



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	EN010157 Peartree Hill Solar Farm
Hearing:	Issue Specific Hearing 3 (ISH3) – Part 1
Date:	11 December 2025

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FULL TRANSCRIPT (with timecode)

00:00:05:18 - 00:00:06:27

Good morning everyone.

00:00:08:28 - 00:00:23:11

The time is now 9:30 a.m. and this issue specific hearing is now open. I would like to welcome you all to the hearing this morning. Can I just double check that everyone can see me and hear me clearly, please?

00:00:25:02 - 00:00:26:08

Yes, I can see you.

00:00:27:03 - 00:00:38:15

Thank you. Um, can I also ask. Sorry. Yeah, yeah. Thank you. Can I also ask Mr. Stevens to confirm that the live streaming of this event has commenced? Please.

00:00:39:15 - 00:00:41:02

Yeah, I can confirm that's working now.

00:00:41:15 - 00:01:20:22

Thank you for those people watching on the live stream. If the recordings are and proceedings are adjourned at any point, we will have to stop the live stream in order to give us clear recording files. When the hearing is resumed, you will need to refresh your browser page to view the restarted live stream. I'll remind you of this again. Should we need to adjourn today. This hearing is in relation to an application made by RW renewables, UK Solar and Storage Limited, who we will going forward refer to as the applicant for an order granting development consent for the Pear Tree Hill Solar Farm project.

00:01:21:13 - 00:01:46:00

My name is Mary Louise Milliken. I'm a chartered time planner. I'm a planning inspector employed by the Planning Inspectorate, and I have been appointed by the Secretary of State for housing, Communities and Local Government to be a member of the panel to examine this application. I am now going to ask the other panel member who has been appointed by the Secretary of State in a similar manner to examine this application to introduce himself.

00:01:46:24 - 00:01:56:01

Good morning. My name is Alex Hutson. I'm a chartered town planner, a chartered landscape planner and a planning inspector, and I've been appointed to be the lead member of the panel.

00:01:57:06 - 00:02:27:21

Thank you. Together, we constitute the examining authority. For this application, we will be reporting to the Secretary of State for Energy Security and net zero, with a recommendation as to whether the Development Consent Order should be made. The case manager for this project is Jake Stevens. Mr. Stevens is supported today by Harry Davies virtually. If you have any questions or queries about the examination or the technology we are using for virtual events, Mr.

00:02:27:23 - 00:03:02:27

Stevens should be your first point of contact. This hearing is being both live streamed and recorded in order to minimize background noise. Can you please make sure that you stay muted unless you are speaking? If you wish to speak at the relevant point in the proceedings, please use the Microsoft Teams Hand up function and wait to be invited to speak or ask to speak at the appropriate time. The chat function on Microsoft Teams will not work for this hearing, so please don't try to use it, um to ask any questions or post comments.

00:03:03:21 - 00:03:39:08

If you don't manage to ask your question or raise your point at the relevant moment in time, there will be an opportunity at the end of the hearing for you to raise points under item nine of the agenda. Any other matters? Because the digital recordings that we make are retained and published, they form a public record that can contain your personal information and to which the General Data Protection Regulation, or PR applies. The planning inspector in practice is to retain and publish recordings for a period of five years from the Secretary of State's decision.

00:03:39:19 - 00:04:15:17

Consequently, if you participate in today's hearing, it's important that you understand that you will be livestreamed and recorded and that the digital recording will be published. If you don't want your image to be recorded, you can keep your camera switched off. We will only ever ask for information to be placed on the public record. That is important and relevant to the planning decision. Therefore, to avoid the need to edit the digital recordings, what we would ask is that you try your best not to add information to the public record that you would wish to be kept private, or that is confidential.

00:04:16:09 - 00:04:24:00

If you feel that personal information is necessary, please provide this in a written document that we can redact prior to publication.

00:04:25:15 - 00:04:55:24

We will take a break at around 11 a.m. and then for lunch at around 1 p.m.. If it seems likely that we will need to go beyond that time, we will look to take other breaks as necessary. A digital recording of today's hearing will be available on the project web page as soon as practicable after this hearing. If any individual or group wishes to use social media to report, film or record during today's hearing, and they are free to do so. But the material must not be misused.

00:04:56:18 - 00:05:26:19

This hearing will follow the agenda as published on the project web page on the 3rd of December 2025, with examination library reference AV 9001. This detailed the areas we wish to discuss today, including the Draft Development Consent Order, transport and access, air quality, health and safety,

population and land, Soil and groundwater. The agenda is for guidance only and we may add other issues for consideration as we progress.

00:05:27:20 - 00:06:03:13

We'll conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. But if the discussions cannot be concluded, then it may be necessary for us to reprioritize matters and to defer other matters to a written process. Likewise, if you cannot answer the questions being asked or require time to get the information requested, Then can you please indicate that you may wish to respond in writing? For reference, we are likely to refer to the following documents today, which we will ask the applicant to share on screen at the relevant times in the proceedings.

00:06:03:28 - 00:06:36:02

The first is the draft Development Consent Order and that's examination library Reference rep 5004. The second is Outline Operational Environmental Management Plan. And that's rep 5063 Outline Battery safety management plan. Rep 5069 outline construction traffic management plan Rep 5071S. Chapter 15 Cumulative Effects Assessment rep five zero 20.

00:06:37:21 - 00:07:02:05

I am now going to ask those of you that are participating today in today's hearing, to briefly introduce yourselves and indicate which agenda items you wish to speak on. So when I ask you in turn, can you please state your name, who you represent, and how you wish to be addressed? Please. And before you speak, if you could please state your name and who you represent if you're a representative. So firstly for the applicant, please.

00:07:05:26 - 00:07:36:14

Madam Tom McNamara, on behalf of the applicant, um, I'm happy to be, uh, known as Mr. McNamara. Um, I have various members of the applicant team around me in the room, and we also have a couple of people online who I will ask to introduce themselves in due course. Um, inevitably, we're going to speak against all of the agenda items today. Um, so if I start with the people in the room to introduce themselves and then we'll go.

00:07:38:04 - 00:07:45:18

Good morning. My name is Mustafa Lateef. I'm a partner at TLT representing the applicant.

00:07:47:04 - 00:07:54:17

Good morning. I'm Ben Swift. I'm an associate director specializing in environmental impact assessment at risk, and I'm acting on behalf of the applicant today.

00:07:56:14 - 00:08:03:26

Good morning, Carl and Gil Quirk from SCP transport consultant. And I'm speaking on behalf of the applicant today as well.

00:08:07:29 - 00:08:15:03

Thank you. And then I think we'll go online. So perhaps if we start with Miss Peter.

00:08:18:15 - 00:08:27:26

Good morning ma'am. Good morning sir I'm James David Tuff, happy to be known as Jim Tuff. I work for Abbot Risk Consulting on behalf of the applicant, and I'm a safety engineer.

00:08:32:21 - 00:08:36:04

Thank you. And then we also have Miss Chan online.

00:08:39:10 - 00:08:47:19

Morning. I'm Phoebe Chen, senior air quality consultant at Risk Environment Limited, and I'm representing the applicant RWA today.

00:08:50:27 - 00:08:54:25

Thank you. So that concludes all of the introductions from the applicant team.

00:08:55:23 - 00:09:06:23

Thank you. And then I'm just going to track I've got East Riding of Yorkshire just various members of staff down. I was wondering if, um if you could briefly introduce yourselves please.

00:09:12:12 - 00:09:16:27

Good morning. Rachel Hodgson, principal planning officer at East Riding of Yorkshire Council.

00:09:18:17 - 00:09:20:12

Good morning, Jonathan Tate.

00:09:20:14 - 00:09:27:25

Happy to be known as John from the environmental control team at East Riding of Yorkshire Council, speaking on air quality and contaminated land if needed.

00:09:28:24 - 00:09:41:06

Uh, good morning Scott Richardson. Happy to be known as Scott from the Yorkshire Council. I'm the transport planning manager and I'll be, um, just talking on transport and access if needed. Thank you.

00:09:49:29 - 00:09:52:26

There's just the three of us from for Mr. Adam. Thank you.

00:09:52:28 - 00:09:58:14

That's fine. Thank you. Thank you. And then I have, um, Alban Wise limited.

00:10:07:26 - 00:10:15:27

Good morning. Peter Scott, chartered safety consultant, acting on behalf of Moyes. Happy to be known as Peter.

00:10:21:18 - 00:10:28:13

Good morning. I'm Gordon Buchan, acting on behalf of Albert Weiss with in relation to transport and access matters.

00:10:33:01 - 00:10:35:15

Good morning. Can I just check? You can hear me.

00:10:36:06 - 00:10:37:14

Yes, I can hear you clearly.

00:10:37:16 - 00:11:07:29

Thank you. Um, Mark Westmoreland Smith, uh, King's Counsel, uh, at Francis, telling the building I'm representing, uh, Alban Wyse, I'm instructed by Fiona Barker, um, who's a solicitor and principal associate at Mills and Reeves. And in the room I have, in addition to Miss Barker, Chris Banks, who's the renewables development manager at Albion Synergy Limited, and Mr.

00:11:08:01 - 00:11:40:07

Bucket and Mr. Scott have already introduced themselves there online today. Thank you. Um, in terms of the agenda items, uh, it's principally agenda item two with regards to development, consent order and requirement 16 that we'll speak to. You also have item six population and a reference to album wise there. And clearly we'll contribute to that. Although, um, we've made our position clear yesterday and we're not intending to repeat ourselves.

00:11:40:09 - 00:11:41:28

But. But we may want to speak to that.

00:11:42:26 - 00:11:53:16

Yes. That's fine. That's that's understood. Thank you. And then finally, um, Mr. George McManus, who's representing East Riding against solar expansion. Erase.

00:11:54:18 - 00:12:24:25

Thank you. Chair George McManus. Uh, rather than avoid confusion with Mr. McNamara. Happy to be known as George. Uh, I would like to. I was hoping that the fire authority might be attending this morning's meeting. Because I was intending to put a number of questions to the fire officer. Uh, I also have questions on environmental safety, battery safety and access, some of which we touched on yesterday.

00:12:25:03 - 00:12:25:28

Thanks, chair.

00:12:27:08 - 00:12:35:25

Thank you. That's helpful. Can I just ask now if there's anyone else attending today who wishes to speak that hasn't already introduced themselves?

00:12:40:14 - 00:13:03:12

No thank you. If you want to refer to something you've submitted before, we would be grateful if you could give the appropriate, um, examination library reference so that we can all follow. And in addition, when using an abbreviation or an acronym for the first time, please can you give the full

title? Um, are there any comments at this time? Anyone else wish to wish? Um wishes to make under this item of the agenda.

00:13:06:03 - 00:13:17:00

If not, that concludes this item on the agenda. So I'll pass across to Mr. Hudson, who is dealing with item two, which is the draft development consent. Thank you.

00:13:21:22 - 00:13:58:29

Uh, thank you very much. Um, yeah. Just to mention that the development consent order we're talking about is the most up to date version, which is about 5004. I just wanted to get a few questions. Not. Not on the agenda. Just to start with, um, I just wanted to revisit articles three and five which relate to development consent grants and grants and and also maintenance. Um, since we think since we talked last time, we've had the Helios Renewable Energy Project Order 2025 made.

00:13:59:17 - 00:14:11:14

Um, and I just wanted to check whether the applicant is still maintaining it. Appropriate to exclude the words, um within the order limits from articles three and five. Maybe having reviewed that.

00:14:12:04 - 00:14:12:28

DCO

00:14:14:24 - 00:14:31:18

is very much for the applicant. We are maintaining our our position. Um, as, as set out in the previous issue specific hearing. This is this is not something that turns on the the nature of a particular project. We just think it's consistent with what the order actually does.

00:14:33:23 - 00:15:02:21

Okay. Thank you. Um, moving on then, to article eight, which is consent to transfer a benefit of order. Um, I just a quick question on article six for C. Sorry, 83C and I just wanted to know why. Northern Power Grid Holding Company rather than Northern Power Grid Yorkshire plc is cited.

00:15:04:08 - 00:15:14:15

And a notice in the Helios Renewable Energy Project order that in their similar article six foresee they site Northern Power Grid Yorkshire plc.

00:15:22:06 - 00:15:24:21

On behalf of the applicant. Thank you sir. Um.

00:15:39:11 - 00:15:57:21

I suppose one of the reasons I'm asking is because I know the U.S., the Secretary of State, removed references to holding companies from that DCO given section, as they was not satisfied that such an entity would necessarily hold a licence under the Electricity Act 1989.

00:15:59:03 - 00:16:33:18

Mr. furnish for the applicant. I think the reference that you've you've just read out has to be read in line with article two, subparagraph nine, um, which sets out that references to a registered company

listed in article eight includes that bodies or that company's successor from time to time. So what we're trying to ensure is that if there are intra group transfers, as is often the case for statutory undertakers, um, that it doesn't affect the operation of that provision.

00:16:33:25 - 00:16:52:12

And you're right to note that the license holder provisions, uh, are slightly different, but we don't think that's caught by the listing of a very specific company that is that is, um, in all likelihood going to carry on with that particular undertaking.

00:16:55:01 - 00:17:00:29

Okay. Thank you. Um, requirement two.

00:17:03:04 - 00:17:10:27

Which is commencement of the authorized development. Um, I think of the most recent, uh, version of the DCO.

00:17:13:10 - 00:17:26:05

New under the definition of begin to require that one interpretation in respect of time limits and the requirement to one. Um.

00:17:31:03 - 00:17:57:07

So two one mentions word begin. So you added, uh, sort of the definition begin. I'm just wondering why it couldn't just state commence and sort of begin because we have a definition for comment. So why wouldn't requirement two one state the authorized development? One must not sorry, must commence no later than the expiration of etc., etc..

00:17:58:01 - 00:18:29:20

Mr.. Bility very much for the applicant. So there's a distinction between um, as you rightly note out the definition of commence and the definition of begin. The use of begin in in requirement two is deliberate. And this actually flows from, um, a High Court case concerning the Swansea tidal lagoon. And in that case, um, they had a definition which applied to the time limits. Um, and effectively what happened was that that DCO expired.

00:18:30:18 - 00:19:11:22

The reason for the the use of the word begin is because the intention of the time requirement provision is that certain works should be started, and that the DCO is effectively not just sitting on the shelf where we use the word commence. What we're trying to do is control particular activities for the purposes of all the other requirements, so that there are appropriate controls in place. We've, um, uh, provided a definition of commence from the very start, and that excludes some works which are relatively de minimis, which we consider shouldn't be subject to the controls that we have, uh, in the requirements.

00:19:11:24 - 00:19:43:26

So, um, in short, the word begin, uh, encompasses all of the material operations that would allow the time, uh, limit to have been discharged, whereas the purpose of using the word commence is to properly control the activities that need to be controlled. And so there's a distinction between the two

uses and the precedent for using the word begin in the time limit provision we can provide in our written submissions.

00:19:43:28 - 00:20:02:07

But, uh, the use of the different words depending on whether it's a time limit provision or whether it's an environmental, traffic, etc., control requirement, uh, provision, um, uh, is is precedent and it's something that we've tried to make a distinction.

00:20:03:08 - 00:20:04:21

Okay. Um.

00:20:07:25 - 00:20:21:08

I'm just looking I'm just looking at the definition of command. And so it talks there about section 155 for the 2008 act and then in brackets, which says which explains when development begins,

00:20:22:26 - 00:20:31:04

But I don't fully understand why you would then need to specify begin later and then define it also.

00:20:32:24 - 00:21:05:29

Very much for the applicant. So when you look at section one, five five or the Planning Act, it says that a number of aspects of that definition of begin will be specified in regulations. There are no regulations. And so while it's helpful that section 155 has this starting position, it's not fully fleshed out because the secondary regulations have not been made. Secondly, um, section 155 itself allows for a development consent order to specify otherwise.

00:21:06:01 - 00:21:26:00

And so, um, yes, the section does deal with when development begins, but there are reasons for then um, supplementing the definition of commence so that we're being clear about what is controlled and separately for having a definition of begin, so that we're very clear on what we mean by begin.

00:21:27:27 - 00:22:01:26

Okay. Okay. I'll take that away and think about it. Um. Requirement 15 decommissioning. Um, this goes back to East Riding of Yorkshire Council's response to, um, issue specific hearing one action point seven, which was rep 4079 regarding part eight of the Outline Operational Environmental Management Plan, um and decommissioning timings. Uh, the applicant amended the Outline Operational Environmental Management Plan.

00:22:02:20 - 00:22:22:11

Um, which was rec 5063A deadline five to reduce timings from 24 months and 36 months to 12 and 24 months. I just wanted to ask, uh, maybe Miss Hodgson whether this addresses Eric Eric's concerns.

00:22:31:28 - 00:23:09:17

Rachel Hodgson, East Riding of Yorkshire Council and Council do welcome the reduction in the relevant outage period from 36 months, as it previously was, to the 26 months. Um, particularly if this is in line with all the consented, um, solar data. I do have a couple of queries or maybe just

confirmation from the applicant. Um, the outline operational traffic Management plan rep 5063 at 8.12 of that document, it states that, um.

00:23:12:17 - 00:23:13:02

I'm.

00:23:17:03 - 00:23:21:00

So do you mean the outline construction traffic management plan or the.

00:23:22:07 - 00:23:26:28

The outline operational traffic management plan?

00:23:28:10 - 00:23:31:13

So there's, uh. Okay. Okay.

00:23:34:04 - 00:23:39:00

So 8.1.2 where it says, um, sorry.

00:23:40:04 - 00:23:42:18

Can you see the reference again, please?

00:23:42:25 - 00:23:46:21

Yeah. Rep 5063I believe it is.

00:23:46:23 - 00:23:51:18

Okay. So that's the operation outline operational environmental management plan. Yes. Right.

00:23:51:21 - 00:24:21:27

Yeah. Thank you. So 8.1.2 of that, it says that the applicant must submit a decommission and environmental management plan to local authority. I'm just querying. At what point is that submitted as that's written? Is it clear that it's submitted? Is it submitted at the 24th month? Is it submitted at any point after the 24 months, does it need to be a bit clearer as to when? When that document needs to be submitted to the user agent?

00:24:27:20 - 00:24:29:19

Okay. Could the applicant respond to that?

00:24:32:18 - 00:25:07:21

Thank you. Tom, on behalf of the applicant, um, our position on that, sir, is that, um, in just just reading 8.1.2 in the event that the equipment plant is still inoperative after an additional period of 12 months from the first period of extended outage, resulting in a continuous period of 24 months of outage, the applicant must submit a decommissioning Environmental Management plan. Um, so our position is that provided the 24 months have expired, that is when the obligation to submit the plan for approval arises.

00:25:08:12 - 00:25:21:25

Um, that we think it is clear as to timing. Um, and we wouldn't propose to, to add anything, anything further because we think we've already achieved the clarity that's required there.

00:25:26:02 - 00:25:39:12

Okay. So you're saying they must submit that at the end of a, uh, if there's an average of 24 months, but say it doesn't specify at what point after that they must submit it.

00:25:39:14 - 00:25:45:26

So yeah. Yeah, I've as I read that it could be at any point after the 24 months.

00:25:45:28 - 00:25:48:18

Okay. So what you what would you suggest?

00:25:49:03 - 00:26:01:24

Should there be more clarity that I don't know. By the 25th month, that document should have been submitted. And then it allows one month after the trigger of 24 months for it to be submitted.

00:26:02:00 - 00:26:03:19

So. Okay.

00:26:05:22 - 00:26:11:14

So with, uh. Yeah. So within a month after the outage period or something.

00:26:11:16 - 00:26:12:10

Yeah.

00:26:13:02 - 00:26:13:22

Um,

00:26:15:21 - 00:26:17:24

that was respond to that would have been.

00:26:18:09 - 00:26:55:01

Tom McNamara on behalf of the applicant. So we can certainly think about that. I do wonder, though, just looking actually at requirement 15 two, which we would, we say would apply in circumstances where the requirement to produce a decommissioning environmental management plan arises and the requirement 14. So requirement 15 two says unless otherwise agreed, no later than three months prior to the intended data decommissioning of any part of the authorized development, the undertaker must submit to the local planning authority for that part and then for approval.

00:26:55:08 - 00:27:18:04

So I think that would probably cover it, sir. And um, on that basis, we don't think further wording is probably required into the, uh, operational management plan, but we can think about it, though, and if there are some ways that we can provide comfort that 52 would apply in those circumstances, then we're happy to give it.

00:27:21:00 - 00:27:28:10

Okay. Miss Hodgson, having regard to the quote in 52, would that cover that point?

00:27:30:05 - 00:27:55:21

Yeah, possibly. I was going to question a requirement 15 because again, as as I read it, requirement 15 one states that the decommissioning for any part of the authorized development must commence no later than 40 years. So wearing that requirement. Does it cover this 24 month outage period? Are we saying that that is covered under 15 two?

00:27:59:20 - 00:28:42:15

On behalf of the applicant. I think the position is that where the circumstances in paragraph eight of the Operation Environmental Management plans are engaged, then the requirement to decommission is covered by requirement 14. In effect, because the scheme must be implemented in accordance with the OMP as approved. What I what I was trying to explain, I didn't do it very well, is that once the requirement to submit the approval has been triggered under paragraph eight of the OMP, I think we can probably read across and infer that the requirements set out in requirement 15 would apply.

00:28:43:04 - 00:29:06:00

But I think what we can do possibly say here to provide clarity is just insert some wording into section eight of the OMB, just to make clear the timescales within which, um, the them would need to be submitted after the 24 months have elapsed, because I think that would just provide the clarity that everyone would, would welcome here.

00:29:06:06 - 00:29:16:01

Okay. And, uh, would you do you think the three months is a reasonable period? If that would sing as that would reflect the requirement 50.

00:29:17:03 - 00:29:19:03

Yes, yes, we'd be happy with that.

00:29:19:17 - 00:29:27:18

Okay. And the applicant is happy to have that into section eight of the only employee.

00:29:29:06 - 00:29:37:15

Yeah. The applicant. Yes. That's right. So we'll do that. We'll deal with the change through the, the um we'll resubmit it at six.

00:29:38:03 - 00:29:43:09

Okay. Thank you. Can I, can I, can we just add that as an action, please? Thank you.

00:29:44:05 - 00:30:19:16

Sorry. Can I just raise another point with the decommissioning? So again, is clarity. Um, the outline decommissioning and environmental management plan. So that's rep 5063. Section 3.2 of that document refers to the decommissioning program. The 3.2.1 states that decommissioning will take place at the end of the operational life of the proposed development, which is 40 years, and then 3.2.2

is that decommissioning is expected to take between 18 and 24 months and may be undertaken in phases.

00:30:19:18 - 00:30:37:07

And that's all that's included in the decommissioning programme. So I'm just wondering, should there be something in there to cover the outage period of the 24 months that if that occur, that that would also fall within the decommissioning programme.

00:30:40:09 - 00:31:13:29

And on behalf of the applicant, um, I think our position on that point is that it doesn't need to be included because I think it's covered sufficiently or would be covered sufficiently with the changes we've just described through the operational management plan. Um, so I'm not sure that adding anything further here which would provide, um, any additional clarity. And just in terms of the timescale within which things need to be done.

00:31:14:07 - 00:31:46:01

Um, requirement 15 three states that the um, the demos submitted for approval must include timescales within which decommissioning works should be completed. And of course, the event would need to be submitted to the planning authority for approval. So they the position is that there will be sufficient oversight for the planning authority to, um, understand the timescales and and approve them through the requirement 15 process.

00:31:46:03 - 00:31:57:05

So in short, we don't think that 3.2 needs to be updated. Um, on the basis of the, uh, the documents that are, that exist elsewhere. So.

00:32:00:08 - 00:32:04:03

Okay, Miss Hodgson, does that alleviate your concerns?

00:32:04:14 - 00:32:12:14

Yeah. As I say, it was more just clarity as to check that it was covered. So yeah, I'm satisfied with with the response from the applicant.

00:32:13:25 - 00:32:14:25

Okay. Thank you.

00:32:14:27 - 00:32:15:20

Thank you.

00:32:19:05 - 00:32:19:24

Um.

00:32:23:27 - 00:32:27:01

I'll move on to the private 16.

00:32:29:20 - 00:32:36:11

Uh, I think we covered quite a lot of this yesterday in the compulsory acquisition hearing. Um.

00:32:38:18 - 00:32:47:11

I suppose my first question is, have there been any further agreement between the applicant and otherwise on the wording of this requirement? Just a quick, quick yes or no? We'll do.

00:32:48:25 - 00:33:00:27

Mr. Latif, for the applicant. We shared some updated drafting on requirements 16 dealing with the overlapping construction period. But I don't think we've we've heard back yet. So short answer is no.

00:33:01:22 - 00:33:02:13

Okay.

00:33:05:09 - 00:33:33:24

Casey Wise I think that's right. But, um, as indicated, we're in the process of discussing further wording. So we have received the draft that has moved forward from the version you're looking at in rep, uh, 5004 and are in active, um, discussions. Okay. Thank you. Um, quick question on that. So requirement 16 three.

00:33:36:00 - 00:33:36:15

Uh.

00:33:38:27 - 00:34:03:00

Yeah. So you at the last deadline, you changed, um, rather than, say, field house and car farm, solar farm. So you kind of separate them out, separate the field house, solar farm, car farm, solar farm. Apart from in 16. Three. I just wondered whether you should just do that there for consistency as well.

00:34:05:15 - 00:34:06:11

Which is the minor point.

00:34:10:03 - 00:34:43:08

On behalf of the applicant. So I think the reason we did that was just to, um, to make clear the drafting in 16 2d, where the obligation only relates to field House solar farm. Um, so we thought by separating the definitions out, it would allow us to to make clear that those obligations are field house specific and don't relate to to car farm. Um, so we we think the drafting is it achieves that clarity.

00:34:43:17 - 00:35:00:20

Okay. It's just that in 61 you say field house solar farm and car farm, solar farm into a you say field house, solar farm, car farm, solar farm as you learn to see both in three, you just say field house and cow farm. Solar farm.

00:35:00:29 - 00:35:08:16

Hey, Tom, for the applicant. I beg your pardon, sir. I hadn't understood your question. Uh, that's a drafting issue. We'll fix it.

00:35:08:21 - 00:35:09:06

Okay?

00:35:12:22 - 00:35:13:17

Yeah. Thank you.

00:35:15:17 - 00:35:16:10

Um.

00:35:22:12 - 00:35:26:14

Just on to that album wise question.

00:35:27:29 - 00:35:42:02

So you might you've made some reference to alternative access, for example, the use of plot to a, well, alternative to use a plot to A5, such as the Dogger Bank cable route.

00:35:44:27 - 00:36:21:01

But that's correct. Right. Uh, Mark Westmorland Smith, uh, Casey Brown was uh, yes, we referred to that and provided an indication of what that route might be in our written rep. Appendix four. So that's our five for appendix four. Okay. And if like works hypothetically were that to happen with that, alleviate all of your concerns? Uh, yes. Because it would be utilizing an existing access track and then turning down the Dogger Bank cable and run that Dogger Bank cable run.

00:36:21:04 - 00:36:55:07

It's already accommodated in the field House solar farm scheme. So yes, it's top safety like that. So yeah, you'd effectively withdraw your objection whether we would be able to do that? I mean, the safety points, uh, remain. So we just need to discuss the access arrangements and come to an agreement on that. But we. Yeah, that's what I was leading on to. So even if that were to be the case, would those access or safety concerns you have still.

00:36:55:09 - 00:37:22:04

Still remain with with with that alternative route. And we think the safety concerns could be accommodated so that you can accommodate two lorries egress and ingress at that site. So uh, we'd need to have discussions, but we can see a route to resolution and getting to the point where we can withdraw the objection. Yeah.

00:37:24:06 - 00:37:32:25

Wouldn't the access issues be the same, whether regardless of whether they use block to A5 or the Dogger Bank cable? Well, we.

00:37:34:28 - 00:38:03:14

With some changes if we can agree some of the details. We do think those points are resolvable, but we need to go into some of the details with the with the applicant. Okay, but my question is will the will the issues will be the same regardless of which routes internal routes was being used. Uh, yes. The access point can be accommodated, um, with some further details discussions.

00:38:05:24 - 00:38:14:03

Regardless of which route was to be used. Yeah. Two A4. To A5 or Dogger Bank. So. Yes. Okay.

00:38:19:18 - 00:38:20:08

Um,

00:38:21:27 - 00:38:28:18

do you think that'll be resolved, the safety issue? You think that'll be resolved by the end of the examination?

00:38:33:20 - 00:38:35:18

Uh, yeah. Well, um.

00:38:38:18 - 00:39:11:15

I'm not sure what the answer to that question is. Uh, so certainly we can see a route to Agreements. And but it will take, as I said, some agreeing of some detail and an interface agreement. Um, but with those in place, we could get there. And there's no reason why it couldn't be achieved before the end of the examination. Okay. I suppose I'm asking because my understanding of what we discussed yesterday, particularly Mr.

00:39:11:17 - 00:39:19:21

Scott, suggests that regard, like the access arrangement, was unworkable and there were no.

00:39:22:03 - 00:39:38:18

Ways of resolving that. Well, it will take, um, the accommodation of, uh, some, uh, uh, further land, but that is something that can be sorted out outside of the DCO process.

00:39:40:11 - 00:39:41:15

Right? Okay.

00:39:43:12 - 00:40:15:07

Um, another question I've just got a query about sow build. Field House farm has two accesses off the A1035 you're using. Well the applicant is the sort of exposed westernmost one. There's an eastern one to the east of that which is 100m away or so. Yes. Because this is what's that access used for? Is that used for farm traffic or people who live in that sort of farm complex.

00:40:15:09 - 00:40:19:25

What's what's that access useful. I'll ask Mr. Banks to address you on that.

00:40:20:04 - 00:40:57:22

Well, I'm Chris Banks for Auburn wise. Um, yes. You're correct. It's principally used for farm traffic. Um, as you can see it, um, any maps to hand that that track leads right into the center of, uh, the, the business and residential buildings, which are there. Um, it is a track which is a lower quality surface, which is why it is principally just used by farming access. And I believe the entrance onto the highway is, um, less favoured by the residents because they, um, they choose the access that has been the focus of our concern.

00:40:58:03 - 00:41:01:00

Um, because it's a deemed a safer entrance.

00:41:01:10 - 00:41:24:21

Okay. But in terms of farm traffic, farm traffic, use that because one of your concerns was the implications of farm traffic using the access that the applicant is proposing. But there is an alternative access. Could farm traffic use that, for example, even just whilst the construction is going on or if they use it anyway? Why is there a conflict there?

00:41:26:16 - 00:42:03:09

The. Sorry Chris Banks for all the noise. Um, so we hold land and farm land both to the east and west of the entrances. Um, certainly, uh, the extent, um, progresses further to the west of the entrance. Um, access to, um, the area as a whole and to the track by you, by vehicles using the eastern entrance would require a routing round. Um, and to date, it, obviously, um, the vehicles use the western entrance to minimise disruption, um, by going through the yard area.

00:42:03:17 - 00:42:39:28

Um, um, to envisage a scenario where you have one or more constructions taking place. Um, there is the need to route through, uh, the construction areas. Um, the, um, consented layout for the field house solar farm does sort of occupy the area, um, of the fields. Um, leaving a remaining area of going right through the middle of the, um, that building area. Um, and so you'd just be replacing issues about sort of the interactions between, um, those that live and work there.

00:42:40:05 - 00:42:42:24

Um, from one point to another.

00:42:43:12 - 00:42:45:16

Okay. I understand. Um,

00:42:47:05 - 00:42:51:15

and it's worth saying eight to the seventh. That's one of the issues will be for me.

00:42:56:16 - 00:43:30:09

So just once, I think you're saying you may you may be satisfied over the safety issue, but I just wanted to pick up on a point. The applicant said says that the number of achieves using the access would be around five per hour. The peak, which is ten movements. That seems fairly low. So again, I'm just wondering, you know, Mr. Scott yesterday was saying how severe the danger would be here.

00:43:30:18 - 00:43:45:07

I just I just wondered whether he's aware that it would be a peak of five per hour and whether that changes his view on, you know, the management, the the you know, whether it can be appropriately managed or not.

00:43:47:03 - 00:44:02:07

Chris, thanks for all the noise. Um, if I could invite, uh, Mr. Buchan to to comment on that, because I know that point of the frequency of vehicles was made in his or the Pearl fishermen report, which was, uh, appended to the Auburn wise, uh, written reps.

00:44:06:05 - 00:44:40:19

Good morning, sir. Gordon Buchan, on behalf of the applicant. Oh, sorry. Album wise. Sorry. Slip of the tongue there. Um, in terms of the concerns that we raised yesterday, um, you're right. If you assumed a linear, um, arrival and departure program, then you can see gaps. However, in practice, that will never happen because you have two different contractors, two different competing timescales, two different, um, sets of pressures.

00:44:41:01 - 00:45:12:20

Um, so the ability to have these neat, well-spaced intervals will not happen in practice. And then the concern that we have and that we expressed yesterday is when that undoubtedly breaks down because of delays on the wider public road network, or delays within sight, or an emergency within the site where you need something very quickly, is that that gap opportunity will be removed and there is the potential for things to start to come at the same time.

00:45:12:22 - 00:45:16:05

And at the junction there will be,

00:45:17:26 - 00:45:50:17

you know, potential congestion, which could then lead to the safety case that Mr. Scott mentioned yesterday. That's the crux of our concern. You're correct in saying that there is another access, however, that would still require, um. It was okay. Sorry. It would then transfer farm traffic through an active farmyard, which is an active works area with vehicles removing, reversing, being things in and out of barns. It would put more traffic through that that the farming interests have.

00:45:50:19 - 00:46:28:06

And then on to a further junction. Now if you were to look at that further junction, the angle that that road comes into the A 135 is not at right angles. Is it. Quite a obtuse angle there. So it's slightly harder sometimes for traffic to see to the west in terms of visibility. So there are a number of issues there with the use of that junction. Our concern is relating to in practice things can break down. You're not going to have this one vehicle arise in these slots continuously throughout the entire construction period.

00:46:28:08 - 00:47:03:10

It just doesn't happen in practice. Now that's the the message that Mr.. Mr.. Scott was making yesterday and that's the crux of our concern. Mr.. Westmoreland smith has indicated we believe that there is a potential solution here, some minor alterations that could remove a number of those concerns that we've expressed. And, you know, we will look forward to discussing that in further detail, along with the further elements that we also outline that we'd like to see in the construction traffic management plan with the applicant.

00:47:03:12 - 00:47:10:01

And I think we'd be more than happy to have that meeting to go through those elements at that later stage, potentially next week.

00:47:10:03 - 00:47:13:26

Okay. Thank you. I'm sure the applicant would also, um,

00:47:15:16 - 00:47:52:20

well, question for the applicant. So I hope that again, a hypothetical question. So the change request nine we the the the examining authority accepted that. So it's now part of the application. So Actually it can't be reversed. So we can't really reinstate the the other access which was taken out of the auto limits. Um, but just I just so I understand. So where, for example, plots to a four to a five and six, seven lots within, you know, removed from the auto limits.

00:47:53:27 - 00:48:00:18

What effect would that have on the proposed development, for example, electrical output or viability?

00:48:04:18 - 00:48:40:04

Mr. furnish for the applicant. It would have a significant impact on the delivery of the proposed development. If you're talking about, um, all of the plots that you've just referenced. Um, we've been clear as to why they're required in relation to the access arrangements. Um, for, uh, the development. Um, and I think, sir, if, if I may, I can do this. Uh, after any questions that you have. But there were just a number of points that relate to that question that had just been made in the submissions from all the noise that I think it would be helpful to address.

00:48:41:09 - 00:48:41:28

Okay.

00:48:42:12 - 00:48:53:00

Um, so there are just three. Um, the first is on the alternative that's just been discussed, the Dogger Bank access to it. And if I could just ask for, um,

00:48:54:17 - 00:49:01:18

the plan that is in the relevant representation from album wise with the reference ah, 054 to be put on the screen.

00:49:04:12 - 00:49:40:02

So this, this is the, uh, in the, in the neon blue. Um, apologies if that's not neon blue, but you can, you can see the Dogger Bank, uh, accessory compared to the proposed access through on the right hand side. Um, there are, there are a number of issues with this. Um, so the first is that it requires a significant amount of more land. The other issue is that it would, um, towards the south, require an entirely new bridge to be constructed, um, at substantial cost.

00:49:40:10 - 00:50:18:17

Um, the the other aspect of this is that we think there is a much, much heightened, um, uh, potential impact on ecology receptors. We can lay out the details of this, but what we don't want you thinking is that this is a reasonable alternative. And and just to just for the kind of final issue you can clearly

see there is still an interaction with the existing solar farm. So, so the idea that this longer track with, uh, worse environmental impacts, uh, which entails substantial cost, is a reasonable alternative I don't think should be entertained.

00:50:18:28 - 00:51:11:01

Um, the second aspect on the safety aspects that you've just heard for the proposed access track that we have put forward. Um, I think we addressed this in quite a bit of detail yesterday. But, um, just to reiterate, we have engaged with the local highway authority. There is a subsequent process for any further, uh, refinements that are more appropriate for the detailed design stage to be worked through in tandem with the commitment that we gave yesterday to consult Aubin Wise as part of the construction traffic management plan, and then the third and final um, position, which I think, uh, is important is we're left, um, slightly confused as to whether the safety, uh, aspects would or would not, uh, remain.

00:51:11:10 - 00:51:42:19

Uh, in the event that there was an agreement on other aspects. And I think some of your questions to all the miners were, were, were digging at this point, um, in case it's helpful. So a lot hinges in all of my submissions on the overlap in the construction of the two developments at the same time. I mentioned yesterday that we were going to be updating requirement 16. And just so you have it before the next deadline.

00:51:42:25 - 00:52:24:29

Um, what we are proposing to, to insert into requirements 16 two is a new paragraph, sub paragraph A, which says that the undertaker must, so far as reasonably practicable, program its construction activities to avoid the use of the existing access. Track all the relevant access within field House farm solar within the field House farm construction phase, and then be would be amended so that it said in the event that there was any concurrent construction that we would then cooperate to ensure the coordination of construction programming.

00:52:25:01 - 00:52:57:08

And what the reason I'm reiterating this point is that every impact that you are being told is apparently that that is apparently arising is addressed by requirement 16. And this goes to the point that not only is there no safety impact that the local highway authority is raised, there's no impact on their operations and there's no impact on their construction. So those were the only submissions I had to made to make. And I think all of that also relates to why this other alternative, um, should should not be entertained in this context.

00:52:57:24 - 00:53:11:07

Yeah. Okay. Thanks. Um, just going back to the point, though, those accessors are for the construction of what, like third a quarter of the yard development. So

00:53:12:29 - 00:53:25:19

just in terms of my question, you said it would be a significant effect. Is that because it would mean that a quarter of it couldn't be delivered, which would be a large electricity output reduction.

00:53:27:07 - 00:53:38:22

It's it's, uh. We can give you the specific figure, sir. Mr. parish, for the applicant, but it's it's effectively 25% of area D, which is a significant impact.

00:53:38:27 - 00:53:42:03

Yeah. Okay. That's just what I was wanting to know. Thank you.

00:53:44:22 - 00:53:45:28

Um, and then.

00:53:48:24 - 00:54:02:12

One questions, I guess. So we talked about plot two six and you're going to submit some new documents, some revised document showing that bit grayed out. Could you just remind me what which documents? You said you were going to submit the deadline six.

00:54:05:21 - 00:54:22:00

Thank you. Sir. Um, I'm just thumbing through my notes from yesterday. Um, certainly it will be the land plans to reflect that. Um, there will need to be a consequential change to the book of reference. Yeah. Um.

00:54:25:06 - 00:54:34:24

I think you might have just mentioned, but. So my question was going to be what? What happened to the land plans? Obviously, they would show sorry that the land plans for works plans.

00:54:36:20 - 00:54:40:18

The applicant. Yes. The work plans would need to be amended as well. So you're right.

00:54:40:22 - 00:54:41:21

Okay. Thanks.

00:54:41:26 - 00:54:42:15

Um.

00:54:43:27 - 00:54:46:27

Um, I can't yeah. I can't think of any other.

00:54:49:03 - 00:54:58:07

For the applicant. I think that's probably it. So we can confirm the position. But it's those three for sure. Um, I'm off the top of my head. Think of any others.

00:54:58:16 - 00:55:06:02

Okay. Thank you. Uh, and then moving on. Schedule five, part two, which is probably rights away to be temporarily closed or restricted.

00:55:07:20 - 00:55:54:29

So yes. Chapter 15, which is cumulative effects assessment. Rep 5020 makes reference to Temporary diversions in paragraph 15 .6.3 and table 15 six, in respect of public rights, away and footpath number one and number two. Um, that's a well, we understand there would be no temporary diversions in respect of any public right of way and that as per previous written questions, um, the DTO schedule five, part two and other documents, those two public rights away would either be temporary, closed or restricted, or just temporary temporarily restricted.

00:55:56:00 - 00:56:06:09

So could the applicant just confirm that that would be the case. So footpath number one would be temporary closed or restricted and footpath number two would be temporarily restricted.

00:56:08:10 - 00:56:10:08

For the applicant. That's correct sir.

00:56:10:20 - 00:56:14:23

Okay. So the DCO is correct. It's in chapter 15. That's.

00:56:15:15 - 00:56:23:27

Yes. That's right. And we can we can make an appropriate amendment to the yes chapter. Um. Correct that.

00:56:23:29 - 00:56:30:29

Thank you. I think it came because that was in the originally, but they got taken out and then. Yeah, it got us back in.

00:56:31:18 - 00:56:38:20

The okay with these parts. Um, and I think we've, we've confused ourselves in the process. So we'll correct it all.

00:56:38:22 - 00:56:49:17

And it's just that correction. And then that's also. Thank you. Yeah. Uh, we'll just put that as an action in that case to update this chapter quickly. Okay.

00:56:53:24 - 00:56:54:15

Um.

00:56:57:06 - 00:57:13:10

So the next bullet quote was about statutory undertakers. Um, again, we went through this yesterday, so I don't have time to go through it again, but I'll just. Do we have any statutory thinkers on the call who would wish to speak?

00:57:18:04 - 00:57:20:09

I don't know. Raised hands.

00:57:22:04 - 00:57:27:16

Um, can I ask any of the parties whether they wish to speak on this agenda item?

00:57:30:28 - 00:57:35:01

And I also ask Miss Milliken. Oh, Mr.. Marvelous.

00:57:43:15 - 00:58:09:17

Thank you. Chair. Uh, George McManus, speaking on behalf of Iris East Reagan against solar expansion. Would you, uh, when you were asking for other statutory undertakers, would that included would that include the fire authority? Because I understand that the Environment Agency sent their apologies yesterday in the letter that I saw, but I was hoping that fire authority might be attending today.

00:58:10:03 - 00:58:20:03

Okay. So in terms of the DCO bit, this has to do with maybe with protective provisions which are not relevant. Not relevant to the fire authority.

00:58:20:05 - 00:58:25:29

Okay. Could I just make would you mind if I just make a quick observation of the discussion that's just taking place?

00:58:26:23 - 00:58:27:10

Of course.

00:58:27:17 - 00:59:03:07

Because what it helps to underline and this is one of the, the, the big issues that keeps coming across amongst members of the public when we talk about this. And it was the subject of discussion at the full East Riding Council meeting earlier this year. And what it serves to highlight is the fact that there are a number of proposals for solar farms, large and small, in this area, some of which are overlapping, some of which are coincide and some of which I haven't shared dishes.

00:59:03:09 - 00:59:42:09

And I think this serves to highlight that. So I understand that the examining authority has a difficult job to do here, but I would just remind everyone that the big issue that we have isn't with solar energy. The vast majority of people that we speak to are all in favor of small developments, but what they are concerned about is the industrialization of the countryside and the cumulative impact. When you take all these projects together on what is a relatively small, uh, area, uh cannot be overlooked and shouldn't be overlooked.

00:59:42:11 - 00:59:43:12

Thank you very much.

00:59:44:03 - 00:59:49:20

Okay. Thank you, Mr. McManus. Would the applicant just like to respond briefly on that?

00:59:56:06 - 01:00:29:06

Comment for the applicant. Um, thank you, sir, and thank you, Mr. McManus. Uh, George. Sorry, um, for those Submissions. Um, we fully recognize the, um, the interactions that are present in this case.

And our position is that we we have done everything we can to minimize those interactions and to include appropriate mitigation through the development consent order to manage them.

01:00:29:08 - 01:00:40:19

And we think we've arrived at position which is which, which strikes the right balance between all those competing interests. Um, so nothing further, uh, beyond that, sir.

01:00:41:04 - 01:00:47:00

Okay. Thank you. And can I just ask my colleague, Miss Milliken, if you have any questions?

01:00:49:01 - 01:00:50:26

Nothing from me on this agenda item.

01:00:50:28 - 01:00:59:24

Thank you. Okay. Thank you very much. Um, in that case, I'll move on to the next agenda item, which is transport and access.

01:01:02:10 - 01:01:12:13

Um, I don't intend to go through there anything else to do with the album rise? Alien three? Uh, actually, I was going to ask the council. So in terms of.

01:01:14:22 - 01:01:16:00

Your, um,

01:01:17:20 - 01:01:24:27

what's called ground, your you you appeared to be satisfied with the arrangements of the access off the A1035.

01:01:26:22 - 01:01:27:07

Yeah.

01:01:27:09 - 01:02:04:10

Thank you. Scott and New York City Council for the local authority. Um, yeah. That's correct. Um, we're satisfied with it. It's been approved previously. Um, for the album where synergy Solar Farm development and also the, um, access for the cable for the Dogger Bank. Uh, so we believe that it's, um, acceptable, uh, given that on average, five vehicles per hour, um, which is less than the 30, which would require analysis of um, and we also have to question, does it really warrant an RSA because there's no significant change.

01:02:04:14 - 01:02:07:15

So, yeah, I think we're satisfied. Thank you.

01:02:07:27 - 01:02:09:10

Okay. Thanks very much.

01:02:11:10 - 01:02:45:29

So this, um. Yeah. This this through with the park Lane access again. So I just want to ask. East riding, uh, Wetherby to see the outline construction traffic management plan. Um, which was rep 5071. Um, and the additions to that regarding the potential use of access from the A1079, which was added to the end of paragraph 4.1.6. Um, and on review of that, whether you're still maintaining your, your concerns.

01:02:47:17 - 01:03:05:16

Uh, yeah, we still mentioned our concerns. It doesn't really provide a full commitment, which we'd like. Um, yeah. So there's no real change from our summarized, um, is it sh two in rep 4081 and 082.

01:03:06:11 - 01:03:43:02

Yeah. Okay. Um, I can see Mr. Landis has his hand, but I'll come to you in a second. Um, so just continuing. So a large part of these writing counsel's concerns seemed to stem from complaints around the use of power planning for heavy goods vehicles related to a different development. And that, therefore, is not appropriate to use it for this development. However, as we saw from your response to ex Q3, um, East Riding of Yorkshire Council granted consent for other developments since then.

01:03:43:05 - 01:04:07:01

So I think the original one was in 2017 into about a development since then, which would use Park Lane for heavy goods vehicle access. So just again, wondering why you still maintain that the route is not appropriate having regard to that, and also to the short term use and relatively low level of Asian HGV movements which would occur.

01:04:08:05 - 01:04:08:25

Yeah.

01:04:10:17 - 01:04:45:29

Yorkshire Council. Uh, we meant, we meant in the, uh, comments that we made and it basically in relation to, as you said, the HGV movements, the HGV movements, not necessarily just for the development, just HGV v movements generally down that down that line. Um we believe it's unsuitable. Uh other developments as you correctly state, have um received permission uh, which we've reluctantly accepted because there's no real alternative at the time. And, um, it was a planning balance kind of argument at the time, uh, which obviously has to be happier as well.

01:04:46:01 - 01:05:16:13

Of, of course, by the examination examining authority. Um, but we believe we've got a duty of care for local residents and public railway users. And given that alternative accesses are not constructed but are potentially available at the time this is coming to fruition, especially this section in terms of the phase in what they're doing and for the connection to crack it back. And we've discussions with National Grid, um, they're starting early next year.

01:05:16:15 - 01:05:50:00

And once completed, um, and I've been speaking to National Grid. This would be available to any customers connecting into the substation. Um, so obviously our opinion from a lot higher authority

we've got we've got an approved access now in there. Um, we've got three local planning applications, um, which I think are coming to fruition now. And, um, potentially Rachel might be able to advise on there, but coming to fruition and hopefully going to be approved in the coming months.

01:05:50:19 - 01:06:38:08

Um, we're in discussions with National Grid regarding the, Um technical approval for the section 278. Once the permission. Once. Once. Planning permission is in place. Um, other than that, the council can't give any reassurance that that's going to happen, other than obviously, it's going to be in planning permission for Quebec to extend, which is going to have to happen. There's conditions in place and to suggest any extensions of Quebec has to come through the 1079 access. Um, so other than we reluctantly accepted it previously and it was a planning balance from a local planning authorities point of view previously, I think from a local highway point of view, we'd have to maintain our objection and obviously have to go to a planning balance.

01:06:38:21 - 01:06:44:21

Um, I hope that helps. And Claire's where the local authority are on the use of parkland.

01:06:44:27 - 01:07:07:27

Okay. Thank you. I mean, they do accept that the applicant is, you know, tried to embed into the construction traffic management plan. Should an alternative exist, it would seek to use that so effectively. There isn't an alternative at the moment. Um, so that's why the kind of gone down that route. Um.

01:07:09:20 - 01:07:30:12

Um, sorry. Scottish Council, I believe the wording could be firmer to say they will use it. Um, if, if, if it's available, um, not seek to use it where um, practically possible. It may be a case of discussions with National Grid, because I am already aware that National Grid would allow the access to come through there.

01:07:31:09 - 01:07:45:07

Okay. Can I just ask the applicant in that? And I see I know that Mr. Buchan and Mr. Magnus have their hands raised. Welcome to you both in a second, but I just ask the applicant to respond to the, um, Mr. Richardson on the points we made.

01:07:48:02 - 01:08:25:20

Thank you sir. Time out tomorrow on behalf of the applicant. Um, I think he summarized the position well, sir, when you talked about the the alternative, we we need to use part of playing. Um, and at the moment the alternative solutions have not come to fruition. Um, but what we have done through the outline construction traffic management plan is commit ourselves to exploring those alternatives. And then we have said in terms that in the event that the applicant is in a position to utilise the alternative access off the A 1079, it would no longer seek use of Park Lane.

01:08:25:22 - 01:08:56:02

And that that is as firm as we can be in circumstances where there is ongoing uncertainty around the alternatives that may or may not be available. Um, clearly we we can't create a hostage to fortune

situation here where we tie ourselves definitively to an alternative which we may not be able to use. Um, it's also right to note that this is one aspect of what we are proposing in relation to to Park Lane.

01:08:56:06 - 01:09:35:02

The Outline Construction Traffic Management Plan contains a number of additional obligations around the timing of of access. Um, to avoid school drop off and pick up times in particular. And in addition to that, we should be mindful that we're not talking about significant vehicle movements, nor are we talking about a significant period of time. And so the combination of all those factors together, in our view, means that we've alighted upon the the correct solution for the purposes of this application, with appropriate safeguards in place.

01:09:35:04 - 01:10:17:16

And I should stress that we put these obligations into an outline document. And at the detailed design stage, we would be required to produce a final version of the plan. And of course, East Riding will be, um, integral to to shaping that plan. And they hold the approval function in relation to it. So they, they will be able to see and to satisfy themselves with what we've done in Malaysians Park Lane. Or indeed, if an alternative comes forward within the timescales, um, within the relevant timescales, satisfy themselves that we have adopted the right solution to access the substation.

01:10:17:26 - 01:10:26:05

Um, so I think that probably is enough from, from Moussa and um, and sets out our position.

01:10:26:15 - 01:10:31:08

Okay. Thank you. Um, Mister McManus, you've got your hand raised.

01:10:32:23 - 01:11:08:04

Yes. Thank you very much. Chair. Uh, George McManus speaking for Iris West, your forbearance. Chair, I'd like to raise an issue that I mentioned yesterday, specifically with Scott Richardson for the East Riding. it. There were two points there that he made very strongly, which I thought were quite relevant, which was about the need to try and identify alternative access routes and their need to be sympathetic to local people when making those decisions. Whilst there has been much talk about Park Lane, I want to mention excuse me.

01:11:08:07 - 01:11:48:28

Access via car lane in long risdon of the 165 and suggesting I would like to ask Mr. Richardson what his view is of an alternative route via mr. Steven Cowley's land, which from my experience would provide a much shorter route to the site. Car Lane is a very long single track road where the peel family live and run the business from, so they get customers visiting their nursery plant business.

01:11:49:18 - 01:12:24:00

They have not until now been particularly receptive to the the idea of the solar farm. I understand that Mr. Steven Cowley has been more receptive and that access using his lane, although it would involve minor adaptations, would have a much better alternative route to using Caroline and alleviate an awful lot of the stress that has been caused to the pail family and potentially some safety considerations as well.

01:12:24:11 - 01:12:25:11

Thanks very much.

01:12:26:01 - 01:12:36:28

Okay. Thank you, Mr. Manners. Um, so I think the applicant has responded about this yesterday, but, Mr. Richardson, if you could briefly respond to Mr. Melissa's point.

01:12:37:21 - 01:13:14:24

Yeah. Thank you, Yorkshire Council. Uh, thanks for your comments, George. Um, there's a right turn out and learn to, um, Carla. And the mitigation that the applicants are proposing. Um, whilst I acknowledge, uh, George said that there is traffic down there at the moment with the mitigation proposed. Um, I think it's acceptable to use this as part of the public highway. I don't want to get into a debate of alternative accesses, because I actually got any plans in front of me of an alternative access, and they also don't want to speak on behalf of the applicants in regards to, um, land ownership and use of other land when they could actually use a public highway.

01:13:14:26 - 01:13:16:09

I believe in a safe manner.

01:13:17:03 - 01:13:24:21

Okay. Thank you, Mr. Richardson. Um, miss McManus, you still have your hand up. Is that legacy hand, or is that you able to raise the point?

01:13:26:26 - 01:13:28:25

Okay. Mr. Buchan.

01:13:31:07 - 01:14:02:18

Thank you, sir. Uh, Gordon Buchan, on behalf of album wise. Um, so the, uh, just in response to the commentary on the A 135 junction. Um, just reiterate that the junction has been approved in the past for other schemes, but but importantly for single use projects. So that is for, um, field House on its own and for the um, grid connection works on its own.

01:14:02:20 - 01:14:37:00

It has not been approved in the past for a project for two projects using it simultaneously, potentially simultaneously. And that is the concern that we have. The applicant has advised that a Bankston, or traffic marshal, is required to the safe operation of that junction, and the vehicle numbers using that is ten per hour, not five. It's five in and five out. And our concern is if there's a delay or a stagger that could occur during the combined construction effect, then that would have a safety implication.

01:14:37:02 - 01:15:03:00

And because the junction operation is reliant upon a human being, a human, you know, a man. If they're distracted or they've nipped off for a coffee or whatever and two vehicles arrive at the same time, there could be the potential for traffic backing back onto the A35. And that's why we're expressing these concerns, because two vehicles cannot pass independently without the support of a batsman at that junction. Thank you sir.

01:15:04:24 - 01:15:15:03

Thank you. Yes, I think I did say was five vehicles which was ten movements. Um. Mr. Richardson, would you like to respond

01:15:16:20 - 01:15:18:19

to change or change of view on anything?

01:15:19:06 - 01:15:50:16

Uh, no, that doesn't change my view on anything. Um, I believe that these sort of instances that Mr. Buchan's mentioned can happen in all sorts of developments. Um, we don't necessarily look to see if there's going to be one staggered issue every now and again. Unfortunately, we have to look at what the expected normal operation is. Um, and again at ten, sorry, five vehicles, but ten, two way movements. Um, it still doesn't warrant any junction analysis.

01:15:50:18 - 01:16:23:12

Um, and I believe taking into consideration what uses the access at the moment, it still wouldn't get to that 32 where movements um, in any one hour. I believe the commitment that the development actually the applicants have um suggested in in relation to, um, liaising with the local highway authority and album wires regarding the access, how it's going to be operated in relation to the other development, uh, trying to reduce it simultaneously as acceptable as well from a local highway point of view.

01:16:23:18 - 01:16:33:28

Okay. That's how even if two vehicles can't pass that, they at the, you know, if one can't come in and one can't leave at the same time, that's still that's still your point.

01:16:34:02 - 01:17:04:29

Yeah. It's it's it's very touch. It's very, very touch and go in terms of if they can get two way movements on in there. Um, at the moment I've received plans which are just about to wear movement. Um, but I believe given the site that they have and the bank's main purpose banks again, um, is is acceptable. Um, and the proposed bank woman, I'd guess, is probably only required to go and follow a vehicle out to make sure that it's actually fine. It's not necessarily required to let a vehicle in.

01:17:05:21 - 01:17:27:12

Um, the, the to be able to sit, I believe how it should operate is to be able to sit in a small cabin at the access. If somebody's exiting, they need to wave them through to make sure there is a holding area inside the access anywhere for to air movement. So it's a very short section. I believe that's how it would operate. The applicants might want to confirm that, okay.

01:17:27:14 - 01:17:31:11

That's how I how I understand it operate as well. Um, Mr. Buchan.

01:17:33:22 - 01:18:05:24

Sir Gordon Buchan on behalf of album wise. So for this junction to work you need to have a banks man sited on the a100 A35 to see if anything is coming in. And don't forget there's two different

contractors and two different sets of subcontractors working on this junction, so there needs to be a banks sighting to see if anyone's coming in, to even know if anything can come out of that junction. And that's one of the major concerns we have here, sir, is that you're reliant upon. And you heard yesterday with Mr.

01:18:05:26 - 01:18:37:06

Scott, and I'm sure Mr. Scott may wish to come in as well. In terms of the safety elements of it, we accept there's not a junction capacity issue here. The issue that we have with the junction here and its operation is a safety matter in that you do not have a junction that allows the free movement of two HGVs in and out of that junction, and it is then reliant upon a bank, banks man sighting up the A100 35 stood on the verge in a um.

01:18:38:17 - 01:18:57:21

On a 50 mile an hour road. You then need someone further into the site because they cannot see from the A 135 junction back into the site. So there needs to be a communications link between that. And then you've got the added complication of two different sets of vehicles coming in and out. So at very least there is a safety concern here.

01:18:58:10 - 01:18:58:25

Okay.

01:18:58:27 - 01:19:07:19

Thank you. Under CDM you have to design out risk. Having a banks when required to operate this junction is not designing out that risk.

01:19:07:27 - 01:19:14:09

Okay. Thank you thank you thank you I'll take all those. We'll take all those points into account. Um, Mr. Scott, would you like to

01:19:15:27 - 01:19:47:03

be seen? Uh, I actually, I couldn't actually, uh. Sorry. Scott, on behalf of, uh, almost, I couldn't actually, um, uh, improve on what Gordon already said. I think the this This focus and reliance on the banking and traffic marshals is is something that I just I would not be comfortable with in if in in this situation at all. Okay. Thank you and would like to have final say on that matter.

01:19:49:09 - 01:20:24:00

Very much for the applicant will be brief. We completely endorse what Mr. Richardson, in his capacity as the local highway authority, has said on the safety matters. And then just three additional points. The existing track is used for agricultural use, which, uh, you know, at its peak is recorded at 300, uh, vehicles. So the idea that our proposed development is, is a significant change in this context is, I'm not sure, particularly persuasive that the second aspect is, again, the point has been made about the overlapping construction periods.

01:20:24:02 - 01:20:52:23

And we have just read out a commitment that will ensure that that is properly managed. And then the third and final point is just to reiterate what we said yesterday in relation to some of the comments

that have been made around banks, and this is standard industry practice. We've consulted the local highway authority. There is a process and respectfully, the measures that we are putting in place are much more robust than the what is commonly included in a number of construction traffic management plans.

01:20:53:19 - 01:21:16:07

Okay. Thank you. And, Mr. Scott, you'll have them still up. I don't know if that's the legacy from the floor. Apologies, sir. Yes. Is it about that? It's. I don't delete it. Apologies, sir. Okay. Thank you. Um, in that case. But I've come to the end of that agenda item. The next agenda item was air quality.

01:21:17:23 - 01:21:18:08

Uh.

01:21:20:17 - 01:21:37:12

So I note that the applicant responded So our rule 17 requests and received that yesterday. So just so thank you for that. I'm guessing that in in the time that you did. Um, and.

01:21:39:14 - 01:21:53:01

I've looked through it. Um I have I have no further questions to ask on the matter. Um, I don't know whether the applicant wants to say anything about it at all or. But they're happy for me to move on to the next agenda item.

01:21:54:27 - 01:22:03:19

On that matter for the applicant. Uh, no, I have nothing to say about it. And we're glad that, um, that that it made sense to you and, um.

01:22:06:08 - 01:22:13:10

Okay. Thank you. And did anybody else want to speak on this agenda item? Missus Scott still has a hand up.

01:22:15:20 - 01:22:25:02

Uh. Thank you. Thank you. I apologize. I simply don't know how to. Um, okay. Apologies. No problem. Um.

01:22:27:06 - 01:22:29:02

I will. If you don't.

01:22:29:04 - 01:22:31:04

Click the raise hand sign again. Oh, yeah.

01:22:31:16 - 01:22:43:25

It's disappeared though. It's disappeared. Thank you. Um, I'll just move on quickly. Very quickly to the next agenda item, which was on health and safety.

01:22:45:21 - 01:22:46:09

Um,

01:22:48:07 - 01:23:13:25

so again, in response to the rule 17 letter. Um, Humberside Fire Rescue Service have confirmed that they are satisfied with the outlined battery safety management plan. Um, and because of that, I again have no further questions on this agenda item. Um, but Mr. McManus, I think, mentioned that he might have something to say on the letter.

01:23:19:22 - 01:23:20:19

Yeah. Mr. McDonough.

01:23:24:03 - 01:23:39:26

Yes. Thank you for that. I don't think my video is watching, but that's probably not necessarily a bad thing. Uh, as long as you can. As long as you can hear me. I was hoping that someone from the Fire and Rescue Service might be here today. Is that not the case?

01:23:40:04 - 01:24:08:06

Um. My understanding is that they're satisfied with everything, um, including the battery safety outlined battery safety management plan. And also because they were consulted on the requirement for the detailed battery safety management plan. Uh, my understanding is that they have no outstanding concerns. And that's also the reason why the applicants no longer pursuing the, um, state common ground with the Humberside Fire Rescue Service.

01:24:09:02 - 01:24:18:03

Can you give me some advice then, chair, as to as to how I could, should I take up some points with the applicant, or should I write to the fire and Rescue Service?

01:24:18:18 - 01:24:22:11

Um, have you seen the fire rescue services. Response.

01:24:22:13 - 01:24:26:03

I think yeah, I think, I think I saw it. Yeah, I think I saw it yesterday. Yeah.

01:24:26:07 - 01:24:27:15

That's when it came in.

01:24:27:19 - 01:24:57:22

Yeah. Because. Because again, I had a number, a number of questions that I don't think a number of points that I don't think might have been raised with the Fire and Rescue Service, you might recall back in the summertime, I question whether or not the fire and rescue Service were a statutory consultation. As far as as far as this process was concerned. There was confusion at that time whether they were where they went. I now understand it's been clarified that they are not a statutory consultation.

01:24:57:24 - 01:25:06:12

And so there are quite a number of complex and specific issues that I wanted to put to the Fire and Rescue Service.

01:25:07:09 - 01:25:08:10

Okay. Uh,

01:25:10:05 - 01:25:34:28

whether or not, you know, whatever their status is, they have they have been involved in the. Yeah, in the pre-application up to and up until now, so I'm not so sure I understand. And they'll also be consulted. They have to be consulted. And their views taken into account when discharging the details. Um, the details, uh, which is approved and well to be approved under the requirement.

01:25:35:29 - 01:25:39:12

In which case should I should I raise a couple of points with the applicant?

01:25:40:00 - 01:25:49:07

Uh, if you have any. Yeah. If you have any points to make. Um, yeah. You're welcome. But however I will, I'll probably be aiming to take a break at 11:00, so.

01:25:49:09 - 01:25:49:24

Okay.

01:25:49:26 - 01:25:51:25

Yeah, we're about five minutes until then.

01:25:52:04 - 01:26:27:08

I'll make it quick because I understand that the National Fire Chief Council, uh, has a bundle of, uh, advice and guidance that it gives on these applications. And I am, I think, really, really worried. And this reflects a number of concerns have been raised with me about the potential safety risks of large solar developments and particularly battery storage systems. Now, my understanding is that the Fire Chief Council, the National Advisory Council.

01:26:27:25 - 01:27:03:18

Guidance says that batteries should be at least six meters apart, and that the application. Proposed that batteries this will be reduced to three meters apart. I also understand that fire water systems have to be able to supply 9900l of water per minute for two hours. I wanted to ask the Fire and rescue Service if they were happy that they were able to meet that requirement.

01:27:03:25 - 01:27:41:07

If the applicant can shed any light on it, that would be appreciated. But I also wanted to ask about safe dispersion distances for the public in the event. In the event of a fire, and between 2019 and 2021, there were 28 such fires in South Korea that the government investigated. One of the byproducts of the fires that took place was the release of toxic chemicals, including hydrogen fluoride.

01:27:41:09 - 01:28:02:21

So I wanted to ask if the safe dispersion distance has been clarified with regard to the public in the event of hydrogen fluoride being released. I hope that I do not necessarily expect that the applicant

can. I hope to be able to shed some light on it, but if not, I will try and take it up with the Fire and Rescue Service. Chair, thank you for that.

01:28:02:27 - 01:28:10:11

Okay. Thank you. And just just to confirm, the Humberside Fire Rescue Service, our statutory party, as far as I understand it.

01:28:12:20 - 01:28:17:00

Um, would like to respond to Mr. Obama's vote.

01:28:19:07 - 01:28:22:25

Thank you. Sir. Tom McNamara, the applicant. Um,

01:28:24:10 - 01:28:34:21

there are two substantive points there, and I'm going to turn to somebody who knows far more about this than me, uh, in the form of Mr. Todd, who is online.

01:28:37:09 - 01:29:07:16

Uh, Jim, tough for the applicant. Uh, yes. Uh, in addressing Mr. McManus questions, and I'll try to sort of, uh, unwrap the, the subset questions that were in amongst that. Uh, to my knowledge, the F.R.S. are currently non-statutory consultees in these planning applications, although there is a private member's bill currently written through Parliament that may see to changes um FCC guidance. Uh, currently we are working to the November 2022 version.

01:29:07:18 - 01:29:51:00

There is a muted, uh, revise to this, uh, apparently going to appear in 2026, but the contents of which are unknown. Um, separation of bases. Uh, the current guidance does, uh, cite a document called Factory Neutral Global Loss and Prevention Data Sheet 533, in which it was stated that there should be a six meter distance for Bessie's. However, that was a 2017 edition. There is now a January 2025 edition in which that distance has come down to 1.5m for Bess, employing a lithium ferrous phosphate chemistry, and 2.4 for those employing a nickel manganese cobalt.

01:29:51:02 - 01:30:32:26

So the distances come right down to 1.5 and 2.4, but that is aligned with a understanding that the best units employed will undergo a series of tests under the Underwriters Lab. Nine 540 uh system, specifically the nine 940 alpha long term burn test, which the majority of Bettys coming into the UK now have to adhere to. Um HF dispersion. Going on to the subject of plumes and FCC guidance, calls for a 25 meter separation from any residential or occupied buildings to any Bess, and I believe that is the case for this particular site.

01:30:33:04 - 01:31:10:23

Um, I have done HF dispersion modeling. I know in the company there where I work, generally, if we were to have a complete Bess fire and these are highly unlikely, uh, the dispersion would be, uh, at a level called acute exposure level guidance level one irritating but non-fatal non long term at a distance of up to around about 75 to 100m. If the fire was to be minor in nature, which is what we've

experienced in the UK in the four fires that we've seen currently since 2016, um, you'd be looking at around about a 25 to 30 meter dispersion area.

01:31:10:25 - 01:31:17:14

And again, that would be AGL. Acute exposure level guidance level one irritable but non-fatal.

01:31:18:22 - 01:31:28:12

Okay. Thank you. Perhaps you could, um, put all that in your list in the summary of all the representations at the hearing for deadline six. I think that'd be helpful.

01:31:29:29 - 01:31:30:20

Would you like to.

01:31:31:11 - 01:31:46:23

Thank you. Um, so that was all the questions I had on this agenda item. Unless anybody else has any thing they want to say on this particular agenda item. Um, I think we'll take a break for 15 minutes.

01:31:49:08 - 01:32:02:00

Okay. I'm seeing no hands raised. So it's it's now 11:02, and I'll adjourn the hearing until 1120. Thank you.