



## Hearing Transcript

<b>Project:</b>	Rosefield Solar Farm
<b>Hearing:</b>	Issue specific hearing 1 (ISH1) - Day 1 - Part 2
<b>Date:</b>	20 May 2026

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FULL TRANSCRIPT (with timecode)

00:00:06:00 - 00:00:13:24

Okay, it's 1145, so I'm going to restart the hearing as the live feed recommenced.

00:00:16:22 - 00:00:41:02

Thank you. Um, because of the we agreed the change of agenda order. Uh, the next agenda item is agenda item for water environment. And starting with the agenda item for a geomorphology. So, um, I've got a question here for the Environment Agency. So hopefully they're still on the line.

00:00:46:00 - 00:00:47:28

So we're still on the line. Thank you.

00:00:48:02 - 00:01:19:18

Excellent. So the question I've got in the latest draft statement of common ground between you and the applicant, which is Rep 2016. There's still an outstanding area of disagreement with with respect to geomorphology. It's noted that the applicant is committed to the provision of a single span bridge to accommodate abnormal, indivisible load movements instead of a culvert. So, um, in your opinion, what further action does the applicant need to take to resolve this issue?

00:01:20:17 - 00:01:42:03

Siobhan Martin for the Environment Agency. Um, following the updates the applicants need to documents at deadline, two issues regarding geomorphology are now resolved. Um, and this will be reflected in the statement of common ground, which the applicant will submit at deadline three. Um, yeah. I hope that answers your question.

00:01:42:12 - 00:02:24:27

It does. Thank you for that. Um, okay. That was, uh, short and sweet. Anyone else got any other questions or concerns about geomorphology? No. Okay, I'm moving on then to agenda item four B, which is biodiversity. And again this is directed at the Environment Agency. So again in the latest draft statement of common ground between you and the applicant, which is Rep 2016, there's still outstanding disagreement with respect to the potential impact of the proposed bridge on repairing ecological features, based on the results of a preliminary aquatic aquatic survey report completed in 2023.

00:02:25:06 - 00:03:05:17

The applicant has concluded that the installation of the clear span bridge and outfalls and associated head walls will not have significant impact on either aquatic invertebrate or fish species. The latest version of the Outlined Landscape and Ecological Management Plan, which is Rep 2-067 and the latest version of the Outline Construction Environmental Management Plan Rep 2059 include commitments for the design of the single span bridge to include longitudinal connectivity for flora and fauna along the riparian corridor, and measures to protect fish and aquatic invertebrates.

00:03:06:10 - 00:03:22:03

The applicant, in addition to that is updated its chapter seven biodiversity to include the impact of the abnormal individual low bridge. So again, the question to you is what further action does the applicant need to take to resolve this issue?

00:03:23:03 - 00:03:39:09

Steve Martin, on behalf of the Environment Agency, no further action is needed on this matter and the updates that the applicant has provided at deadline to resolve this issue and all further biodiversity related issues within the Statement of Common Ground.

00:03:40:02 - 00:04:06:12

Okay. Thank you. Um, I'll now move on to agenda item four C, which is water quality and waste management. Again this is to the Environment Agency. Um has the applicant's response to concerns about the release of her and polyfluoroalkyl substances, PFAS. In the latest statement, the common ground between you resolve this issue.

00:04:09:05 - 00:04:17:04

Steve Martin, on behalf of the Environment Agency. I will pass over to my colleagues, Richard Hodgkin and Lucy Houghton on this issue, please.

00:04:17:06 - 00:04:17:29

Thank you.

00:04:30:09 - 00:04:45:03

Richard Hodgkin, on behalf of the Environment Agency. Um, yes. In the latest version of the Statement of Common Ground, um, the applicant has provided, um, an appropriate response, and we're happy that this can be resolved.

00:04:46:04 - 00:05:06:20

Okay. That's good. We're making very good progress. Um, so moving on. Um, does the latest version of the outline Battery Safety management plan. And this is to the Environment Agency again. Uh rep 2075 address your concerns with regard to testing of water contained after a fire.

00:05:11:15 - 00:05:14:08

That's directed to the Environment Agency. Again.

00:05:15:09 - 00:05:23:05

Martin, on behalf of the Environment Agency. And I'd like to ask my colleagues, Richard and Lucy, if they have any comments to make on this, this query, please.

00:05:28:11 - 00:05:39:08

Yeah. At least you have the Environment Agency. So specifically with regard to the fire water testing in that outlined battery safety management plan, um, the latest version we've seen at deadline two has resolved our concerns.

00:05:40:02 - 00:06:06:01

Okay. Thank you. Um, continue on on this theme, do the latest versions of the outline construction environmental management plan Rep 59. Outline Operational Environmental Plan Rep 2061 and the Outline Decommissioning Environmental Management Plan Rep 2063. Address your concerns in relation to the monitoring of water quality.

00:06:09:08 - 00:06:29:26

By Martin, on behalf of the Environment Agency. Um, again. Um, I'd like to pat this passes on to Lucy and Richard, please. Uh, yeah. Thank you. So, Lucy Harrison for the Environment Agency. So for water quality monitoring, um, that has been resolved in terms of, uh, updates we've seen. So water quality monitoring is now in line with what we would expect at this stage.

00:06:31:01 - 00:06:38:18

Okay. Thank you. Uh, before I move on there, anyone else have any queries with regard water quality and waste management?

00:06:41:06 - 00:06:48:06

Nope. I don't see any hands at all. So I'm moving on now to 4D, which is flood risk.

00:06:50:02 - 00:07:21:12

Um, so this is the Environment Agency again, the applicant has updated section 4.2.1 and 4.2.2 of the latest version of the environmental statement, appendix 16.1 Flood Risk Assessment, which is Rep 20532 to confirm that solar PV panels located in areas of surface flooding, field B1 will be designed to have a minimum freeboard of 600mm.

00:07:22:03 - 00:07:26:23

Does this resolve your remaining concerns in relation to infrastructure in flood zones?

00:07:29:10 - 00:07:37:00

So, Martin, on behalf of the Environment Agency, I'll pass over to my colleagues, Luke Taylor and Philip Sale, on this matter, please.

00:07:37:06 - 00:07:38:08

Okay. Thank you.

00:07:42:10 - 00:07:43:12

Good morning, Sir Philip.

00:07:43:14 - 00:07:45:00

Sale for the Environment Agency.

00:07:45:02 - 00:07:45:17

Um, yes.

00:07:45:19 - 00:08:01:01

In relation to field P1 and the freeboard of the solar panels. Above the design level are the latest update and confirmation from the applicant that provide 600 free board above the design flow level rectifies that issue.

00:08:01:19 - 00:08:05:04

So that's resolved. Okay. Thank you for that.

00:08:06:24 - 00:08:37:06

Uh, in response to this, again to the EA, in response to your outstanding concerns regarding flood risk and compensation set out in rep 2016. Um, again, the applicant has updated the latest versions of the Construction Environmental Management Plan outline Construction Environmental Management Plan, which is Rep 2059 and the latest version of the environmental Statement. Appendix 16.1 Flood Risk Assessment Rep 2053.

00:08:37:10 - 00:08:59:00

To include additional information on the flood compensation Scheme and confirm that if required, following detailed design, flood compensation will be in place prior to construction of the solar PV development located within flood zone three B if required again. Does this resolve your remaining concerns in relation to infrastructure in the flood zone?

00:09:01:06 - 00:09:09:12

Martin, on behalf of the Environment Agency, again, I'd like to pass over to my colleagues, Philip Sale and Luke Taylor on this matter, please.

00:09:12:20 - 00:09:46:06

Sign up for the Environment Agency. So in relation to the compensatory flood storage. So the recent updates to the flood risk assessment that the applicant has made with regards to detail on proposals for compensatory storage are welcome. And we're just having some additional discussions moving towards a solution on that. So just want a bit of clarity from the applicant in terms of uh, reference to uh, overarching National policy statement for energy, particularly for paragraph 5.8.12 and how the scheme is compliant with that.

00:09:46:09 - 00:09:56:11

Um, noting the compensatory storage provided, but we're moving in the right direction, and it should be fairly easy for the applicant to resolve that particular, um, comment we have.

00:09:56:26 - 00:10:00:12

Thank you. Miss Julie, would you like to respond to that?

00:10:00:29 - 00:10:31:02

Amy Stirling, on behalf of the applicant. Yeah, just briefly will respond on the policy point before it will pass to Mr. Colin Whittingham, who is technical director at risk and leading the water environment matters. And Mr. Whittingham can explain the proposed updates that the applicant is looking to make to the flood risk assessment for the next deadline, which we hope will resolve the concerns of the Environment Agency. The particular paragraph that is being referenced and refers to no net loss of floodplain compensation.

00:10:31:20 - 00:11:01:27

The applicant's position is that that relevant section of the paragraph has to be read in the context of the remainder of the paragraph, which is directed at ensuring that there is no flood risk or flood effect outside of the site boundary, and that therefore it is not a loss of floodplain compensation within the site itself. In terms of how the actual policy can be read, nevertheless, the applicant has had productive conversations with the Environment Agency. I shall see from this agenda item so Mr.

00:11:01:29 - 00:11:05:16

Whittingham can explain to you what we are proposing for deadline three.

00:11:05:29 - 00:11:06:21

Thank you.

00:11:08:29 - 00:11:37:24

Colin Whittingham, on behalf of the applicant. So following discussions with the Environment Agency, we've agreed that we would update the flood risk assessment for deadline three to incorporate additional text and mitigation requirements to ensure there is no net loss or increase in flood risk off site. It's likely that this will be incorporated into the drainage strategy and the outline drainage strategy at the moment, which is.

00:11:40:19 - 00:11:41:24

Sorry. Um.

00:11:48:11 - 00:11:50:24

I can't find the reference for. Bear with us.

00:11:59:14 - 00:12:02:25

Amy Stirling, on behalf of the applicant. Inspector 075.

00:12:03:03 - 00:12:27:00

Thank you. Um, within the outline drainage strategy, there are incorporations of perimeter swales and, um, additional attenuation features. It's likely that these will be sized to incorporate additional, uh, volume to compensate for the lost volume from the, uh, the panels. This will be detailed in the updated flood risk assessment, which will be submitted at deadline three to the Environment Agency.

00:12:27:03 - 00:12:32:05

Okay. Thank you. With the Environment Agency, just like to comment on, uh, what's proposed there.

00:12:35:07 - 00:12:42:16

Martin for the Environment Agency. Um, I'd like to pass on to my colleagues, Phil and Luke, about this matter, please.

00:12:44:03 - 00:12:58:08

I feel Philip safe from the Environment Agency. Um, yeah. What's been proposed there is positive. Um, we'll sort of take a final view. Uh, in the updated risk assessment that submitted at deadline three. But it looks to me even in the in the right direction.

00:12:59:07 - 00:13:29:21

Okay. Thank you. Uh, there were a few other outstanding issues as well. Um, the next one I've got down here was, uh, use of the correct epoch. Um, in the, in the flood modelling. Um, again. Um, in the latest statement of common ground. The applicant has explained its use of, um, epochs. Uh, hopefully, if you've had a chance to review that. Um, have you any comments on that information?

00:13:33:18 - 00:13:40:29

Martin, on behalf of the Environment Agency. Um, I'd like to open the floor to Philip and Luke to come back on that one, please.

00:13:42:29 - 00:14:13:10

Philip. So for the environment, you see. Yes. In relation to epochs which are effectively, uh, time periods or horizons for climate change, um, so we're satisfied that the applicant is using the correct epochs, um, to assess climate change against. Um, so they've looked at the 1%, which is a 1 in 100 chance in any year, uh, of flooding plus uh, 30% uplift, um, for climate change, um, which was satisfied with.

00:14:13:12 - 00:14:49:09

So that reflects um, the upper allowance for something called the 2050s epoch and the higher central allowance for something called the 2080 epoch, which adequately covers the lifetime of the development. Um, the applicant was also assessed a credible maximum scenario in terms of climate change for the development, um, which in terms of the climate change uplift is the 1% plus 58% climate allowance for climate change, and they provided support and evidence within their latest flood risk assessment to demonstrate that that's been adequately assessed.

00:14:49:11 - 00:14:56:25

So we're satisfied that the applicants used the correct climate change allowances in the context of the lifetime of the development.

00:14:57:29 - 00:15:19:06

Okay. Thank you. Um, there was another concern you had which was around proxy use of proxy for fluvial and fluvial flood risk. And again, I think in the latest statement of common ground, uh, the applicant has tried to address that concern. Um, have you any comments on on what's been provided?

00:15:23:26 - 00:15:55:00

From the Environment Agency. So in relation to proxy data sets, what this comment related to was the fact that, um, some of the site is within flood zone two and three, but there are portions of the site where there are watercourses which have no associated flood zone mapping due to the small size of their watersheds or catchments. So in those areas, the applicant has used a data set called the risk of flooding from surface water as a proxy for fluvial flood risk.

00:15:55:15 - 00:16:35:15

So what we've asked the applicant to do is just provide some supporting evidence that that is indeed representative or conservative of fluvial sort of river flood risk, if you like. And so this is an area where we're engaging with the applicant and just awaiting some further evidence within the flood risk assessment to support the case, that it's reasonable to use the risk of flooding from surface water more widely across the development where there's no flood zone. Um, for as a proxy for fluvial flood risk. Um, so, yeah, we've asked the applicant to provide to do some analysis, in essence, um, comparing the outputs of their detailed modelling with the risk of flooding from surface water data to ensure that it's sort of representative.

00:16:35:17 - 00:16:46:28

So we await that analysis in the updated Fra, which will hopefully be published at deadline three. Um, so yeah, it's an area that's just still under discussion.

00:16:48:05 - 00:16:52:09

Okay. Thank you, Miss Julie. Do you want to comment on progress with that?

00:16:52:15 - 00:17:02:06

Mr. Lee, on behalf of the applicant? Yes. The applicant is updating the flood risk assessment to provide that comparative analysis. I'll just check with my colleague whether that will be available for deadline three

00:17:03:28 - 00:17:14:08

in Stirling on behalf of the applicant. Confirmed. Yes. That will be included within the deadline. Three flood risk assessment and discuss with the Environment Agency. And we would hope to then agree the matter for deadline for.

00:17:14:17 - 00:17:50:25

Okay. Thank you for that. Um, moving on to some of the concerns that you had. Um, I see the Environment Agency. Uh, the permeability of fencing was another outstanding concern. Um, I think the applicant has actually provided a little bit more information. Um, in rep 2059, the outline Construction Environmental Management Plan and Environmental Statement. Appendix 16.1 Flood Risk Assessment rep 2053 submitted at deadline two.

00:17:51:23 - 00:18:10:10

Um, and also the latest version of the Outline Operational Management plan. Rep 2061. Um, particularly on the risk of blockages and how would they be managed? Um, have you had a chance to review that? Have any comments on that, on those revisions and that information?

00:18:13:13 - 00:18:49:13

Uh, fill it out for the Environment Agency. Yeah. So in the context of fencing, the comment we raised initially was, yeah, concern around fencing being in areas of the risk and blocking for the flow paths. Um, so we asked the applicant to provide some information with regards to fencing design and mesh spacing. So satisfied with that information that the applicant is included in the flood risk assessment. Um, we know that the applicant also included information with the Construction Environmental Management Plan and Operational Environmental Management Plan with regards to managing blockages that may occur on any fencing following the flood.

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So satisfied with that information. Now again. So that's that's resolved.

00:18:54:21 - 00:19:27:02

Okay. Thank you. And uh, finally, in relation to drainage, you had several outstanding concerns. There was the issue of the manual closure of penstocks, use of sustainable drainage systems and their maintenance, the manager drainage at Rose Field Substation in the event of fire or pollution event, maintaining the agreed drainage principles through design changes and maintaining the integrity of impermeable, impermeable linings when silt and aggregates are removed.

00:19:27:27 - 00:19:45:25

Um, and again, you know, I think the applicant has been quite active updating the various management plans, which hopefully you've had a chance to to review from deadline two and again. Um, are there any outstanding issues in relation to drainage that you have?

00:19:57:01 - 00:20:02:03

I realize that was a long list there, but I can go through them individually.

00:20:03:22 - 00:20:18:14

And on behalf of the Environment Agency. Um, I'd like to invite my colleagues, Richard Hodgkin and Lucy Halton, to go through the matters relating to water quality and groundwater. Uh, first, please.

00:20:29:01 - 00:20:34:05

Richard Hodgkin from the Environment Agency and CDC also popped in. Um.

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Yeah, we've.

00:20:35:15 - 00:20:36:00

Had.

00:20:36:16 - 00:20:38:10

Quite a lot of discussions with the applicant.

00:20:38:12 - 00:20:40:28

Um, on these matters. Um, and yeah.

00:20:41:00 - 00:20:50:17

There was a long list, as you say. But, um, we are reaching a resolution, I think, with all, all matters now.

00:20:51:11 - 00:20:55:22

Um, particularly with reference to groundwater. Um.

00:20:56:29 - 00:20:57:14

I don't know.

00:20:57:16 - 00:20:59:18

If you have further comments regarding water quality.

00:21:02:12 - 00:21:28:21

Yeah, there's a need to have some for the Environment Agency that's just going to come in and say, um, from kind of a maintenance perspective, drainage, I believe all those issues have been resolved. Um, the only one that I currently can't quite find in my notes, um, was in relation to the penstock valves specifically. Um, so I'm happy to get back to you that in writing, but from all other drainage matters, for the water quality perspective are satisfied that they've been resolved from updates at the recent deadline.

00:21:29:12 - 00:21:33:08

Okay, could you take an action then please come back to us on that particular issue?

00:21:33:15 - 00:21:34:05

Yeah.

00:21:34:24 - 00:21:35:21

That's great. Thank you.

00:21:35:23 - 00:22:11:08

Can you give me something on behalf of the applicant? I could provide an update now. So if that's if that's helpful. Um, based on the working draft of the statement of common ground between the parties, which is being prepared for submission at deadline three, the one outstanding point on the penstock and how it system and how it was referred to an outline operational management plan and outline battery management plan, was that it said it would be automatic and or manual. Um, however, the applicant has confirmed it will update to say it will be automatic and manually operated i.e.

00:22:11:10 - 00:22:26:20

capable of being operated in either scenario or not on or scenario. And I understand that will then resolve the concerns of the Environment Agency. But of course they can review that information at deadline. three and provide written comment and will update the statement of Common Ground accordingly.

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With the EAA. Just like to comment on that.

00:22:32:07 - 00:22:33:21

Does that resolve the issue?

00:22:34:08 - 00:22:46:21

Yeah. Housing for the Environment Agency. Thank you. Yeah. That was I knew we'd spoken about it. I just couldn't find the exact words. So that's that's the correct, um, update to other situations. So providing we've just seen that change in the next deadline and that will resolve that matter.

00:22:48:00 - 00:22:56:06

Okay. Thank you. So does the Environment Agency have any other concerns about the proposed development that I haven't actually raised?

00:23:02:08 - 00:23:05:14

For the Environment Agency, no further concerns. Thank you.

00:23:05:24 - 00:23:12:25

Okay. Thank you. Does anyone else want to raise any other issues on. Yes. Yes please.

00:23:13:03 - 00:23:46:23

Thank you sir. Helen Hamilton, on behalf of the Clayton Solar Action Group. Um, I must apologize. We're a bit slow off the mark. Um, both myself and my colleague, Mr. Woodfield have got questions on item four C. Um, my question is, um, about, uh, PFAS and other for forever chemicals arising from leaving the cables on under the ground following decommissioning. Um, and how we don't appear to have a response on how that's going to be addressed.

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Okay. Thank you for that.

00:23:48:29 - 00:23:51:14

Shall I pass on to Mr. Woodfield after question?

00:23:51:16 - 00:23:54:18

Yes. Yeah. We just deal with that first. Miss Sterling.

00:23:56:15 - 00:24:26:22

You. Mr.. On behalf of the applicant. Um, I think it's important to note that the vast majority of ground solar PV projects are based on glass panels and therefore would not typically contain any PFAS materials. However, at this stage, because the procurement process for the proposed development has not yet commenced, the applicant is not able to definitively state that any products that it would procure did not have PFAS present, but that would certainly be the intention of the procurement process would be to typically exclude them.

00:24:27:07 - 00:25:04:16

Nevertheless, the applicant has engaged with the Environment Agency in this regard, and the Environment Agency has confirmed it, and notwithstanding that they would not be taking any additional mitigation, and that they were content that through the detailed design and through the construction and environmental management plan, that would have to be discharged prior to construction commencing, that any potential environmental concerns could be dealt with and appropriately managed and mitigated through the management plan process. Therefore, there is no

currently any proposed additional mitigation because it is considered that what is currently within the scope of the outline, it would be appropriate to address the interview.

00:25:04:18 - 00:25:09:23

Unlikely scenario that PFAS was found to be present in the solar PV panels to be used.

00:25:10:17 - 00:25:15:21

Okay, thank you for that. I'm just wondering if the Environment Agency would just like to have a comment on that.

00:25:22:06 - 00:25:32:07

Paul Martin, on behalf of the Environment Agency, um, I would like to pass to Lucy Halton and Richard Hawkins if they have any further comments on that matter, please.

00:25:34:23 - 00:26:06:03

Yeah. Lucy Harrison for the Environment Agency. Um, so with regard to PFAS in panels, um, what the applicant has just provided is, uh, satisfying at this stage. Um, and it's in line with other projects as well. Um, certain other projects have been able to commit to not having any products containing PFAS in terms of their procurement stage, but understand that is a difficult t to kind of lock down. So in terms of the ability to mitigate any factors that may appear.

00:26:06:07 - 00:26:24:02

Um, once procurement has been decided, we're satisfied that the environmental management plans are doing that satisfactorily. Um, from water quality perspective. I'll just pause in case Richard wants to come in. Specifically with regard to kind of a PFAS and cabling comment or anything like that, but from our side, we agree with the applicant.

00:26:25:06 - 00:26:26:08

Okay. Thank you.

00:26:27:21 - 00:26:57:03

Uh, Richard Hodgkin from the Environment Agency. Um, yeah. As Lucy and the applicant have said, I think we're happy at the moment with what's proposed. Um, any management maintenance during the operational phase should. The main concern is if things get damaged. Um, and so with appropriate maintenance, which is to be discussed. Um, but should be fine. Um, then, yeah, we're happy that the risk is very low to negligible.

00:26:58:02 - 00:27:01:03

Okay. Thank you for that. Uh, Miss Hamilton.

00:27:01:09 - 00:27:10:22

Uh, yeah. Sorry, sir. Um, Helen Hamilton, on behalf of Clayton Solar Action Group. My question was about leaving the cables in the ground following decommissioning,

00:27:12:08 - 00:27:16:23

but apparently the applicant doesn't appear to have answered that question.

00:27:16:25 - 00:27:24:11

Yes. I think you were focusing mainly on the panels themselves, wouldn't you? Um, how would you address that point about the actual cables?

00:27:25:23 - 00:27:39:03

Are you selling on behalf of the applicant? Um, it's certainly beyond my knowledge. I think it's one I'd have to take away because I don't have specific notes on that. They were happy to follow up in writing for deadline three, and I apologize for not being able to answer it now.

00:27:39:16 - 00:27:47:15

Okay. Um, and the Environment Agency. Have you got any comments on that with regard to the cables in particular, rather than the actual panels?

00:27:52:16 - 00:27:59:05

For the Environment Agency? Again, I'd like to pass on to Richard Hodgkin, obviously, Halton, about this matter please.

00:28:01:04 - 00:28:22:09

Richard Hodgkin for the Environment Agency. Uh, we have discussed this with the applicant and they've given us a satisfactory response to the past. I'm just looking at my notes. Um, currently, the general industry practice is for cables to be left in situ, and this is consistent across every solar project we're looking at. Um,

00:28:24:00 - 00:28:38:23

and we've asked that it's reviewed at the time of decommissioning. So if guidance has changed by that point, then that could be reassessed. There may be more knowledge about PFAS at that time. At the moment this is considered to be an appropriate, um,

00:28:40:11 - 00:28:46:09

thing to leave in situ. And the risks are again, negligible. Um.

00:28:48:13 - 00:28:57:02

Particularly if the cables are left undamaged. So if they're secured at the ends, um, which the applicant has committed to.

00:28:59:27 - 00:29:11:08

Okay. So there wouldn't be any concerns about the breakdown of the actual, uh, uh, outer sheath of the the actual cable itself over There's currently.

00:29:12:12 - 00:29:42:22

Um, no research or position statement which covers this. So, um, but yeah, if the cables are in good condition, then I think the breakdown would be, um, not of concern. And this is to be to be confirmed at decommissioning. Um, but yeah, certainly the information we've been given so far, um, we believe is acceptable.

00:29:44:09 - 00:29:55:06

So, so basically what you're saying is it's in compliance with current guidelines, but the position will be reviewed that decommissioning what the guideline guidelines are at that stage.

00:29:56:00 - 00:29:57:26

Yeah. That's what we've agreed.

00:29:59:13 - 00:30:00:19

Okay. Thank you.

00:30:04:18 - 00:30:06:20

Miss Hamilton, have you got any further points?

00:30:06:22 - 00:30:25:11

Uh. Only that it would be helpful if that were written into the order to ensure that there is a review carried out at the commissioning stage with a commitment to remove the cables if if a risk has been identified by that stage.

00:30:27:03 - 00:30:34:28

Um. Mr.. I'm just wondering if there's a general statement, the fact that current guidelines and standards will be used.

00:30:35:09 - 00:31:09:01

Amy Stirling, on behalf of the applicant. Yes. Thank you. My next point was that, um, the outlined commission environmental management plan, which is rep to 063, confirms that the current um, intention is for all cables below ground to be left in situ, but that that will be reviewed depending on the legislation and industry standard practice at that time. So when the applicant comes to discharge the the detailed decommissioning environmental management plan, then the strategy of leaving the cables in situ would, of course, be reviewed in line with the current best practice.

00:31:09:03 - 00:31:13:15

It really seemed to be fast at that time and of course, ultimately approved by Buckinghamshire Council.

00:31:14:19 - 00:31:20:29

Thank you, Miss Hamilton. And you had further points on water quality and waste management.

00:31:21:04 - 00:31:24:10

Yes. Thank you very much. Personally, for my colleague, Mr. Woodfield.

00:31:25:19 - 00:32:08:20

Yes. Thank you. Dominic Woodfield for Claydon Solar Action Group. Um, if I may, I'd like to put a question to the Environment Agency, perhaps through through you, sirs. Um, as to how and on what basis they've concluded that there is no water quality risk. Um, is this a basis that that that there is no impact, that they've concluded that there's no impact on the basis of the information available? Or is it on the basis that they've concluded that there's no significant impact on water quality? Um, that would

be my first question, and I would want to understand what baseline they've used, um, in order to come to that position.

00:32:09:28 - 00:32:14:25

Okay. So if I could just ask the Environment Agency, are you prepared to to answer that question?

00:32:18:25 - 00:32:52:10

Uh, Lucy Hudson from the Environment Agency. Yeah. I'm happy to say a couple of comments. Um, but, uh, if it doesn't address it, then feel free to kind of contact us further outside of this forum. Um, in terms of the baseline, I'll address that first. So as confirmed to the inspector earlier, our water quality monitoring, um, issues are resolved. So there is going to be put in place prior to construction. There will be water quality monitoring happening on site to establish a baseline.

00:32:52:12 - 00:33:34:02

And then that will continue throughout construction and into the operational phase. And that is to ensure that, uh, the mitigations that are put in place as per the environmental management plans, that both construction and operation are acting as expected. And this project is in line with what we would expect at this stage in terms of embedded mitigation measures to protect water quality. Um. They're all detailed in the construction, uh, Environmental Management Plan and Operation Environmental Management Plan outlines, and we are named to be consulted on those prior to the discharge of those requirements.

00:33:34:04 - 00:33:39:22

So, uh, at detailed design, further information can be added when necessary.

00:33:43:15 - 00:33:48:16

Okay. Thank you. Any further questions on water quality and waste management?

00:33:48:18 - 00:34:33:09

Yes. Thank you sir. Um, I'm still slightly at a loss to understand what baseline has been taken for the position that everything looks like it's going to be okay and can be could be sorted out. Um. Because we don't seem to have a concrete view on the sensitivity of the watercourse and the existing baseline water quality. I hear that that's going to be baseline as a effectively a conditioned requirement. Um, and that would just be useful for me to be able to understand whether the Environment Agency are working on the premise that this isn't a particularly sensitive watercourse and that it can accommodate some change, or whether it's a very sensitive watercourse and, and can accommodate very little change.

00:34:33:16 - 00:34:40:10

Um, at the minute I'm hearing that the decision has been made in something of an information back here.

00:34:42:11 - 00:34:46:05

Okay. Again with the Environment Agency, I'd like to comment on that.

00:34:51:19 - 00:35:02:25

Lucy Harrison from the Environment Agency. I think at this time I'll be unable to provide any more information. Um, but if you're able to put your concerns and questions in writing. Then we can get back to you in due course. Thank you.

00:35:03:01 - 00:35:06:25

Okay. Thank you. With the applicant, I'd like to address that point.

00:35:07:23 - 00:35:42:18

Sterling, on behalf of the applicant. I think the only point that I would like to raise, particularly in relation to the question, is there are no impact or no no effect or no significant effect is to confirm that the applicant has carried out a detailed and thorough environmental impact assessment and impacts on water quality from the proposed development are set out in chapter 16, water of the Environmental Statement, which is AIP 059, and the conclusions of that assessment through all project phases or through construction, operation and decommissioning is that the impact assessment is slight adverse.

00:35:42:20 - 00:35:50:21

So not no impact, but slight adverse impact and therefore not a significant effect, which I hope addresses the original question.

00:35:53:06 - 00:36:02:10

How would you address the point about the baseline though? Because obviously to do, um, accurate monitoring going forward. You need an accurate baseline. At this position in time.

00:36:02:12 - 00:36:07:21

Yeah. Amy Stirling, on behalf of the applicant, I'll pass you to Mr. Whittingham, who will be able to respond to this matter.

00:36:10:27 - 00:36:29:08

Whittingham on behalf of the applicant. So the Outline Construction Environmental Management Plan, which is Rep 2059, um, confirms that there will be six months pre-construction baseline monitoring of the watercourse. And that will obviously establish the baseline that we work to during the construction phase.

00:36:30:24 - 00:36:36:16

So everything is aimed at maintaining water quality at the current baseline.

00:36:37:03 - 00:36:39:07

Maintaining or improving. Yes.

00:36:40:15 - 00:36:48:25

And so that six month warranty will give you that baseline. And that forms the basis then moving forward to ensure that there's no detriment.

00:36:48:28 - 00:36:49:13

Correct.

00:36:49:15 - 00:36:54:08

Natural clause okay. Um, would you like to respond to that?

00:36:54:10 - 00:37:29:05

Yes. Thank you sir. Um, is is that right, though, because we've just heard that the environmental impact assessment concludes slight adverse effect. That's not the same as maintaining existing baseline water quality, is it? Um, and the reason I raised this issue is that we've heard that the baseline has been established and that there's been a thorough EIA done. No baseline information on aquatic invertebrates was collected. And knowing baseline information on on on fish was collected to to my knowledge. So, um, it was an issue that we raised as, as a potential emission.

00:37:29:20 - 00:37:55:07

And obviously, it goes to the heart of how robust and assessment you can arrive at if you haven't baseline the water quality and are saying that you'll do that later and you haven't established the sensitivity of that water quality in biodiversity terms because you haven't done aquatic invertebrates and fish. Um, I'm slightly at a loss to see how we've got to a robust conclusion, how the agency can have got to a robust conclusion in something of an information package.

00:37:57:04 - 00:37:59:15

The applicant would like to address those points.

00:38:15:10 - 00:38:28:06

Amy Stirling, on behalf of the applicant. I think we'd have to confer amongst ourselves and just respond in writing, if that's okay, for a deadline, which I'd like you to make sure we give sort of accurate information as to what baseline information was available, when.

00:38:29:10 - 00:38:35:13

You could adjust the points made fully. And are you saying that will be addressed at deadline three?

00:38:35:19 - 00:38:37:28

Amy Stirling, on behalf of the applicant. Yes, sir.

00:38:38:00 - 00:38:41:28

Okay. Thank you. Okay. Any any further points?

00:38:43:00 - 00:38:43:25

No thank you sir.

00:38:44:18 - 00:38:53:00

Okay. In that case, we'll drop back to agenda item three. Oh, sorry.

00:38:54:03 - 00:39:24:15

Thank you, sir. Daniel Gazelka for the council. Um, a very small point. And I won't bring in our expert, so I'll steal her thunder somewhat. Um, just wanted to flag that on the proposals around flood compensation works. We will want to see how they interact with the surface water drainage elements

that propose. And so we just want to flag that. We'll review that when those come in and then, um, provide our comments at the relevant deadline, noted Stirling.

00:39:25:26 - 00:39:29:04

Amy Stirling, on behalf of the applicant. And of course, as is the right.

00:39:33:02 - 00:39:42:24

Okay. Um, so we'll now go back to agenda item. Sorry. Would you like to make a comment? Yes.

00:39:51:03 - 00:40:28:14

Thank you. sir. Uh, doctor Chris Jordan, uh, East Claydon, resident and member of East Claydon Parish Council. Um, residents of the Clayton's are very familiar with the flood risk in particularly in parcel three. Um, East Claydon Road is regularly subject to flooding during prolonged rain, and this is all down to overtopping of the Clayton Brook. And the proposed development would drain into the Clayton Brook, as would other of the proposed, um, infrastructure developments.

00:40:28:20 - 00:41:15:05

And I think when we talk about cumulative impacts, I think that needs to be considered. The applicant's approach to assessing flood risk has been based, as I understand it, entirely on modelling studies. So desktop studies, rather than looking at the local situation. Um, and they've adopted a model that was used by stutterer in their submission for the best application. They had had a number of interactions with the Environment Agency on their flood risk assessment, and the final notice from the Environment Agency was to say, we have no objection, but there has been no independent assessment of the modelling study.

00:41:15:07 - 00:41:48:29

And so it's the applicants. The onus is on the applicant if any errors exist. And they went on to say that they this does not mean that the applicant has passed the sequential test. And so I'd like to ask through you, if I may, whether that approach from the Environment Agency remains. And one other question, if I may, the applicant has chosen three access points to the development site.

00:41:49:01 - 00:42:19:09

So D4 between fields D 44 and 45 off the Claydon Road across SA 46 to access the eastern side and fields SA 55 and 56 for abnormal, abnormal, indivisible loads. Um, of those, the first one, the entrance of Claydon Road, is currently subject to a problem with water egress, which is unresolved.

00:42:19:11 - 00:42:53:12

It's the source of unidentified um and both Buckinghamshire Council highways and Anglian Water. Have, um, decided they can't identify the source. So there's one question of why that has been chosen as an access point. Um, and, and what the applicant proposes to do about it, say, 46 off the Granby Road. Um, the that involves crossing an area that clearly from the Environment Agency flood maps, is subject to flooding.

00:42:53:14 - 00:43:13:01

And then say 5556 for the ails that is regularly under water. And so the question I would like to ask is how the applicant plans to manage all three of these access points when they are all subject to problems with surface water? Thank you.

00:43:13:03 - 00:43:24:21

Okay. Thank you. If I could ask the applicant to address the problem points. I mean, first of all, there was about the the modeling and then the access points. If you address all of those, please.

00:43:26:14 - 00:44:12:20

Give me a standing on behalf of the applicant. I had three points during. The first point was around the data sets and the modelling which Mr. Whitcombe can walk us through. The second point was in relation to the sequential test, the applicant's position as it has met the sequential test and it has provided quite extensive information on that. We can provide a summary if it would assist the examining authority. And the third point was in relation to the access locations and the suitability of those access locations. I would suggest at that third point, just because of the people at the table, is perhaps best dealt with under the traffic and transport agenda item, we can be prepared to speak to the particular aspects of flood risk, but I am conscious a transport consultant is not currently in the room and our master planning, who would have fed into the design of that, is not currently at the table as well.

00:44:12:22 - 00:44:26:05

So we can certainly prepare for those under that relevant agenda item if it sits. But otherwise I will pass to Mr. Whittingham to first address the data sets and then to Miss Price to summarise the applicant's approach to the sequential test.

00:44:32:18 - 00:44:37:15

Sorry. The access points here we can address under the Transport Access agenda item.

00:44:37:26 - 00:44:39:28

Thank you sir. I'll pass to Mr. Whittingham.

00:44:41:23 - 00:45:12:24

Colin Whittingham on behalf of the applicant. So you'll correct the data set for the hydraulic modelling for Claydon Brook was taken from Satara and their, um their detailed model that was carried out. There has been some updates, in consultation with the Environment Agency, to incorporate additional climate change allowances. Um, as was picked up earlier in the in the discussion about the various epochs. Um, that model has been reviewed by the Environment Agency. It's been deemed as fit for purpose and suitable.

00:45:12:29 - 00:45:43:00

Um, hence the reason it was used for, for this application as well. There's no reason to to suspect that the data sets that have gone into that, um, are erroneous or, or not not suitable. Um, in addition to that, obviously there's additional flood mitigation that's been incorporated, additional freeboard, um, and the actual siting of, of the development outside of those flood zones. So we feel the assessment has been carried out appropriately in line with, with policy and consultation with the Environment Agency.

00:45:45:01 - 00:45:46:01

Okay. Thank you.

00:45:50:00 - 00:46:23:25

Sarah Price for the applicant. Um, so I wasn't sure if the gentleman's question was with regard to how the sequential test had been complied with, but I'm happy to give a summary of that and to identify the relevant appendix and the planning statement. So I'm working on that basis. I think in relation to the environment, agencies comment on compliance with the sequential test, typically the Environment Agency, um, not wishing to speak on their behalf, but look at modelling, but then look at sequential test compliance as a policy matter.

00:46:23:27 - 00:46:54:05

So I think that that was the context in which that point was raised. But in terms of how it has been addressed by the applicant. Appendix five of the planning statement, which, just to remind everyone, is Rep 1016 sets out how the applicant has complied with the relevant policy and NPS in one and Ian three, in relation to both the sequential test and the exception test.

00:46:54:29 - 00:47:29:24

In summary, at a macro site selection level, the ten kilometre study area from the point of connection which has been set out and explained in the site selection report, which is also an appendix to Planning Statement, appendix one, and has flood zones and watercourses passing over the entire ten kilometres. And so, at a macro level, it's quite difficult to avoid flood zones and in particular in relation to the point of connection.

00:47:29:28 - 00:48:04:10

East Claydon substation is adjacent to areas of flood zones two and three, and so when connecting into that substation and its a it. Those flood zones can't be avoided at a high macro level. Then when the applicant went on to look at detailed design and how the sense of the sequential test could be passed at a site specific level, um, and this is secured by design commitments.

00:48:04:17 - 00:48:35:00

And to give the reference for that, that documents rep to hyphen 010. Um, the applicant is committed to ensuring that sensitive electrical components, which is the substation. Bess. Um, it's and collector compounds, um, are all located in flood zone one. So the more sensitive uses are located outside flood zones two and three, with just solar panels and fencing within the flood zones.

00:48:35:06 - 00:49:05:24

Um, The overall conclusion is set out in appendix five is that there aren't any reasonable available sites at lower risk of flooding, which is what the sequential tests requires, and effectively, all sites of that would be a similar size to deliver the objectives of the proposed development, and would include small areas of flood zones two and three, as indeed the application site does.

00:49:06:11 - 00:49:07:05

Thank you.

00:49:08:00 - 00:49:10:21

Okay. Thank you for that. Does that answer your question?

00:49:17:07 - 00:49:38:27

Had with this two tier application as to the onus is on the applicant to the to validate the the modelling study and also whether they have agreed that the sequential test is passed. I wasn't quite clear whether, um, from that response, whether the Environment Agency is happy that the sequential test has been passed. Thank you.

00:49:39:00 - 00:49:43:23

Okay. I'll just ask the Environment Agency. You're prepared to comment on that.

00:49:46:24 - 00:50:19:16

Sale for the Environment Agency, just in relation to the sequential test more widely, we wouldn't normally comment on that as in relation to site selection under the sequential test. Um, what we do look at would be the sequential approach within the site itself. So that is, um, locating sensitive infrastructure to areas of lowest flood risk within the site. So things like the battery energy storage, um, within flood zone one. Um, so we do look at the sequential approach within the site, but we as the environment, you wouldn't normally comment on the wider site selection.

00:50:19:23 - 00:50:55:29

And that would be typically for the Fe or local planning authority to sort of provide a view on. But yeah, we would wouldn't comment on the site selection. Um, and with respect to the the hydraulic modelling that's been undertaken, um, we have looked at that in the context of this development and are satisfied that the applicant's use of that model is reasonable. Um, as I noted in previous comments with regard to use of the proxy data set. So that's the risk of flooding from surface water modeling more widely. We do have some questions around that which the applicant will address in that next update to the flood risk assessment.

00:50:56:01 - 00:51:30:00

But the detailed modelling for the tributary of the Claydon Brook was satisfied that that's that's suitable for use in the context of this development, noting the update to the climate change allowances applied to that model. Okay. Thank you for that. Um, I think I think we better move on now. Okay. Thank you. Um, so we're moving on to item three, Ecology and biodiversity or back to item three, I should say. Um, and the first question I've got is the applicant rights in relation to compliance with national policy statements.

00:51:30:12 - 00:52:00:29

So paragraph 4.6.16 of Empson one states that applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the National Natural Capital Committee's How to do it. Natural capital workbook. The government's guidance on enabling a natural capital approach, and other tools that aim to enable a wider benefits for people in nature.

00:52:02:02 - 00:52:41:13

Very. We raise this in our questions. It was question 1.7.4. Rep 2087 about whether you'd actually comply with those documents and work to those documents, and you confirm that you had, um, and

you cited the design approach document, which was Rep 1018 and the outline Landscape and Ecology Ecological Management plan. Rep 2067 has evidence that you'd follow that approach, but neither of those documents actually reference those key documents that are in the NPS.

00:52:44:00 - 00:52:46:13

So how do you respond to that?

00:52:53:12 - 00:53:04:01

Amy Stirling, on behalf of the applicant, we don't have a response at the table at the moment, and perhaps that's something we could take away and respond to. After lunch, I'm confident we will have the knowledge, just perhaps not at the table.

00:53:04:08 - 00:53:10:07

Okay. It's not an action to take away. You'll respond? Yes, sir. Lunch break at a suitable period. Yes, sir. Okay.

00:53:12:10 - 00:53:46:16

Okay, so this this next question is directed at Natural England. Again it's relating to compliance with national policy statements. And the question relates to paragraph .45 of NPS one, which states that the Secretary of State will need to consider whether the statutory nature conservation body has granted or refused, or intends to grant or refuse any relevant licenses, including protected species migration licenses.

00:53:47:11 - 00:53:59:21

Um, so we we raised this in our written questions at question 1.7.5. Uh, rep 2-07.

00:54:01:22 - 00:54:34:28

Sorry, that rep 2-07 was the applicant's response. And if I just summarize their response. Basically, for greater crested newts, the applicant proposes a district level licensing approach. Um, and the applicant also states that the nature space, that nature space has confirmed that the proposed development is eligible for such an approach with regard to bats. They point out that that a protected species mitigation license cannot be obtained on a precautionary basis.

00:54:35:04 - 00:55:05:11

They contend that there are no grounds on which a Bat license is required. And I think they base this on the most. Woodland will be remaining in place with only 16 trees being felled, several of which have no or limited suitability or roosts. And they further point out that the Outline, Landscape and Ecology Management Plan secures a commitment to survey trees before felling, and if a roost is found, a license will be sought at that stage in line with previous.

00:55:05:13 - 00:55:37:24

And that's in line with previous decodes. And finally, they say pre-construction surveys and other requirements in the outline landscape and Ecology Management plan and Outline Construction Environment Management Plan, meaning that it is unlikely that a license with regards to raptor species or badgers protected under schedule one of the Wildlife and Countryside Act of 1981 would be required. So what's the what's natural England's response to that position? You content with that?

00:55:43:26 - 00:55:46:10

Hopefully they're they're still on the line there.

00:55:47:25 - 00:56:14:09

Yeah. Sorry I can take that one away, sir. Um, so we don't have anyone with us today from our Natural England Wildlife Licensing service, and we weren't expecting questions on the licensing. What I can say. We'll take that away and respond properly in writing. Um, but I'm fairly sure that what's been presented is standard practice, and I don't think we would raise an objection there, but I can take it away and double check with our our licensing experts.

00:56:14:28 - 00:56:20:08

Okay, that's that's good. Um, do you think you'd be able to respond by deadline three?

00:56:20:12 - 00:56:21:08

Absolutely. Yeah.

00:56:21:10 - 00:56:55:02

On that. Okay. I'll take that as an action then for you to respond to deadline three. The next point was really related to to that, um, you mentioned that only 16 trees are felled are going to be felled, um, several which have no or limited suitability for roosts. I mean, with such a small number of trees to be felled, why can't they be surveyed now? And the necessary assurances from obtained from Natural England on the relevant licences at this stage?

00:56:59:29 - 00:57:09:08

Amy Stirling, on behalf of the applicant, a capacity to reason. Who is that ecologist at the end of the table? Who can address you on this item?

00:57:10:03 - 00:57:47:19

High power reason on behalf of the applicant. Um, you said at the beginning you can't get a licence on a precautionary basis. And that means that even if we survey now and find there is no risk, which is quite likely because it's quite difficult to tie occupation of a race down to the specifics, although we would still need to climb those trees and find out later. What we have done is try and assess the likely suitability of those trees to support a roof. We've looked at where they are, the structure of them, and any potential risk features they contain, where they are in relation to the vaccines, perhaps in particular home range and process and so on.

00:57:47:21 - 00:58:04:11

So we think the likelihood is very low. So we could climb those trees now and see if there is any evidence of bats. And they wouldn't stop us having to do it later. And I think our assessment from the ground level tree assessment, um, is that the likelihood is low.

00:58:05:06 - 00:58:42:29

Okay. Thank you for that. Um, moving on then to uh, three B presentation of likely effects and mitigation. Uh, can I confirm with the applicant that you still intend updating the environmental statement Chapter seven Biodiversity at Deadline three so that you complete that, it's completely clear

that where an embedded or additional mitigation measures are identified, where exactly it is secured in the outline construction environment, environmental management outline, landscape ecology or management plan, operational plan and decommissioning plan.

00:58:43:01 - 00:58:44:03

Mark, thank you for the applicant.

00:58:44:05 - 00:58:45:26

Yes, we are making an update.

00:58:45:28 - 00:58:48:19

That update will be available. Deadline three.

00:58:48:21 - 00:58:49:21

Deadline three. Correct.

00:58:49:23 - 00:58:50:08

Okay.

00:58:50:10 - 00:59:05:06

Yeah. So what we've done just for clarity, is we've made it very clear for each of the embedded and the additional mitigation measures that are proposed. We've indicated the page and paragraph number where they're secured within the relevant management plans to assist.

00:59:05:12 - 00:59:09:21

Okay. Thank you. Uh, this is to the applicant as well.

00:59:11:11 - 00:59:49:12

So where residual effects are identified, the environmental statement or report effects are significant and not significant. Rather than, for example, reporting negligible, the minor adverse, moderate adverse, etc., as well as whether the effect would be significant or not significant. And you've maintained in response to the Tsar's written question on this, which was 1.7.7.2, that this is in accordance with the Chartered Institute of Ecology and Environmental Management guidance and some of the practicing ecological impact assessment that you accept.

00:59:49:14 - 00:59:57:28

Some ideas include a translation between Siem derived assessment categories and terms used by other disciplines.

00:59:59:12 - 01:00:00:27

Mark Lang for the applicant.

01:00:00:29 - 01:00:01:25

I'm just going to.

01:00:01:27 - 01:00:02:15

Oh, sorry.

01:00:02:17 - 01:00:14:24

I'll question at the end of this. Are you able to provide such a translation to assist the Exa in reporting residual effects in a consistent manner, and offer appropriate weight to them in the balanced planning balance

01:00:16:14 - 01:00:20:18

As we note, a lot of dsos have.

01:00:25:10 - 01:01:04:22

Not linked to the applicant. Yes, I'm aware that some IIAs have done that and provided that conversion table. However, it then means our assessment is not in line with same guidance, and we have a clear steer from the guidance that we should be looking at whether an effect is significant or not and not going down the line of is it moderate, major or minor. And we've been very clear with the impacts that we've identified. We have the potentially significant impact we've identified for Bechstein bats, and we're not proposing to go down the line of producing a summary table, because we don't feel it adds any benefit to the assessment that's been carried out.

01:01:06:08 - 01:01:39:19

So the position is that you wouldn't consider producing such a statement. Okay. Thank you. That's clear. Okay. Moving on to item three. See next time bats. And starting with C-1 surveys and studies. And this is in relation in particular the Bat technical study rep 1-105. So there's there's a number of studies within that study. So if you just consider the noise study to start with um.

01:01:42:08 - 01:02:41:16

In in your response to the written question, 1.7.1 in rep 2098 sorry. In its response, this is referring to Natural England, though generally accepting the results of the construction noise study, they made the following points that no noise or vibration measurements are available for specific plant, which will be used to construct the proposed development. There may be trees with potential for roosting bats located 15m or less from Construction of haul haul routes and access tracks, and the Outline Construction Environment Management Plan, which currently only considers direct impacts, such as where trees with potential roosting features are to be removed and should be updated to include adequate consideration of this, and a noise assessment should be carried out during construction of proposed development to further understand noise level impacts and guide future mitigation.

01:02:41:18 - 01:02:44:14

How do you actually respond to those three points?

01:02:46:03 - 01:03:01:27

Amy Stirling, on behalf of the applicant, and before I pass, and I think to summarize the answer you're asking, how do you respond to Natural England's suggestion that we should carry out a noise effects assessment on that? A reason to address you on that.

01:03:04:19 - 01:03:25:26

Reason on behalf of the applicant. Yes. The applicant is committed to looking at this plant that would be used and undertaking specific noise measurement so that we can feed that into a proportionate, revised noise risk assessment when we know which areas are going to be affected and what the structure of the trees are around and close to that. So that has been a commitment made.

01:03:26:06 - 01:03:29:03

Okay. We'd naturally like to comment.

01:03:36:04 - 01:04:03:11

And Emily are representing Natural England. Um, we would welcome an updated noise assessment. Um, we did notice that there is a caveat that the the applicant currently doesn't know what equipment exactly will be used. Um, and it's based on, um, case study 38 from the um bat mitigation guidelines. So having more specific information on that, as well as the proximity of trees, especially those with features suitable to support roosting bats, is welcomed.

01:04:05:23 - 01:04:11:16

Okay. Thank you. So will the information include all that it's requested by the natural.

01:04:13:10 - 01:04:15:15

I don't hear that. Sorry. Could you repeat that?

01:04:15:21 - 01:04:20:01

Are you intending to provide the information that was just outlined by Natural England?

01:04:20:03 - 01:04:30:17

Yes. And I think we would do that at a later stage, once we understand that the plant that has been selected, which presumably will come at the stage of once consent has been reached or not.

01:04:31:10 - 01:04:32:12

Okay. Thank you.

01:04:33:09 - 01:04:58:25

I would say, though, that as, um, as the author of the Bat mitigation guidelines and the principal instigator of the information that Emily was talking about in Case study 38, which was generated through my work on HS2, which is alongside Rose field, and having got some data on the type of plant that produces certain noise, I don't have huge concerns about construction noise and their impacts on that.

01:04:59:28 - 01:05:02:03

Okay. Thank you for that. Um,

01:05:03:29 - 01:05:39:07

another thing that the Natural England noted in rep 2098 was in relation to the operative Burwell Solar Farm Study noise study. Um, and they noted that basically, uh, a low, uh, during daylight hours, they're likely to be, uh, ultrasound frequency noise emitted from the infrastructure. Um, and uh, basically and dusk, um, in the night when bats are active.

01:05:39:09 - 01:06:10:20

It does not definitively provide a reason for bat avoidance behavior. So I basically I sort of, uh, said that badly. Basically they're saying that, um, you know, during the day it may actually provide a reason for that avoidance behavior, but most bat activity is at night. So that particular study, uh, does not actually provide definitive, a reason for bat avoidance behavior. So I just wonder what your comment is on that.

01:06:10:25 - 01:06:25:15

Power of reason on behalf of the applicant. We did look at operational noise and the likelihood of the impact on bat behavior in the noise risk assessment, and I can make sure that that's completely clear. Um, when we, uh, before we resubmit the noise risk assessment.

01:06:26:10 - 01:06:30:19

Okay. Thank you. I think the action group would like to comment.

01:06:32:25 - 01:06:54:07

Yes. Thank you sir. Dominic would here on behalf of Clayton Solar Action Group. Um, there's various comments that we would like to come back on, but I don't know whether you want us to save them all to the end or obviously, we're also breathing down the neck of a potential lunch break, I imagine so. Yeah, absolutely. Is that is that your intended format? I just really wanted to clarify on that.

01:06:54:09 - 01:07:06:16

Yes. I think if you allow me to go to my questions and then perhaps at the end of that, that session, then, uh, then I'll give you the opportunity to actually come back with anything, um, your own questions or issues that aren't clear.

01:07:06:18 - 01:07:09:04

Thank you sir. I'll make sure I try and make good notes.

01:07:12:10 - 01:07:15:15

Okay. Moving on to the grazing study.

01:07:17:18 - 01:07:37:28

And again, this is directly the applicant. You acknowledge that grazed fields are important foraging resource for bats and your grazing study. One zero 105 concludes is likely more grazing across the entire site, with sheep grazing, beef panels and cattle grazing on mitigation areas.

01:07:39:13 - 01:08:15:19

However, given the grazing study, references and unpublished study of the Burntwood population of vaccine bats, which found that 40% of their diet is flies and 32% of this of these are associated with open spaces, and acknowledges that while multiple studies show a positive relationship between cattle and bats, the relationship between sheep and bats has not been investigated. So given that and also that Natural England has highlighted the complexities of the attraction of insects to livestock, and the fact that bats have been found to provide solar infrastructure.

01:08:15:21 - 01:08:37:12

In its response to our question 1.71, which is in rep 2098. How will sheep and cattle grazing be secured? And how confident are you that if this grazing is secure, the quality and amount of foraging resource for vaccine bats will increase or at least stay the same?

01:08:42:00 - 01:09:15:00

Reading on behalf of the applicant, I don't think that the mitigation relies hugely on grazing, because we understand that there are limitations as to what can be achieved, and there may be periods of time where grazing simply isn't possible. But we have provided twice as much grassland of better quality than is there now, and it might be helpful to have a look at a plan if I can ask. Um, for, um. First of all, the map.

01:09:15:02 - 01:09:17:08

It's in rep 1105.

01:09:20:07 - 01:09:24:21

I think it's page um, 208.

01:09:27:03 - 01:09:32:22

Anything on behalf of the applicant? Um, are you happy for us to share? Yes. A document? Yes. Thank you.

01:09:38:01 - 01:09:42:24

So, for Miss Coleman's benefit, that was rep 1005.

01:09:47:26 - 01:09:52:02

Start from the back. Technical study. Yeah, 1-105.

01:09:59:00 - 01:10:05:17

If you go to page two of eight of the, um, PDF, maybe make it a little larger.

01:10:10:16 - 01:10:41:02

I wanted to draw attention on here to the distribution of, um, known Stine's maternity wreaths. Uh, so the solar farm is where you can see HST going through the middle of the screen from what is actually north to south, but on the diagonal. And the Roseville solar farm was obviously on the east of that. And you'll see that most of the maternity roofs that we know about that are within woodlands are clustered to the southwest and southeast on either side of the scheme.

01:10:41:14 - 01:11:02:11

Um, and there are very few marked as back size maternity wreaths to the north of that. And the one that's at the corner of sheep has wood, I believe has already, uh, the tree that supported that has come away from, um, from natural causes so no longer exists. And then if we go to, uh, rep 2067.

01:11:08:09 - 01:11:10:12

EDF page 130.

01:11:24:16 - 01:11:39:17

You can see that we have provided grassland mitigation in all parts of the scheme, but we are particularly focusing on those areas that are close to the maternity colonies that we know of that have been identified in those woodlands to the south.

01:11:48:25 - 01:12:00:12

Amy Stirling, on behalf of the applicant, I think in summary, sir, the applicant recognises the potential limitations of grazing, but it is not relying on that grazing for its mitigation.

01:12:03:09 - 01:12:08:27

It's what you just showed me is. Further areas of grazing.

01:12:12:25 - 01:12:19:18

Grass. It's. It's grassland. I suppose I might bring in my colleague Mark here who designed the grassland.

01:12:19:20 - 01:12:54:08

So what? What the. Say, Mark. Land for the applicant. What the plan is showing is further areas of grassland creation. Now, these grasslands could be managed in one of two ways. They could be grazed, or they could be subject to a hay cut and collect later in the season. So the the applicant does recognise the importance of grazing in the wider landscape. However, there are potential issues and we can't guarantee that we can graze. But by designing good quality grasslands and managing in an appropriate way, we can increase the insect abundance which will help forage in Origin bats.

01:12:54:12 - 01:13:38:10

Likewise, if we're able to graze underneath panels, we will increase the insect biomass significantly, I would think. I mean, obviously grazing needs to be carefully considered. It needs to be low intensity, probably stopped, moved quite often because we've also got our habitat condition to achieve, but also we are mitigating for ground nesting birds, hence why we've got large areas of open habitat. And where our assumption is, is that if we can increase the invertebrate biomass, it will both benefit the ground nesting birds during the breeding season, but also foraging bats, because if we increase the insect biomass overall, these insects are likely to make their way to the edge of fields.

01:13:38:12 - 01:13:38:29

And.

01:13:39:04 - 01:13:42:09

Where the bats can then forage. So yeah.

01:13:43:15 - 01:13:48:10

Okay. Thank you for that. Um, where Natural England like to comment on what you've just heard.

01:13:52:28 - 01:14:23:27

MLR in representing Natural England. Um, yes, I would um, in terms of the grazing and whether the insect biomass is dependent on grazing or species, uh, more diverse grassland. Um, I hesitate calling it species rich because obviously there is issues with turning arable into um species, which takes a very

long time. But structurally diverse grassland, which allows insect life cycles to be completed, is beneficial for bats for foraging.

01:14:24:06 - 01:15:06:02

Um, however, what we are suggesting is that they continue to offer that in the, the hedgerow margins, um, where a lot of it is already um, but that is also on site at the moment with grazed pasture as well. Um, the grazed pasture is managed primarily to, to raise the cattle and to their feeding on the grassland. So it's, um, Not particularly species rich and it's very close grazed, but the, um, the cattle themselves attract, um, a lot of insects, especially those that are about at dusk, like biting midges and things like that that are around at dusk when, um, bats are emerging.

01:15:06:04 - 01:15:38:01

Our issue mainly is to do with the location, um, of the mitigation zones. Um, we are aware of the plan. Um, obviously that's part of the evidence that we're using, um, for our argument that, um, that the applicant brought up with, um, where the known location of eternity roosts are. But I'll put the emphasis on the word known. Um, obviously. So surveys can only ever be a subset of the population and a, a snapshot in time. So there may well be roosts that we're not aware of.

01:15:38:09 - 01:16:19:19

Um, we also want to protect the future resilience of the landscape. So if we, um, focus the mitigation too much in one part of the landscape and don't spread it throughout, we're actually, um, focusing mitigation measures, um, in one part of the site and not, um, over towards the rest of the site. Um, we also have a focus on grazing because that's the the baseline, the status quo of what's there at the moment. And if we're talking about a mitigation strategy that doesn't rely on that, um, we would need to reassess, um, the impact and how that is a change on the baseline because a lot of the hedgerows do already have rough grassland, tall rural margins which are providing, um, that habitat for bats.

01:16:22:13 - 01:16:25:10

Okay. Thank you for that. Would you like to respond to that?

01:16:26:00 - 01:17:06:28

Amy Stirling, on behalf of the applicant. Um, yes. I'll pass my colleagues in a moment just to deal with the points. Particularly, I think they agree the headroom, the increase in the biodiversity, and they had drawn margins in relation to the final point. Obviously, we can base the design of the scheme on what we know now, but it is important to note that Natural England will be consulted on as part of the detail The sign off of the Landscape and Ecological Management Plan, as is secured by requirements of third draft Eco. Therefore, Natural England would have an opportunity to comment on the mitigation measures which are proposed based on the final scheme design and of course, any further survey work which is carried out in advance of construction.

01:17:07:09 - 01:17:08:21

I will pass to

01:17:10:06 - 01:17:14:06

Mr. Lange to first address you on the hedgerow margins.

01:17:15:04 - 01:17:54:27

Mark Lange for the applicant. So I take Natural England's point about, um, coarse grass and within the margins being important. And the applicant has recognised that and we are proposing extending the width of those margins. I mean, it's all set out within the, the length and the, um, impact assessment. Um, I haven't got the reference in front of me, but it's we've got substantial margins for hedgerows and the majority of locations at least ten metres, 30m from the edge of woodland, so that the whole emphasis of the mitigation we've designed is to link the woodlands across the site, up with wide margins where bats can forage, and we would be leaving the margins to develop naturally as they are.

01:17:54:29 - 01:18:31:23

So essentially all of the margins that are there at the minute will be retained. There will be some minimal loss where access routes and various bits go in, but apart from that, it's all maintained. I would also draw your attention to the figure here, because it's quite important to look at the areas of crosshatch. It's where we will be losing existing grazing. But the orange with that crosshatch and the pink is where we think we can potentially create grassland and introduce grazing. So in fact we're putting mitigation across the site, not just in the western location, but across the central location and the east as well.

01:18:31:25 - 01:18:44:04

So I would argue that we'll end up with more grassland and slightly better distributed than we have at the minute. Um, yeah. And that's probably my that's probably mine. Unless you have anything further?

01:18:45:10 - 01:19:16:18

Yes. I reason on behalf of the applicant, I would like to note that although the reason that I showed you and the identified risks are a snapshot in time, they are based on radio tracking that's been undertaken in all years from 2011 through to 2016. Sorry, 2018 and then in 2022. So they are based on a very large number of radio tracking episodes, which is the best way to find both signs. But so yes, all surveys are a snapshot in time, but this is quite a lot of surveys over quite a lot of time.

01:19:17:13 - 01:19:35:07

Um, also we could look at the, um, since Mark mentioned the connectivity, if we can look at, um, the buffers plan, which is rep 2067 on the PDF one two 3 to 1 two eight.

01:19:42:14 - 01:19:53:11

Amy's feeling about having just to confirm again. So when we suggest putting something on screen, I guess it should be more as a question, rather as a direction. Yeah, if you're happy for us to share and screen.

01:19:53:18 - 01:19:56:16

Of the conversation. So yes, yes, please, please show that.

01:20:05:09 - 01:20:39:15

You may have to scroll down a little bit. Apologies on behalf of the applicant. You may need to scroll down because the different areas are focused, but this shows the extent to which the hedgerow

margins have been left and extended as buffers on either side of the hedgerows. In really important areas, they've been extended beyond the ten metres on either side, to 15m on either side and around, um, various woodlands there, 30m, and there is also an additional five metres on either side, between the edge of the buffer zones and the, um, the start of the panels.

01:20:39:17 - 01:20:53:01

So actually there are pretty good corridors linking the entirety of the landscape. And as I was talking about at the beginning, in terms of the distribution of grazing and where the maternity trees are, we're actually looking at this at a whole landscape scale.

01:20:54:21 - 01:21:21:24

Okay. Yeah. I'm going to further item on on buffers. Um, I think this conversation around that's going to extend for some period. So I think it may be a good time to take a break now. Um, for our lunch and then come back to this topic after that. So if we break now for 45 minutes and come back at 1350. Thank you.