eliminates all fire paths. Uh, there are no residential, uh, occupied buildings within 25m of any of these units.

00:19:09:21 - 00:19:11:01

Okay. Thank you.

00:19:13:05 - 00:19:15:26

Uh, Mr. Swallows, does that answer some of your questions?

00:19:15:29 - 00:19:34:22

Yeah. I mean, um, it it was quite comprehensive there. Thank you. Um, does any of these guidelines also mention about the prevention of the runoff water getting into the aquifers as well. Um, the, uh, the gentleman mentioned.

00:19:35:03 - 00:19:43:08

Yeah, I think that's being dealt with by the Environment Agency and the applicant. Um, if you'd like to just comment on.

00:19:44:17 - 00:19:58:16

Soapy rates for the applicant. Um, yes. That was the point of discussion earlier this morning. Um, between the Environment Agency and Patrick. Goodie. Um, if there's any specific questions. Patrick still here, but, um, otherwise we can leave it.

00:20:01:10 - 00:20:30:24

Thank you. Judge. I mean, the only other thing I always thought might be relevant is the RWA with a Dogger Bank South wind farm providing a base at the correct beck. If all the primary energy system storage systems were local to correct beck. There would be one local point where the emergency services could do, and you could have a better system rather than have them spread out throughout East Yorkshire.

00:20:31:29 - 00:20:43:12

Okay. But I think that was my question about clustered rather than dispersed. But I would like to comment on that also. Those are just the points about the percentage that the battery energy storage system would be.

00:20:45:06 - 00:21:02:18

So if you raised from the applicant on that point, um, we've already touched on the reasons for a dispersed system. Um, Jonathan Harris set up a sort of benefit some way Adobe has chosen to use that across their entire portfolio. Um, so on that point, we don't have anything further to add.

00:21:07:23 - 00:21:14:21

There's the point about the percentage of the Bess as part of the overall 320 megawatt output. Was it?

00:21:14:29 - 00:21:31:02

Um, so, so curious for the applicant. Um, so the site's been just about designed a 380 megawatt, um, symmetrical system. Uh, in terms of further detail on that, we can provide that in writing, given it's a technical matter.

00:21:34:08 - 00:21:41:11

And maybe you could answer the question in the any hearings summary that you submit after. Thank you.

00:21:42:08 - 00:21:43:24

Okay. Yeah. Thank you very much.

00:21:46:09 - 00:21:48:10

Okay. Thank you, Mr. Marvelous.

00:21:48:27 - 00:22:13:03

Thank you. Just to ask a quick supplementary question. The speaker earlier spoke about the remote monitoring of the bases. I understand that the remote monitoring station is probably going to be over towards goal. Correct me if I'm wrong, but my question is, does remote monitoring rely on a dependable and reliable internet service?

00:22:18:13 - 00:22:22:13

So if you're the applicant, uh, I'll pass that over to Jim to.

00:22:25:11 - 00:22:55:29

Hire Jim to for the applicant. Yes. The, uh, the general system, the feedback of information is over the, uh, 4G 5G network, but it is backed up by a cable as well. So if one falls out, the other takes place. If,

uh, the site loses its, uh, heartbeat with, uh, the, um, uh, OCR, the operational control room, they isolate the site or the particular best cluster is isolated down remotely. And it's done no autonomously by the unit.

00:22:56:01 - 00:22:59:19

It's it sends a heartbeat back and forth to the OCR.

00:23:08:00 - 00:23:22:09

Okay. So they were all the questions I had on, um, sort of health and safety, better energy safety. Is there anybody else who has anything further to add? Oh, obviously a hand up on virtually. I can't say his name, but it's SB initials.

00:23:24:12 - 00:23:26:21

Peter Beatson from the Environment Agency.

00:23:26:23 - 00:23:27:08

And.

00:23:28:10 - 00:23:49:05

The. Yeah, the conversation has moved on a little bit, but it was in relation to the integrity of the best, the individual best units. Um, and just wondering if the applicant can explain how they intend to manage any rainwater, um, in the event that a container loses integrity during or subsequent to a fire.

00:23:56:04 - 00:24:03:12

So if you are the applicant, um, I'll just pass that over to Patrick Goody. Um, just give him a moment while he joins us.

00:24:04:20 - 00:24:25:12

Um, Patrick Goody for the applicant. Um, so just so I can understand the the question, are you, um, you're asking the circumstance that if, a fire occurred during heavy rainfall. Um, what would happen to the water? The water. Could the water get into the unit? Is that your question? Sorry.

00:24:27:03 - 00:24:49:16

Yes, that's the question. And whether there would then be a pathway to the groundwater in the principal aquifer. All sorts of protection zone beneath the site. It may maybe not rain during the fire. It could be during or after. Obviously, some time will be some time needed to remove any of the, um, burnt out battery from the site. And that would that would present a source of contaminant.

00:24:51:19 - 00:25:26:25

Okay, Patrick, good for the applicant. I think during the fire event, um, it's most likely that the water getting into the, um, into the unit would be vaporized because obviously the heat would be so, um, significant, um, that the water would be vaporized. Um, I think the overriding point, though, is, as we alluded to in our water framework directors assessment, um, is that the units are self-contained. So, um, you know what? Uh, and pollutants wouldn't be able to leach out of the sides.

00:25:27:06 - 00:26:13:22

Um, because they're self-contained. And if the fire was so significant that it damaged the, the, the sides of the unit, then, um, it would obviously it would be so hot that the water would vaporize as it, as it fell on the, on the unit. Um, in terms of, uh, post-fire, um, again, you know, the likelihood is that the, the unit would be, um, would still be, um, self-contained so that you wouldn't get the spillage. Um, if, however, um, the pollutants were spilt, if if the damage was so great that pollutants were spilt, um, then that's where the gravel base, um, beneath the best Compound would um, would kick in in terms of mitigation.

00:26:13:24 - 00:26:50:28

So again, in our water very much directive assessment, we would 1030 we've set out the various levels of mitigation. So we've got the gravel base. Um they would be limestone. Um the gravel would be limestone specified. And limestone is chosen particularly because it's good at neutralizing acids. So if as Mr. Tuff related to hydrogen can be released, if hydrogen um, or hydrogen, hydrogen fluoride, um, gets into contact with water, it becomes hydrofluoric acid.

00:26:51:00 - 00:27:23:23

Hydrofluoric acid is subsequently, um, neutralized by limestone. And we've got we've presented evidence to, um, to support that, um, that claim. Um, so we've got the gravel base. Um, gravel bases are well known to absorb pollutants they used often in highways infrastructure to, as you know. As mitigation for pollutants. Um, we've then proposed a sand layer, um, underneath the gravel base.

00:27:23:25 - 00:27:56:05

Uh, again, sand is known to be good at absorbing pollutants and blowing runoff. Again, used frequently and sustainable drainage and highways, um, approaches. So, you know, we've got heavy metals leaching, things like that. Um, the third level then is that that would all be wrapped in a, um, permeable geotextile. Um, again, they used frequently in industrial and highway settings, again, as another measure to um, to absorb pollutants.

00:27:57:12 - 00:28:28:27

The final point, I think, on on leaching to the aquifer, and again, we refer to this in the WFD assessment is actually the depth to the to the principal aquifer, which is the chalk underlying much of the area, and the depth to that is actually the evidence that we've presented in our WFD suggests that the the depth to that aquifer is, is quite significant. So we've got deep soils, um, overlying often what's called superficial geological layers.

00:28:29:04 - 00:28:56:04

Um, and that's not to belittle the superficial geological layers because we understand that they are an aquifer, a secondary aquifer. However, they, you know, they're all present there to provide further protection to the, um, to the ground, to the chalk groundwater, which is um, the notified um, aquifer in accordance with the Water Framework Directive. Thank you.

00:28:58:15 - 00:29:35:07

Thank you. The Environment agency. Um, I think a lot of the information about the, um, drainage there, uh, We have raised previously, and I think we'll be responding to that formally outside of the hearing. Um, uh, I do note that in the Water Framework Directive report, um, stated in section 3.5.41 that, um, the, the membrane, uh, is there to encourage percolation to the ground. Um, so, I mean,

although some of these, um, materials may absorb some contaminants, the the idea seems to be that percolation is encouraged into the groundwater.

00:29:35:13 - 00:30:03:24

Um, but we'll pick we can pick that up outside of the hearing. Um, the, uh, point about the depth to the aquifer. Um, as we said before, uh, a lot of these best units are within a source protection zone three, which, as you be aware, is a total catchment for large, important groundwater public supply abstractions. Um, and so they have to be afforded significant protection from contamination because any contaminants

00:30:05:21 - 00:30:14:11

within that that gets into the groundwater within that area. Can can reach those obstructions. So that's why we were asking these questions. Thank you.

00:30:16:23 - 00:30:24:15

Okay. Thank you. Is there something to continue talking with the Environment Agency about or would you like to respond to those points now?

00:30:30:20 - 00:30:37:20

Sophie Ruth for the applicant. No. That'll be part of our ongoing discussions with the Environment Agency in order to try and resolve the outstanding matters.

00:30:38:00 - 00:30:41:26

Okay. Thank you. And obviously, the any statements, common ground will be updated with respect.

00:30:41:28 - 00:30:42:24

Of course. Yes.

00:30:47:00 - 00:30:52:18

Okay. Thank you. There are no other points anybody wants to raise. I'll move on to the next agenda item.

00:30:55:05 - 00:30:58:10

Okay. I see no further hands raised virtually or in the room.

00:31:01:00 - 00:31:06:17

So the next agenda item is regarding landscape and visual.

00:31:09:25 - 00:31:11:19

So first of all,

00:31:13:14 - 00:31:56:04

we note that East Riding of Yorkshire Council's concerns regarding some construction lighting effects, um, which were highlighted in response to uh an assessment of construction lighting was scoped out from ES chapter 11 Landscape and Visual. Um. However, paragraph 11.83 states that any temporary construction lighting will be operated in accordance with an agreed scheme. The Outline Construction

Environmental Management Plan at section 44 sets out measures to control lighting under table 51, but it sets out that there would be no nighttime working between 7 p.m.

00:31:56:06 - 00:32:26:12

and 7 a.m. unless otherwise agreed with East Riding. Also, the motion detectors or manually operated construction lighting would be used to avoid light spill, and that a construction lighting scheme is to be agreed and accorded with. I'm just noting all of this. Could East Riding please expand on its concerns with regard to construction, lighting effects, and the extent to which it considers proposed mitigation measures would manage any potential effects?

00:32:27:22 - 00:32:33:23

Rachel Hodgson, East Riding Council. I'll pass this to Bill Blackledge or Amanda Blythe.

00:32:35:27 - 00:33:21:17

Yes. Bill Blackledge. East riding council. Um, the the concerns um, relates to, uh, whatever temporary lighting might, might be involved on the site. Um, obviously, um, the hours of seven till seven in the winter. Um, we're talking about darkness from more or less 4:00 onwards. Um, so any lighting that might be involved, uh, I think should be, uh, considered and also, um, vehicular uh, movement, um, is too rarely, uh, considered in terms of, um, the, the, the impacts of vehicular lighting.

00:33:21:27 - 00:33:34:13

So, uh, I think we're simply saying we'd like to be convinced that those items have been evaluated and taken into account in the assessment.

00:33:36:29 - 00:33:41:26

Okay. Thank you. I mean, do you envisage that there could be, um, a significant effect,

00:33:43:12 - 00:34:00:06

um, the black ledge in terms of that or I think maybe you said you're it's likely to be a minor effect, but you still want to consider what. I'm just wondering if it's likely to be a minor effect, why the applicant would necessarily have to go down the route of doing further assessments. That's my question.

00:34:00:08 - 00:34:30:03

Okay. The effect in itself may be minor. Um, but I think we we just need to be conscious of all the landscape and visual effects aggregated, including nighttime ones. Um, so, you know, if you take it in isolation, yes, that might be a minor effect, but we just need to be aware when talking about all aspects of landscape visual impacts, including nighttime ones, which are I'm not saying in this case, but are too frequently disregarded.

00:34:31:01 - 00:34:34:21

Okay. Thank you. Um, if I could ask the applicant for a response.

00:34:35:07 - 00:35:06:09

Mr. Felicity, for the applicant. We have considered the potential effect. And as you say, it's not reported as a significant effect. Nonetheless, we've still proposed measures. And again, it's this general

point that the Outline construction environmental management Plan sets out So a framework and parameters and that will be further iterated and consulted and approved by the Council. So so far as the non-significant impact is concerned, we think we have addressed it.

00:35:06:13 - 00:35:10:15

Um, and I won't repeat the measures that you hopefully summarized.

00:35:12:03 - 00:35:19:27

Okay. So you're not you're you're not intending to carry out any further assessment even in terms of lighting, uh, vehicle lighting.

00:35:20:20 - 00:35:32:13

Mr.. Mesh, uh, for the applicant, we're not proposing to do that on the basis that the assessment we have provided is, uh, robust in accordance with best practice.

00:35:33:04 - 00:35:45:26

Okay. So just in terms of the assessment you have done, where have you assessed sort of nighttime lighting effects? I guess if if they have been scoped out.

00:35:47:09 - 00:36:01:05

Mr. Phillips, if he was to go out, sorry, it would the construction aspects were scoped out, um, on the basis that there is sufficient evidence that it's unlikely to be an impact.

00:36:01:10 - 00:36:07:06

Okay. And whereabouts was that kind of assessment? Was that in the documents?

00:36:10:28 - 00:36:15:13

Or is it part of just part of the table in the ES chapter 11?

00:36:16:01 - 00:36:16:23

That's correct.

00:36:16:25 - 00:36:23:16

So it just says we don't think there'll be a significant effect. Therefore we scoped out anything more detailed. I guess.

00:36:23:18 - 00:36:24:17

That's correct.

00:36:28:15 - 00:36:48:28

Okay. Maybe yourself the council could continue liaising, um, over this matter and update the statements. Common ground, um, with that matter in it as well. And, you know, if you don't come to any agreement on it, then as the x ray would have to take a view on that in our recommendation.

00:36:50:01 - 00:36:52:00

Thank you. Yes. Of course.

00:36:59:27 - 00:37:12:22

Okay. In that case, um, consideration of the scope and opportunity for additional planting and advanced planting to further reduce potential effects. So East Riding Council's local impact reports, which is one.

00:37:15:12 - 00:37:50:06

Hundred 86. It was actually updated wasn't it, to include the appendix A but it's it's the same. Um, apart from the appendix A in 1086 um, as well as one of its deadline, three submissions make reference to potential for advanced planting to assist in reducing the timescale for effects. And I note that article two of the Draft Development Consent Order, uh, relating to the permitted preliminary works a mentions advanced planting to allow for early screening.

00:37:51:24 - 00:38:01:16

Firstly, the applicant please explain where any advanced planting would be undertaken and also where this is shown on any plans or documents.

00:38:03:24 - 00:38:32:28

Mr. furnish for the applicant. It might be helpful if I provide a couple of references. So paragraph 6.6.2 of the outline, Landscape and Ecology Management Plan sets out that the reinforcement of defunct and gaps, hedgerows and the planting of new hedgerows and hedgerow trees will be undertaken within the earliest feasible timescales. Taking into account the needs of construction traffic,

00:38:34:13 - 00:39:06:08

the ancillary point here is that the outline document itself sets out the optimum times for planting, given many. Much of it is seasonal and so at this stage, without knowing when a decision will be. What we've secured again is the timescales which are most optimal, and we've put forward a commitment to bring forward those types of planting at the earliest feasible timescale. That obviously depends on where we are in the season at the point that construction starts.

00:39:06:10 - 00:39:16:24

But again, we think that the outline document adequately controls that. So is there a plan? No. But that as in a visual plan? No, but the commitments are there.

00:39:18:25 - 00:39:25:20

Okay. But he's writing. I'd like to comment on that. Is that is that an acceptable approach

00:39:27:19 - 00:39:28:26
for council?

00:39:28:28 - 00:39:30:06
I'll refer to Bill.

00:39:31:02 - 00:39:56:25

Thank you. Bill Blackledge on behalf of East Riding Council. Um, yes. I think that the phrase earliest feasible and the point that was made about seasonality of planting, um, makes perfect sense. And I would be content with that. Um, I suppose there is a question. Does that earliest feasible apply to all planting or to specific areas?

00:40:00:07 - 00:40:11:18

Okay. Could you respond to that? I guess that was my point. As in is there anywhere it shows where advanced parsing would be? So does it. Is it all planting or certain planting.

00:40:11:24 - 00:40:43:22

Necessarily to furnish for the applicant? It's specific to it's not specific to areas but the type of planting involved. And this is the planting that relates primarily to providing screening. So it's not area based and it's not um, uh, particularly based on the, uh, location of where we're proposing to do it, but the specify type to provide the mitigation at the earliest feasible time, to mitigate the impact that it's trying to actually mitigate, if that makes sense.

00:40:44:04 - 00:40:46:18

Okay, Mr. Blackledge, does that make sense to you?

00:40:49:15 - 00:40:54:20

Yes. Bill Blackledge, East Riding Council. Yes it does. Thank you.

00:40:56:02 - 00:41:28:12

Okay. Thank you for that. Um, moving on in that case. So East Riding Council's local impact report and its response to excuse 2.1.5 makes some suggestions for additional planting associated with Powerhouse Farm, Long Rest and Decoy Farm and Woodhouse. However, I note that the draft statement's common ground, which is rep 3043, identifies that

00:41:30:02 - 00:41:54:24

Eric E ROIC 34 that East Riding is satisfied with the extent and design of proposed screen planting. Um, could East Riding Maybe. Mr. Blackledge, please clarify its position on the matter. So on one one hand, is saying additional planting on the same common ground. You're satisfied with all planting. I was just hoping to get some clarification on that point.

00:41:58:23 - 00:42:30:21

Yes. Bill Blackledge for East Riding Council. Um, I am afraid I'm going to have to review that. Um, we we responded quite recently to, um, a number of points around planting, and I think there are some details that that, uh, need, need to be resolved. Um, some of those are relating also to, um, uh, modifications to biodiversity, net gain areas to reduce access.

00:42:30:23 - 00:42:41:08

So I think there are a number of details that we need to resolve. Um, and, uh, try to establish better clarification through the statement of common ground.

00:42:52:20 - 00:42:58:11

Okay, maybe I can leave that for you to discuss outside of this hearing, but if you got any comments you wanted to make on that.

00:42:58:20 - 00:43:12:28

Mr. Latif, very much for the applicant. No. Our understanding was that the appointed, um, consultants from the council had reviewed it and confirmed it. We are aware of some of the points that have been mentioned, but, um, perhaps that's for outside of this hearing.

00:43:13:00 - 00:43:20:05

Okay. Um, maybe you can update the same common ground for the next deadline. Addressing that as well then please.

00:43:22:09 - 00:44:17:07

Um, moving on then, to consideration of cumulative effects and the applicant's conclusions. So we know there's a number of interested parties have raised concerns about the landscape and visual effects of the proposed development, um, including cumulatively with other consented solar schemes in the area. The applicant acknowledges in its assessments that there would be some significant landscape and visual effects arising from the proposed development alone, as well as cumulatively, whether the project's national policy statement and one recognises that the scale of energy projects means that they will often be visible across the wide area, and it will be for the ESA and ultimately the Secretary of State to come to a view as to whether any adverse landscape and visual benefits will be so damaging that they are not offset by the benefits, including the need for the project.

00:44:19:20 - 00:44:55:17

The essay we have we've asked numerous written questions around design and mitigation matters, to which the applicant has responded, which the and which we will have regard to when writing our recommendation. However, I just wanted to revisit one of those questions relating to paragraph 5.1. 26 of National Policy Statement, and one which recognizes that reducing the scale of a project can assist with reducing landscape and visual effects, albeit that this can also result in a significant reduction in electricity generation.

00:44:56:01 - 00:45:04:06

It goes on to say that there may, though, be circumstances where mitigation could have a very significant benefit and warrant a small reduction in function.

00:45:05:22 - 00:45:27:13

For the applicant, please expand on its response in this regard, and just explain in this case whether there could be any significant mitigation benefits from a small reduction in function or whether to further minimise adverse significant adverse effects will not be possible without resulting in significant operational constraints.

00:45:29:17 - 00:45:32:22

Sorry for the long question. Hope that makes sense.

00:45:32:24 - 00:46:33:04

Mustafa Latif Arab mesh for the applicant. It makes sense. Thank you sir. Um, I think there are three submissions to make on this. Um, the first is just explaining how we've gone about what we've done and where we've got to. We've explained that in the question. So I'm not going to repeat all of that. But following the mitigation hierarchy, we have continually refined the order limits, including the removal of field E18, as it's known, land area A, we've um, also carried out walkovers with, with the council's uh, assistance to identify new areas where we could possibly add additional mitigation and considered whether that would have an impact on, um, the power output in in doing what we've done to get to this point, we think we've we've gone far enough in terms of ensuring we're not having an impact on the total, uh, power output and the associated benefits.

00:46:33:15 - 00:47:04:04

Any further changes in the applicant's view would introduce additional operational constraints, and are not considered proportionate to the benefits that are to be achieved through them. In terms of any other. And then the third submission, um, I might invite um, Zachary for to make some comments because this actually relates to some of the issues on the previous agenda item in terms of areas that have been identified where there could be potential, uh, further mitigation. And we've considered those.

00:47:04:06 - 00:47:29:12

And our conclusion is that we we don't think those are feasible. And there are reasons for not proposing those. So where someone has identified to us, uh, from the council, very helpfully, where they think we could go further. Um, we've considered that and it has led to changes. Um, but in some cases, we don't think, uh, that, that that it's possible to provide what's being asked for. So, um.

00:47:31:13 - 00:47:40:20

Mr. Ford is going to, I think, talk through, uh, some of the specifics that Woodhouse and Mew decoy farm.

00:47:41:28 - 00:47:52:15

Okay. Thank you. Could I. With regard to Woodhouse, I've seen it spelt a few different ways. W d house or w d house. Is that the same? Are they the same property?

00:47:54:19 - 00:48:03:09

Mr.. Mr. Fuller, for the applicant. Um, I was about to say. I don't know, but I just heard Mr. Ford say yes, they are the same property.

00:48:07:14 - 00:48:08:25

Um, Zachary.

00:48:08:27 - 00:48:09:13

Ford.

00:48:09:15 - 00:48:14:12

Landscape and visual consultant, speaking on behalf of the applicant. So again.

00:48:14:14 - 00:48:55:19

I'm not going to repeat a lot of what Mustafa has said. And in regards to how we have arrived at where we are with regards to taking areas out of the scheme, producing fields and produce panels in specific fields and so on. But related to the last question which the Yorkshire landscape consultant had today specifically, and again, I know we're going to have further contacts on this, but they specifically sort of referenced, um, Carhouse Farm and Decoy Farm and Woodhouse. Um, and they suggested so for instance, East Yorkshire Council suggested with regards to Modica Farm, there appears to be scope for more hedgerows and tree planting within the biodiversity area.

00:48:56:05 - 00:49:35:04

Um, we have got hedgerows to new brand new hedgerows to the south of fields E3 and E4, which helps green for both Medical Farm and Woodhouse. And that was. And they were put in, they weren't in at the peer stage, they were put in following the walk over with the landscape and the consultation with the Yorkshire landscape officers. Um, with regards to the mitigation measures that are there. Now the proposed planting, it's this is if we replace the proposed planting which is which we therewith say trees, which would help screening.

00:49:35:06 - 00:49:47:10

It would actually impact the biodiversity measures, because the area around eco farms provides mitigation for ground nesting birds. Um, and where it's being planted with trees,

00:49:49:10 - 00:50:16:05

it would impact the benefits for the ground nesting birds, but it also wouldn't provide a huge, um, screening benefit for them. Again, with Woodhouse, they suggest that there's more room for planting. But again, we have had we have specifically added in the, um, hedgerows to the fields south of fields E3 and E4. And again, the closest areas to Woodhouse again are areas which have been omitted prior to mitigation for um.

00:50:18:08 - 00:50:19:23

Ground nesting birds.

00:50:24:19 - 00:50:33:15

A stability barometer for the applicant. Those are the three examples that I think have been raised. And so we don't want to leave you with the impression that we haven't thought about further measures that could be taken.

00:50:34:29 - 00:51:35:14

Yeah. Okay. Thanks. I suppose my point was I know that area A was taken out. Um, you've got like, a grid connection agreement for 320MW. You achieve that without area. So there was kind of no loss in outputs from removing area A from the scheme prior to submission. I'm kind of talking about the scheme as it has been submitted. So I suppose my question is as as the scheme is at the moment, in order to reduce significant adverse effects further, would would that require a significant reduction output by, say, removing swathes of solar array or further fields, which would then have quite a significant impact on output, even if it might result in significant benefits in terms of landscape and visual amenity effects, for example.

00:51:40:17 - 00:52:14:00

Mr. Latif Ramesh for the applicant. The short answer to the question is yes, it would have a significant impact if we were to take out large swathes of land in order to achieve further reductions. The starting point is that area A did put us at the limit. And and so you're right to say it in terms of the connection agreement, it marries up. But the point is we don't think we can, uh, do any further reductions.

00:52:14:02 - 00:52:19:00

And we've we've sought to actively address instances where people think we can do that.

00:52:23:29 - 00:52:30:03

Um, does anybody have any comments on that with the council? Mr. Blackledge like to comment on that?

00:52:31:18 - 00:53:04:07

Yes. Thank you. Um, bill Blackledge for East Riding Council. Um, I don't think we're talking about last large swathes at all. I think we're talking about, you know, the last levels of detail, uh, where we need to find a balance between, uh, visual amenity and, uh, residential impacts and the, um, biodiversity, uh, enhancement measures that have been put in place by the applicant.

00:53:04:15 - 00:53:39:20

Um, and I'm convinced this is something that we can do very effectively. We've had, uh, good communication with the applicants and the landscape consultants, and we can refine these these points, establish whether there are uh, technical or other, uh, difficulties or, um, as was just suggested, potential impacts from tree planting on ground nesting birds. Um, the, the the council's biodiversity officer is also present so we can incorporate uh, uh, her in discussions.

00:53:39:26 - 00:53:45:21

Um, and I think we can refine these, these, uh, relatively minor points without difficulty.

00:53:47:16 - 00:54:02:17

Okay. Thank you for that. Um, I'll leave that for you to discuss that side of this hearing. Um, I've got no further questions on landscape and visual matters. Um, is there anybody in the room or virtually have any points make? Yes, miss McManus.

00:54:03:10 - 00:54:06:28

George McManus, speaking on behalf of her is, uh,

00:54:08:15 - 00:54:25:00

here is is the East Riding against solar expansion? Uh, our campaign was specifically set up To address the cumulative impact of what is being proposed across the East Riding, which of course includes the Pear Tree Health Project.

00:54:26:25 - 00:54:44:26

At the moment, it looks as though something like 20,000 acres of the East Riding might be covered in solar panels if those in the pipeline go forward to construction. And whilst I appreciate Mr. Ramesh's responses.

00:54:46:29 - 00:55:27:16

As you mentioned, Mr. Chair, one states quite clearly that cumulative impact has to be taken into account. So I've got a question about other nearby solar farms, and even since we met last time back in July, there's been a fresh application in for a solar farm down at Moore's Croft in the outskirts of Beverley. This was brought to the council's attention earlier this year, and the council had produced a map Up on their website, which they update because I think I said on Tuesday that these are clearly working documents and things are changing, some sometimes from one day to the next.

00:55:27:18 - 00:55:58:01

When it comes to your considerations for the examining authority and the cumulative impact that these solar farms are going to have, particularly on the health and mental well-being of people living in these riding, I do not think can be overestimated. Just a takeaway statistic. 80% of the people in this riding can see the Milky Way. 80% of the people living in Hull cannot.

00:55:58:19 - 00:56:38:19

That is a precious resource and anything that damages light especially brings light. Pollution will damage that. So I've got a couple of questions and by all means have a look at these chances map. It was only when the map appeared, actually at the East Riding Council, that the elected members were aghast at the overall impact this was going to have in this. I would therefore like to know it would appear to us as onlookers, that we have not taken into account the cumulative impact of this and other solar projects that are in the pipeline.

00:56:39:07 - 00:56:48:26

So I want to ask what they have done as far as that is concerned. I'm quite pleased that we're starting to gather some evidence about the benefits of

00:56:50:18 - 00:57:32:16

dark skies. I have to declare that I'm a dark skies ambassador for the North York Moors National Park. Dark skies have enormous benefits to the community, but whether it's to do with tourism, tourism or the mental well-being of the people that live here, what health specialists do R.W. consult as far as the community is concerned, on the potential impact of these, and what research have they done to show? That they have taken into account the cumulative impact, because that's the thing that people raised with me more often than anything else, Mr.

00:57:32:18 - 00:58:16:03

Chair, whether they're holidaymakers travelling from the West Riding to the East Coast every summer, they admire the beautiful countryside, the changing countryside, the changing colours of the countryside, the clear skies. When faced with the prospect and future years of seeing basically fields of glass and plastic as opposed to fields of grain or pasture. They are. They are shocked. And when people locally talked to me about it, one of the main reasons people feel happy living in this Writing is because they feel that the wider environment in which they live is so agreeable.

00:58:16:05 - 00:58:25:20

And when you put these schemes together, as I say, if it was the most Trouw solar farm that was being discussed on another smaller solar farm fields,

00:58:27:14 - 00:59:20:25

there would I think very few people would actually object. But this is going to have an impact on the whole when you put it together with the others, the whole of the East Riding. So please take that into consideration, because the fear is that this has not been driven by the government's net zero strategy. It's been driven by cost effectiveness. Otherwise, why would we have hundreds of applications in across Yorkshire for small solar farms? Why did I have to be 2500 acres at a time? Why can't we take a realistic approach to this? Or is it just about money, but I'd appreciate the answers to the two questions about what they've done, about assessing the cumulative impact and what health specialists they have spoken to, or they are required to speak to in the course of this proposal.

00:59:20:27 - 00:59:21:27

Thank you very much.

00:59:23:09 - 00:59:24:27

Thank you. Um,

00:59:26:22 - 00:59:31:21

my understanding is I'm not in an area of dark skies that is not a designated area of dark sky.

00:59:33:29 - 00:59:53:23

It's not internationally recognized by the dark Sky Association. Okay. But we're very hopeful in North York. There's very few in the United Kingdom at the moment, but that doesn't mean that local areas, although they do not have official designation. 80% of the population can see the Milky Way. And Mr. Chair, I would say that's a bit much.

00:59:54:07 - 00:59:59:18

Thank you. Okay. If I could pass over to the applicant, perhaps to respond to those two points. Uh.

01:00:00:00 - 01:00:16:28

Mr. Parish, for the applicant. Um, I think you're right to say that the Dark skies designation is about 45km north. Um. I was going to hand over to Mister Twist just to address some of the, uh, points that have been raised by Mr. McManus.

01:00:17:26 - 01:00:22:20

And on behalf of the applicant. Um, so the applicant has considered all solar.

01:00:22:22 - 01:00:23:08

Development.

01:00:23:10 - 01:00:23:27

Known.

01:00:23:29 - 01:01:07:14

To us at this point in, uh, yes, volume to chapter 15, Cumulative Effects, which is rep 2-084 and also, um, a detailed cumulative landscaping and visual impact assessment has been undertaken, which is contained within the yes volume for appendix 15.2 Cumulative Landscape and Visual Impact

Assessment. Rep 3024. And specifically to your point. So on the Mols Croft solar farm that has now been considered, um, within both of those documents that I've just cited to as far as we possibly can in terms of the information that's available to us, with it being quite a new application.

01:01:10:26 - 01:01:43:13

Thanks, Mr. Chair. And is there any feedback about consulting with health experts in the community because of the potential? I'm talking to people at the moment up near Drifffield who live next to an operational small solar farm. They describe it as a nightmare, a living nightmare, and I'm very worried about it and I'm very worried for them. So I think that sort of community liaison would be very helpful to help sell the project.

01:01:43:15 - 01:01:45:27

And I'm wondering if you've been able to do that up until now.

01:01:50:06 - 01:02:21:09

Mr. Phillips, if I mesh with the applicant, we the applicant has been engaging, and the only point I would make directly responding to what Mr. McManus has said is that it might be helpful if he, um, has a look at the outline construction environmental management plan, um, including the references to community liaison groups that are proposed and secured under those documents as part of the implementation of the project. If development consent is granted.

01:02:21:11 - 01:02:24:03

So it's at the forefront of our our minds.

01:02:29:14 - 01:02:40:20

Thank you very much. Anybody else got anything? Any comments raised on landscape and visual matters? No, I can't see any hands raised virtually either. Oh, Miss Blackledge.

01:02:40:28 - 01:03:15:14

Sorry. Yes, just just wanted to to say, um, it's not particularly my responsibility to draw attention to this, but the the the most recent, um, cumulative landscape and visual impact assessment at, uh, A power of 310 one states in um that the combination of the five solar farms in combination with the proposed development would create significant cumulative effects on landscape, character and visual amenity.

01:03:15:26 - 01:03:29:15

Um, so it seems to us that the applicant has recognized, uh, those cumulative effects and they are there to be taken into account, uh, through this process.

01:03:30:15 - 01:03:40:03

Thank you. Yes, that's. Yeah. I think I reiterated that in the opening of my long question as well. Um, at the beginning of this bullet point. Okay. Thank you.

01:03:40:05 - 01:03:53:26

Sorry. Can I just to clarify. Mills craft Solar, we don't currently have a pending application in. It was fed back to the applicant that there was a public consultation, um, going on, but we haven't yet received a planning application.

01:03:54:13 - 01:03:55:23

Okay. Thank you.

01:04:09:23 - 01:04:16:10

That's reflected in the detailed landscape and visual. Cumulative assessment. I think, isn't it, Mr. Phil?

01:04:16:12 - 01:04:25:06

Is he parametrically the applicant? Yes. When Mr. Twist said, based on the information we have available, that that's that's exactly what is helpfully being clarified.

01:04:25:23 - 01:04:34:17

Okay. Thank you very much. Um, I'll now hand back over to Miss Milliken for agenda item, the next agenda item, which is on cultural heritage.

01:04:37:00 - 01:04:39:14

I'll just give you some time to swap over.

01:04:46:12 - 01:04:47:26

Thank you, Mr. Hudson.

01:04:48:21 - 01:04:50:20

Um, my initial questions.

01:04:50:24 - 01:04:51:26

For cultural heritage.

01:04:51:28 - 01:04:52:14

Relate.

01:04:52:16 - 01:04:53:02

To.

01:04:53:18 - 01:04:56:22

East Riding of Yorkshire Council's outstanding concerns.

01:04:56:24 - 01:04:57:21

And relation to.

01:04:57:23 - 01:04:59:20

Heritage matters and what degree.

01:05:00:04 - 01:05:01:18

They have been addressed.

01:05:02:02 - 01:05:53:10

My first question is in relation to the council's um, response to the examining authority's second questions, and the reference is the SSC 2.8.1 and L reference group 355. Uh, in relation to the potential for impacts on the Church of Saint Margaret, which is a grade two star listed asset. And what I had wanted to understand through that question was posed to excuse two was whether the council was satisfied with the applicant's response to the prior concerns that they raised at deadline one, and the response provided by the council to excuse 2.8.1 proposes further consideration of the impact um on the asset would be beneficial.

01:05:53:20 - 01:06:19:03

I'm paraphrasing here, particularly in relation to longer views of the church. Um, although they do suggest that the harm would likely to be low. And I was just hoping for an update from the applicant, please. Um, that is whether you intend to consider this asset further. Um, and if yes, to what extent, etc.. Yeah. Mr. Baron Marsh, please.

01:06:21:07 - 01:06:53:14

Mr. Lateef Ramesh, uh, for the applicant, just just very briefly before turning to the detail of the question, we actually had a helpful discussion with the council this morning and we wanted to I think, uh, I'll be corrected if I'm summarising this incorrectly. Um, there are slight differences in how we've arrived at the conclusions we have, but I think both the applicant and the council's teams agree on the overall conclusions on the significant impacts.

01:06:53:16 - 01:07:25:27

So there is no difference on the bottom line conclusions. It's just the methodology. And I think again, the council may want to comment on this, but they've um, they've asked us to confirm that that's the position today. Um, for reasons I'm sure they'll, they'll explain. But that's the overall overall, um, conclusion. And, um, I'll pass over to Miss Reese who who's actually going to be, um, dealing with this agenda item generally along with, um, our specialist Emma Ings.

01:07:30:24 - 01:07:44:20

It's race for the applicant. Um, first I just to check, um, in terms of East Riding, Yorkshire cancelled, um, in terms of, uh, Mr. Latif, our emissions summary that accurately reflects your discussions.

01:07:46:12 - 01:07:48:28

About council Rachel Hodgson yes, that's correct.

01:07:49:13 - 01:08:01:11

Sorry. Before. I'm I'm unsure about what's agreed because you're saying there's no harm. You're saying there is some harm. So I'm sorry to jump in here, but I'm a bit unsure what's what you've actually agreed on.

01:08:03:05 - 01:08:34:09

Mr. Latif, for the applicant, the distinction is, is there are stages to the assessment and we can comment on those. The level of harm doesn't necessarily affect the final conclusion on the significance on whether there is a significant impact. So there may be differences in how a the level of harm is characterized in terms of minor, negligible, moderate, but the overall. You then feed that through to the assessment and the overall conclusion on whether there is a significant impact. I think there are no differences between the applicant and the council.

01:08:34:11 - 01:08:46:18

So the level of harm is just the first stage of this. And I might invite Emma Ings to comment on this, who will be able to explain it much more technically and articulately than I just have?

01:08:47:16 - 01:09:23:04

Mr. Lateef, Baroness. If I could just jump in there. Um, I'm of the understanding, um, and experience in heritage matters, and I understand the process. Um, I suppose that doesn't preclude me from asking or probing questions with regards to, um, you know, where these differences lie and why. Um, I, I'm of the understanding that, um, you know, the council and the applicant have are of the similar view that, um, the summary in summary, it's less, you know, than significant harm.

01:09:23:09 - 01:09:32:20

Um, I just I just have to follow due process. Um, for reporting purposes as much as anything. So with that, I'll let you continue. Thank you.

01:09:32:26 - 01:09:44:09

Thank you, Mr. Lateef, very much for the applicant. Of course. And we've we've prepared specifically to talk about that level of detail, knowing that you'll you'll be interested and have to report on it. I'll, I'll hand it over to Miss Emma.

01:09:46:12 - 01:09:48:01

Emma Ings Meetings for the applicant.

01:09:48:07 - 01:10:27:12

Um, yeah. So the really the differences, uh, come from differences in professional judgment. The bottom line is that, um, we all agree that there are going to be no significant effects to the the significant of these heritage assets, including the Church of Saint Margaret. Um, in terms of the level of harm, we it's difficult, um, with heritage because there isn't any guidance that absolutely specifically lays out the scale of harm.

01:10:27:20 - 01:11:01:12

Um, there is uh, in, in MPF uh, they do talk about, uh, the scale of harm. Um, but they don't give the specific graduations. That is left professional judgment. What they say is that there's either less a less than substantial harm, which is a less than significant effect. Substantial harm which is significant effect or total loss? Um, and the the graduations of harm within those are on the basis of professional judgment.

01:11:02:10 - 01:11:06:23

So that's really where the differences have come from. It's still.

01:11:09:00 - 01:11:18:15

In the in the round we are in agreement. We would just put the the graduation of level of harm at a slightly different level.

01:11:20:09 - 01:11:23:05

I hope that answers your question.

01:11:24:12 - 01:11:40:22

Um thank you miss. Um, my question really is quite simple. It's and I think it's possibly going to be. No, um, it was, uh, just whether the applicant intends to consider the asset further. Yes or no? And if yes, to what extent? That was my question.

01:11:41:11 - 01:11:47:05

Earnings on behalf of the applicant. No, the applicant doesn't propose to consider it further.

01:11:47:21 - 01:11:55:01

Okay. Thank you. That's clear. Um, does anyone from the council wish to comment on what's been said?

01:11:57:11 - 01:12:20:15

Rachel Hodgson, East York council. Unfortunately, our, um, building conservation officer cannot attend today. He has left me some some notes. They're quite lengthy, so I don't intend to read them out. Um, but the applicant's, um, if you want it is correct. And I understand that our heritage officer is satisfied now that no further assessment will be undertaken.

01:12:21:00 - 01:12:22:07

Okay. That's helpful. Thank you.

01:12:22:09 - 01:12:23:01

Thank you.

01:12:23:29 - 01:12:56:09

Um, before I go to the room, and I just want to turn to, um, the second bullet point, which was, um, regarding a proposed passing place, um, opposite Moab Farm, um, which is obviously a grade two listed asset. Um, and the statement of common ground between the applicant and the council that was submitted at deadline three um, on page nine three the reference sorry is rep three zero 43 uh, places that particular matter are still under discussion.

01:12:56:11 - 01:13:04:14

So I was just hoping for an update from the parties in relation to, uh, that matter, please. And I'll turn to the applicant first. Thank you.

01:13:08:24 - 01:13:31:02

Sophie, for the applicant. Um, again, this is a similar point that we've already discussed in terms of that, there's a slight difference in between, um, the assessment, but there's no overall difference in the conclusions. But I'll let you speak to that in a little bit more detail.

01:13:32:06 - 01:14:08:19

Okay. For the applicant. Um, so in terms of the the yeah, our assessment of impacts on missile reform. We have all agreed. All parties have agreed that it's a less than significant effect. Um, and my understanding is that from the very recent discussions with conservation officer, um, about the passing place, they are also, uh, in agreement that we can, uh, state that matter is agreed because, again, the overall conclusion is agreed.

01:14:09:01 - 01:14:22:24

Um, and I know that there were other, uh, elements to that passing place. Um, in terms of, I think health and safety matters. Um, is that correct? East Riding of Yorkshire Council.

01:14:24:05 - 01:14:32:15

Rachel Hutchison, East riding church council. Yes. I can confirm that as of the 20th of October, that matter in the statement of common ground is now agreed.

01:14:37:21 - 01:14:39:17

That is very helpful. Thank you.

01:14:42:20 - 01:15:16:06

Um, and lastly, um, on this particular topic, um, I just want to have a really brief discussion. Um, and this is just regarding some key differences in view. Um, and it may be that we it's a similar discussion to what we've just previously had. Um, and this is about the harm. Um, you know, assigned to particular designated assets. Um, and I think it would be helpful if, uh, the detailed settings assessment, um, could be brought up firstly, please.

01:15:16:08 - 01:15:59:26

And then s chapter nine in tandem. Um, just as I deal with them in turn, if that's okay. Um, so that's, uh, the detailed settings assessment. Uh, I think the reference is rep one zero 26 and the s chapter nine reference I have is rep one zero 21. So, um, we understand I understand that East Riding of Yorkshire Council's conservation team placed the level of harm to significance as being marginally higher in relation to Moab Farm and one Grange, and and that's per page eight of the latest statement of common ground between the applicant and the council.

01:16:00:16 - 01:16:20:27

Um, but I also know that the council say they don't fundamentally disagree with the conclusion of no significant residual effects to the assets. And for the record, and I think you're going to answer this, but I'll let you answer it in a particular way. And can I just ask East Riding of Yorkshire Council if my understanding on that is correct?

01:16:24:10 - 01:16:30:24

Rachel Hudson, East Riding Council Unfortunately, I'd have to get a response from the building conservation officer.

01:16:32:00 - 01:16:46:25

Okay, I think I think that's fine. I'll take away. It's not. It's. It's not important. I think the importance is there is a difference. A difference of opinion. And I'll go. I'll ask Mr. Latif Ramesh. Um. I'm correct, aren't I, in saying that that is the case?

01:16:50:09 - 01:17:00:12

I'm innocent of the applicant. Yeah. There is a slight difference of opinion. Okay, exactly where the that harm the that level of harm sits.

01:17:01:13 - 01:17:10:29

That's fine. Thank you. Um, so on that I have a question. And, um, in relation to mo Cistercian abbey,

01:17:12:21 - 01:17:19:21

the detailed settings assessment, um outlines and this is at paragraph 4.1.36

01:17:21:17 - 01:17:52:02

that there is anticipated to be a slight negative change to the experiential setting of. And they give the reference the site of mo Cistercian abbey during the construction and operational phases. However, when we turn to s chapter nine, paragraphs 9.9 10 to 9.9 15, it states no change and therefore no effect in relation to its setting, and that's for residual effects for the construction phase.

01:17:52:25 - 01:18:18:04

I know there's discussion in the text regarding the asset having a more notional setting than experiential setting, but as reference is made to a change to the experiential setting of the asset within the detailed settings impact assessment, I'd like the applicant briefly set out how we get from what appears to be to encompass harm to no harm on that basis. Please, for the benefit of everyone in the room.

01:18:19:03 - 01:18:51:17

Emma Ings, on behalf of the applicant. Um, yes. So what the detailed settings assessment is saying is that it is saying that yes, there will be a slight change to the setting. Um, that is more or less the halfway point in the, uh, methodology assessment, uh, of the yeah, the assessment methodology for setting impacts. So the EOS chapter, um, carries out the the final phases of that assessment.

01:18:51:19 - 01:19:22:04

So the key point here is, yes, there is a change in setting. However, does that equate to a change in significance. Um, and the applicant stance is that it doesn't. Um, so setting is only one, one element of an asset that can contribute to its significance. So you can also include any archaeological remains, any architectural fabric, historical associations, associations.

01:19:22:13 - 01:20:00:15

Um, in terms of this particular Asset because of the existing vegetation around the asset. When you are there in person, the the the setting, the element of the setting that actually contributes to your understanding of it is just the scheduled area itself. Um, and the proposed, uh, development poetry, uh, Hill Solar Farm would be outside of that setting.

01:20:00:21 - 01:20:07:06

It wouldn't be visible. It wouldn't be. You wouldn't be able to perceive it in a sensory manner. So

01:20:08:22 - 01:20:33:02

therefore, although the setting is changing, it's not changing. It's the much wider setting that is changing. It's not the element of the setting that actually contributes to the significance of the asset. So therefore there is no change to the overall significance of the asset.

01:20:39:21 - 01:20:41:09

Thank you. Um,

01:20:43:05 - 01:20:50:13

Mr. Hudson, do you have any comments to make on that? Um, I think it probably answers my questions.

01:20:52:20 - 01:20:53:27

I mean, I think it's

01:20:55:17 - 01:21:24:09

a shame the heritage person's not here, but there's clearly a different point of view. Less substantial harm to the setting of or the significance of Cistercian abbey from the council, and obviously no harm from the applicant. And I guess it's it's it'll be a judgment that the essay that we make in terms of the level of harm, if any, and how that feeds into the overall planning balance. Um, yes. Miss Hodgson.

01:21:24:11 - 01:21:58:12

Rachel Hodgson, East Riding of Yorkshire Council. I have got a note from the conservation officer that concludes, um, that they don't fully agree with the conclusions drawn in the chapter nine, table 9.8, that there would be no change, no effect and no impact on the significance, but they would place it to be a lower level of change, a low effect, and a lower, less than substantial impact on its significance. So yeah, just to confirm there is that slight difference. Um, with regards to the level of change effect.

01:21:59:23 - 01:22:01:08

That's helpful. Thank you.

01:22:03:12 - 01:22:37:09

And then moving on if that's okay to the operational phase. The ES um chapter nine um, a paragraph 9.9.36 uh, states that the embedded mitigation presented in table 9.7 includes the. That's the offset from the solar development of 100m and to the south of most Cistercian abbey and hedgerow creation in the northern part of fields f4 to f6.

01:22:37:24 - 01:22:57:24

Um, and what I'd like is just for us. This is just for clarity. This is a point of clarity just to get the indicative environmental master plan. So that's rep 2091. Could we please get that plan up on the screen please. And that's sheet nine and then sheet 12. But sheet nine first please.

01:23:18:03 - 01:23:32:00

Thank you. Um, and just for the purposes of clarity. The. The proposed hedgerow feature is located to the north of the field. Is that correct? And perhaps the applicant would like to point it out? Please, just for the interest of clarity.

01:23:35:22 - 01:23:49:18

I think if you could drag the screen up, drag the image up so we can see the south of Cistercian Abbey. So keep going down. Keep going, keep going. Yeah. And then maybe. Yeah. And then maybe. That's it.

01:23:54:26 - 01:24:10:23

I'm half the applicant. Um, so yes, in terms of the, uh, the creation of the new hedgerow that I think is being. Um, would it be outlined in one second?

01:24:44:27 - 01:24:58:24

For the applicant. We we might just need to take this one away, but we'll be sure to signpost to, uh, a the exact sheet or a visual representation so that you have clarity on your question.

01:24:59:19 - 01:25:44:05

Thank you. That would be helpful if you can make that an action point, please. Um, that would be great. Um, and my next my final question, you'll be pleased to hear it was, um, just, um, to be honest, it was one for the council, so I'll let Miss Hodgson take it away, if that's okay. Um, but it was, um, the fact that the yes chapter then goes on to say that the existing hedgerows, in combination with the two embedded mitigation features measures and that being the offset and the hedgerow creation, um, would create a screening effect in the winter, which is comparable to that noted during the summer and thus sufficient to avoid impacts to the assets setting during the winter as well as the summer months.

01:25:44:29 - 01:26:15:02

Um, and then at paragraph 9.9.39 of the yes chapter, it then goes on to conclude the magnitude of impact, um, during the operation maintenance phase would be no change, significant effect would be no effect. And then therefore not significant, equating to much less than substantial harm to the significant of the asset. And I just wanted to ask the council whether they agree with the applicant's conclusions here. And if not, then why? But I appreciate, Mitchelson, that you are.

01:26:16:10 - 01:26:21:19

so low. So if I could ask you to take that away, please, that would be appreciated.

01:26:22:22 - 01:26:58:16

Rachel Hodgson, East Yorkshire Council I can take it away. Just on the conservation officers notes, he has highlighted that he's appreciated that the increased landscape buffer at the northern edge of area F and the existing hedgerows will considerably minimise the impact. However, his stance is still that he doesn't agree with the conclusions that there would be no effect, no impact on significance. So even with that additional landscaping, it's still a conservation officer's conclusion that there would be a lower level of change, a low effect and a lower, less than substantial impact on the significance.

01:26:59:21 - 01:27:00:16

That's noted.

01:27:00:18 - 01:27:01:13

Thank you.

01:27:11:22 - 01:27:17:24

I think I've got actually one for the question, if that's okay, and it's to touch on one Grange

01:27:19:17 - 01:27:54:25

in the detailed settings assessment. Paragraphs 4.8.39 and 4.80.40. Um, it says that negative changes to the setting of one Grange are predicted during the construction and operational phase. The proposed development, which would be temporary and fully reversible. And then he asked chapter nine again and states at paragraphs 9.9 10 to 9.9 16 that the magnitude of impact to the asset setting during the construction phase would be minor, with the significant effects being minor adverse.

01:27:54:27 - 01:28:25:08

Then, for the operational phase, paragraph 9.940 of the E.S. chapter states that the magnitude to the impact of the assets setting during the operation during maintenance phase is assessed as minor, and the significant effect would therefore be minor adverse. Um, and I know that the council and the latest statement of common ground with the applicant say that they disagree with the level of harm attributed here. And whilst I don't want to linger on this, I just wanted to also ask the council to comment on that as well, please.

01:28:25:10 - 01:28:32:06

And whether they agree whether that is still the case. Um, Miss Hudson, I'll let you respond.

01:28:33:15 - 01:29:03:25

Rachel Hudson, East Yorkshire Council the notes that I've got that relate to one Grange, um, said that the level of harm caused will be less than substantial, falling at the lower and midpoint of the spectrum of impact covered by paragraph 2.15 of the NPF. Therefore, I generally agree with the conclusions drawn by the applicant's heritage specialist in table 9.8 of the S on Cultural Heritage. Although we would place the level of impact as being marginally higher. Thank you.

01:29:03:27 - 01:29:05:15

That's helpful. Thank you.

01:29:07:06 - 01:29:17:19

I think that's everything I wanted to ask in relation to cultural heritage. I just before I move on. Is there anything that anyone in the room would wish to raise at this point?

01:29:20:11 - 01:29:21:22

Yes. Mr. McManus.

01:29:22:10 - 01:29:53:16

Thank you. George McManus speaking for a raise. I really feel as though I might come in. Uh, it's it's primarily a point of information, uh, for both the benefit of the visa and RWA. The pronunciation is moose. Moose Abbey farm. Moose Abbey farm was was. The village was established by Cistercian monks from Paris. Moose is a central district in Paris. They arrived here after the Norman Conquest.

01:29:53:18 - 01:30:24:20

The reason they were allowed to settle where they did was because the whole area was a marshland, and they agreed to do drainage works and a small area for their own provision. So it's been there for nearly a thousand years. And although it's basically a ruin now, it's a. I can't overestimate the significance of the the heritage of Moose Monastery and. And the fact that it does draw visitors every year.

01:30:24:22 - 01:30:45:24

So anything that's done in that area. Would be will have to be very considered about. But again, a little bit of local knowledge. It really does help to get those pronunciations right. Although uh, we don't. It came as news to me when I first arrived. But Breed and Moose is the best cheese that you can get in Beverly.

01:30:46:28 - 01:30:51:12

Thank you. And yes, you're right, it's. It's good to pronounce things correctly. Thank you.

01:30:55:19 - 01:31:05:18

Thank you. If anybody else has anything else to raise. Um, I think I'm going to hand back to Mr. Hudson, as I believe that we may be adjourning for lunch. Thank you.

01:31:06:06 - 01:31:40:15

Yeah, I actually did have one question as well. Um, in the environmental statement, um, the heritage at paragraphs 9.9. 16, 9.9.39, 9.9.4, you use the term much less than substantial. So I know I'm familiar with substantial harm, less than substantial harm. And then maybe at the lower end of the scale of less than substantial harm. But I'm not familiar with the term much less than substantial harm.

01:31:40:17 - 01:31:50:02

So where you do find harm. I'm, I'm a little bit unclear as to what that term is actually referring to. So if you could please clarify that.

01:31:51:01 - 01:32:20:16

Uh, and on behalf of the applicant, um, yeah. Again, this comes back to the point that there isn't any official terminology for the graduations in the different levels of harm. poem is only less than substantial, substantial or total loss. So that much less substantial is the term that I have used to try and express that. I think it's on the the low end of lessons. Substantial.

01:32:20:27 - 01:32:25:28

Okay, so if we looked at spectrum, it would be at the lower end of the spectrum of lessons.

01:32:26:08 - 01:32:37:26

Yes. Let's say it was on a scale of 1 to 10, with one being low and ten being high. I would place it at kind of somewhere between 1 and 3 rather than 4 or 5.

01:32:40:17 - 01:32:41:27

Okay. Thank you for that.

01:32:45:09 - 01:32:57:14

Uh, yes. So it's 1252 and I think we'll take a lunch break. Um, and we'll come back at 2:00. So the hearings adjourn until 2:00. Thank you.