



Hearing Transcript

Project:	Rosefield Solar Farm
Hearing:	Issue specific hearing 1 (ISH1) – Day 2 – Part 3
Date:	21 May 2026

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FULL TRANSCRIPT (with timecode)

00:00:06:15 - 00:00:30:15

Okay, the times 155 and it's time for the hearing to recommence. Can I just confirm that the recording and live stream is commence? Pleased. Thank you. So back into the agenda item considering population. I'm moving on to biosecurity matters, albeit we've touched on them to a degree so far already.

00:00:32:11 - 00:01:02:17

Um, noting the applicant's response to Press and Farm's written reputation highlights the outline. Kemp. That's rep 2059. The outline OMP rep 2061 and outline damp rep 2063. The updated the deadline one to include a commitment to liaise with Preston Farms and TCS during the preparation of detailed plans to provide measures including liaison and Verizon, Advanced Notification Toolbox talks, etc.

00:01:02:20 - 00:01:06:14

to try and minimize effects during each of the phases of the development

00:01:08:08 - 00:01:28:06

component. First of all, just clarify the extent to which the Secretary State can be satisfied that mitigation will be effective given the degree of the outline nature of the proposals set forward so far in relation to each phase of the development. To mitigate effects for Preston Farms and CCS Biosciences.

00:01:32:07 - 00:02:09:07

Richard Griffiths, excuse me on behalf of the applicant. Um, well, we're in the commitment in terms of the in biosecurity, security and biosecurity, the commitment, um, that, uh, um, the applicant is proposing is that, um, we will be, uh, secure the the management plan secure is appropriate biosecurity measures that reflect Preston Farm's own biosecurity measures, practices to minimise any potential disruptions and biosecurity risks their business operations.

00:02:09:09 - 00:02:22:12

So the final form of those documents will set out those biosecurity measures that we have to then comply with, and that is how the Secretary state can be satisfied. We are going to be following their own procedures effectively.

00:02:24:05 - 00:02:30:10

And those documents would be considered by the planning authority on the discharge requirements.

00:02:31:00 - 00:03:18:28

Richard Rivers, on behalf of the applicant. Yes. So as is as the reference, as there is reference in those management plans to us, um, um, um, liaising with Preston Farms during the preparation of the construction environmental management plan, um, and, and the measures included in them, then, uh, um, I anticipate that we would then, uh, when we submit the plan for approval to the local authority,

demonstrate how we have satisfied that liaison and, um, to the local authority, then, of course, it'd be free for the local authority to consult with Preston Farms or indeed the, um, in the in, in before they determined that that plan.

00:03:19:00 - 00:03:32:13

So if we don't submit that information, then it's free for the local authority to ask us for that information under the under schedule. Um, uh, under the discharge of requirements, schedule 16 to draft development consent order.

00:03:33:24 - 00:03:36:28

Thank you, Mr. Gazelka. Do you have any comments on that, please?

00:03:47:00 - 00:04:20:28

Thank you, sir. Daniel Gazelka for the council. Um, so in principle, that approach is acceptable to the council, but you will have seen that we have raised concern, which we've not yet been able to speak to the applicant about, but I think my, um, planning officer, um, got in contact with him again on Monday about precise timelines, etc. in schedule 16, because particularly the TCS Biosciences issue is one, an issue that we don't have internal expertise upon. And so how we go precisely about agreeing things.

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

It has some sorry accepting things. Has something of a question mark next to it, but that's more a schedule 16 point than a what Mr. Griffiths has just described. Point, if that makes sense.

00:04:31:26 - 00:04:35:09

Okay, so so there could be some revisions to schedule 16 of the draft.

00:04:35:19 - 00:05:14:14

Yes, we've certainly flagged, but we'd like to discuss that. I think Mr. Griffiths will probably, as we've not yet discussed it, which we've not, but we would like to um, and I know that because I've seen the other dsos, um, around recently on solar. Um, different details include different numbers of weeks and different numbers of days for requests, for information and for consents. And you know it. And it may be as well, something that we wouldn't want to be subject to provisions. I actually don't know the answer to this question. Miss Griffiths may be able to help if it will be subject to the provisions which automatically discharge after the passage of a certain period of weeks.

00:05:14:27 - 00:05:28:01

I can't remember because for some which have environmental effect, you'll be aware of the mechanisms. Um, so all of that coming back around, um, yes, we would like to discuss it and then maybe change to schedule 16. But we're open to the approach in principle.

00:05:28:28 - 00:05:32:13

Mr. Griffiths, if you could shed light on Mr. Costello query there please.

00:05:33:00 - 00:06:04:27

Thank you. Um, uh, we haven't discussed. We haven't discussed it as has been outlined. I'm happy to discuss it. I don't think it's appropriate for me to say any more without having that conversation and taking instructions, uh, from my clients. So, um, but I think the principle is to answer the question. Uh, um, is that, um, given we have an obligation in the camp, for example, to liaise over the over formulation of that? Uh, we would then want to demonstrate how we have done that to authority.

00:06:04:29 - 00:06:35:12

It's in our interest to demonstrate that, to hopefully have a quick discharge of that requirement. Uh, and, um, and, uh, if this council wasn't satisfied, then further information can be requested. Whether the the requirement is in schedule 16 or not, it would be the council could request further information from us in the discharge in terms of whether it appears in, um, where we carve out this, require the discharge of the camp in respect of TKS from the schedule 16. Um, we need to have that conversation with the council.

00:06:37:00 - 00:06:53:28

Noted. Thank you, Mr. Burton. Um, Preston, I believe, has raised concerns around the level of detail in the outline management plans in relation to mitigation, including biosecurity for Preston Farms. Is there anything you'd like to say on that point at this stage, please?

00:06:54:22 - 00:07:43:22

Yes, please. Thank you sir. James Burton, on behalf of Preston Farms and TCS Biosciences. Um, the applicant should have it should have thought properly about us long, long before now and should have produced if it were able to produce any detail that would actually give us and you certainty around biosecurity. The the hard reality is it it can't and and it certainly won't be able to reduce the risk to anything along the lines of de minimis or suchlike because, um, with the best will in the world, construction vehicles and construction workers, they churn up the ground, release mold, they churn up the air, swirling it around.

00:07:43:24 - 00:08:18:25

That's all introducing new biosecurity risk pathogens and so on and so on and so forth. There's a very good reason that the starting, the starting point for a site like ours. And Mr. Preston can say something about this, but the starting point for a site like ours is no unnecessary access, no unauthorized access. The fact that as we stand now, after years of engagement going back 2022, all we are reading now is there'll be liaison and there'll be a toolbox talk.

00:08:19:12 - 00:08:28:21

I'm afraid it just shows the inability to grapple with and the difficulty of grappling with this and dealing with it satisfactorily, Mr. Preston.

00:08:29:13 - 00:08:30:03

Yeah. Thank you.

00:08:30:05 - 00:09:11:04

James Preston, Preston farms. Um, we will submit something, uh, in more detail around, uh, biosecurity at deadline three. I would, if it's okay. Just like to read from the from the gov.uk website via Defra and Apha, which says the two that is the Animal Health Protection Agency. Animal Plant

Protection Agency, um, which says the two most important considerations for biosecurity are the first one being design your working practices to minimize how often people, equipment and vehicles are entering places where farm animals are kept so that that is just in reference to normal working agricultural farms.

00:09:11:06 - 00:09:24:24

Clearly, the order of magnitude when you're dealing with a Home Office licensed establishment is far above that. Um, but apart from that, we will submit more detail on some specific concerns. Um, and the next deadline.

00:09:26:16 - 00:09:35:05

Thank you. Are there any particular additions that may address some of your concerns that could be made to the outline management plans at this stage?

00:09:37:26 - 00:10:11:27

If I may, just very briefly, I think the most obvious one would be not to access across us via the access we have suggested. Um, that would largely mean that the parcel three is kind of isolated in the north east corner of the project, where the prevailing wind would blow any particulates away from us. Um, in regards to the toolbox talks and liaison, we find that very hard to believe that will be effective as as James Burton has said from a cumulative probability perspective.

00:10:12:08 - 00:10:16:12

You know, there's absolutely no way they they cannot guarantee adherence to that.

00:10:17:01 - 00:10:17:25

Thank you.

00:10:19:15 - 00:10:52:21

I'll take my I. Sorry. Can I just add to that so I don't know Mr. Preston wants to wants to come in on this further. But having talked it through with my clients, every every person who comes onto the farm to work on it is a is a known, trusted, trained, experienced person. And it is so difficult to see how that could be replicated across every single individual of a construction workforce. And and and all the and all the subcontractors and so on.

00:10:52:23 - 00:10:57:28

It being realistic. It I cannot conceive of it.

00:11:00:03 - 00:11:25:12

Thank you, Mr. Burton. And do you have any comment on the means by which the detailed. Management plans would be submitted to the local planning authority, and then engagement at that stage, in terms of the consideration of other details and measures that will be put in place at that time. Do you have any comment on that process, on the sign of that and the degree of engagement that you may have with the the applicant or the local planning authority, potentially as well?

00:11:26:03 - 00:11:35:18

Thank you sir. James Burton five of Preston Farms and TKS. Well, the maximum possible engagement is what we'd be seeking. Um, needless to say.

00:11:37:13 - 00:11:57:08

Sorry. Just to add one more thing. I mean, we're licensed by the Home Office, so I haven't really thought of this before, but I don't know how the conflict sits. If we are being managed to a standard by the council and the applicant, but we are licensed under the Home Office. Just just a thought.

00:12:02:13 - 00:12:04:13

Thank you, Mr. Griffiths.

00:12:13:16 - 00:12:44:29

Excuse me. Richard Griffiths, on behalf of the applicant. I mean, first of all, just on, I appreciate and I am listening, that the biosecurity measures for TCS is obviously higher than other, uh, agricultural, um, businesses. But I would just make the point that biosecurity measures apply to other projects that EDF has been is involved in, and the security measures are appropriate applied. I appreciate here. The security measures are at a different bar.

00:12:45:01 - 00:13:15:17

I accept that point, but it's worth making that bar security something that the company takes very seriously in the countryside. Secondly, um, the we already heard that. Um, secondly, sorry. Um, uh, access has been taken of these fields to carry out, for example, trial trenching in E 23. That trial trenching was carried out complying with, uh, biosecurity measures.

00:13:15:19 - 00:13:46:27

And my understanding is there are no complaints or to that application of those, um, uh, of those measures and how they were carried out. So, um, our position is that by applying, um, biosecurity measures reflective of their own practices as set out in um, in paragraph 2.22.4 of the Outline Construction Environmental Plan. We're not creating a different set of standards between what we agree with the authority.

00:13:46:29 - 00:14:06:22

We are applying, the appropriate biosecurity measures reflective of theirs that you can have. Secretary of state can have confidence that the biosecurity measures are that they that security measures will be appropriate. And we've already done it through the trial trenching, for example, that churns out the field.

00:14:08:08 - 00:14:21:02

The trial trenching. How many people were involved in that in comparison to how many construction workers may be present on the site, on the Preston Farms holding that will need to comply with the toolbox talk, for instance.

00:14:22:08 - 00:14:46:05

Which would give me some path that I haven't got that information. I was giving it as an example of how we have taken access and applied biosecurity measures. Uh, um, rather than saying it's pure, directly comparable. Um, but it was an example. It is an example of how we have taken access

applied biosecurity measures and to my understanding, not to received any complaints to that. I can get that information for you and submit that at D3.

00:14:46:12 - 00:14:51:00

Thank you. We'll take that as an action point. Mr. Preston? Yeah.

00:14:51:02 - 00:15:17:00

Sorry. James Preston, Preston farms. Um, the obviously the scale of the trenching was far lower, and I do believe there were issues with the use of the the disinfectant mats which were conveyed to to the applicant survey team. We also, um, yeah, there's obviously less of a defined process around a survey than we set in now, but my understanding is that there were issues even at that stage.

00:15:21:02 - 00:15:23:29

Mr. Griffis, do you have any further comment on that point or not?

00:15:24:20 - 00:15:31:08

No. I mean, I said my understanding was I don't I'd have to take that away and speak to the survey team who are not obviously here.

00:15:32:02 - 00:15:41:26

Thank you. Before we move on from our security depressing farms, let me further the points they wish to raise on biosecurity specifically haven't already been addressed.

00:15:47:08 - 00:16:09:02

I'm James Burton on behalf of Farm Biosciences. Um, sir. For my part, I think it might be helpful if Mr. Preston or Mr. Williams or both. Just explain a little bit about the soil and air disturbance, which I certainly took some, uh, education on to get my small head around it.

00:16:09:20 - 00:16:10:12

Thank you.

00:16:10:15 - 00:16:42:20

Yeah. James Preston, Preston farms. I'll try and be brief, and we will submit something in more detail. But to think about biosecurity from our perspective, there's probably three distinct groups of things that we're worried about. At the top is sort of high consequence notable diseases. So you know as was mentioned earlier, foot and mouth bluetongue is a major concern for us at the moment regarding sheep in horses. Equine infectious anemia. African horse sickness. So these are, you know, enormous magnitude.

00:16:42:22 - 00:17:24:25

Notifiable diseases which would close down the whole operation and potentially have enduring impacts on our reputation as a business to supply life science products. Probably underneath that you have a more common but severe and disruptive diseases. So that's equine influenza I think. Uh, hey, the farm manager mentioned that on on the site inspection. There are large a number of cases that, uh, at the moment. And that's something that we asked for vaccinations for and are monitoring very closely, strangles equine herpes, um, and, uh, other sort of respiratory bacterial infections.

00:17:24:27 - 00:17:55:04

And then the third one is, is the, the category that, that James Burton has just mentioned, which is more linked to the environment, soil and dust. And these are things that come through the system, I think. You walk through the quality and regulatory team on the site inspection. So we have about five staff monitoring this. As I mentioned, if any of these bacterial issues get into the blood product, they can lead to a misdiagnosis further down the supply chain.

00:17:55:17 - 00:18:07:19

And again, there's there's a sort of a long list of bacteria linked to that more environmental soil dust disturbance type issues. But we will put that in writing at deadline three.

00:18:13:00 - 00:18:27:29

And I sorry, James Burton says bioscience is the point. The point is that construction vehicles, construction equipment, it is in its nature. And what will be being done is soil is disturbed.

00:18:30:03 - 00:18:40:20

And it's the disturbance of soil and dust that increases the risk of the various diseases that were just described being transmitted into the supply chain of the of the operation.

00:18:41:12 - 00:18:53:28

James Preston, Preston Farms. Yes, yes, very much so. Particularly on that third category, but obviously can also touch some of the others that we've mentioned. Um, and yeah, we will, we will submit more detail in writing. Thank you.

00:18:54:12 - 00:19:04:02

Thank you, Mr. Griffiths. Um, how does the current set of outline management plans address that particular point around dust? Um, the soil disturbance.

00:19:04:25 - 00:19:23:04

Rich group is on top of that. Um, well, first of all, I welcome the extra detail that's been provided. It's something the applicant has been asking for a while, so I welcome the additional detail at D3. Um, I'm not going to answer that particular question. Now. I want to see what's being submitted in writing. I think it's only fair that we see what's submitted in writing on these points, and then we'll respond to deadline for.

00:19:24:00 - 00:19:25:01

Okay. Thank you.

00:19:28:25 - 00:19:29:14

Um,

00:19:31:14 - 00:19:45:19

Moving on. Some questions around Nettle Hill Farm. We will come back to Preston Farms and CCS, uh, in due course. Um, first of all, do we have anyone from the Claridge family present in the room or online?

00:19:54:26 - 00:19:58:15

If not, we can. We can post questions in writing it at a later date.

00:19:59:24 - 00:20:04:20

Uh, so I know that they were hoping to be here, but they had other commitments.

00:20:06:01 - 00:20:06:24

Thank you.

00:20:09:07 - 00:20:09:26

Um,

00:20:11:12 - 00:20:27:23

so again, in relation to the outline management plans. Um, the outline camp and damp also refer to the need to liaise to the Claridge family to minimise disruption and effects. Nil Hill farm. Um.

00:20:33:23 - 00:20:55:17

Related to that. There is a point around the the spring that the farm relies upon for water supply, and which is referenced in the clergyman's response to our first written questions, and was also identified on the ecology site inspection on Tuesday

00:20:57:04 - 00:21:03:10

in the applicant. Clarify how the client's family would maintain access to the spring, please.

00:21:10:11 - 00:21:23:00

Richard Griffiths on behalf of the applicant. So the applicant is committing to provide them with continued access to the spring and they'll be secured through the design commitments, which we'll be updating for D3.

00:21:23:29 - 00:21:25:06

Right. Thank you.

00:21:27:17 - 00:22:04:00

And a further question in relation to Knowle Hill Farm. Um, again noting the the arrangements of the solar PV arrays, uh, split across fields B8 and B9, um, which appear to do separate to uh field parcels um which may disrupt farming operations at Noel Hill Farm. Um, I'd just like to ask the applicant to explain the rationale behind using two parts of separate fields rather than one field combined, and whether any consideration around the disruption to the operations of Noel Farm has been taken into account.

00:22:20:20 - 00:22:21:05

So.

00:22:23:13 - 00:22:26:17

I just need to swap people around to a microphone. Um.

00:22:29:14 - 00:22:32:17

So Ruth Knight's on design and might hopefully

00:22:34:12 - 00:22:35:23

be able to answer that point.

00:22:35:25 - 00:22:36:18

Thank you. Yes.

00:22:37:03 - 00:23:11:05

Ruth Knight for the applicant. Um, so the the original thinking on that splitting of the fields was, um, around the amenity of the the farm complex and setting back the panels. Um, from the the farm building. Um, and that that complex to, um, effectively give them some visual separation from the, the proper property to the proposed development. Um, and to keep keeper and undeveloped space between the farm and the proposed development.

00:23:12:02 - 00:23:20:05

Okay. So the arrangement was to try and minimise visual effects rather than to minimize effects on the operation of the, of the farm itself.

00:23:20:27 - 00:23:24:02

Yes. That was the, the, the thinking at that time. Yes.

00:23:24:04 - 00:23:25:23

Okay. Thank you.

00:23:25:25 - 00:23:43:09

Sir. Sorry. Uh, Helen Hamilton from Clayton Solar Action Group. That actually doesn't make sense because, um, I think it was the bottom half of the fields that were going to be occupied by the solar panels, not the top pole, the the bottom half, which was closer to the farm.

00:23:46:14 - 00:23:48:03

And that can let's respond, please.

00:23:48:12 - 00:23:57:00

Um, sorry. The the the solar panels are in the areas of the field furthest from the farm. Um.

00:24:05:27 - 00:24:38:00

Uh. Sorry, sir. Um, Helen Hamilton played in the solar action group, the fields. As we were looking at them, I think, um, the applicant is confusing the fields as a whole. So the. So what we're talking about is the fields that were divided, um, and it was the bottom half that was to be taken with solar panels. The fields to the east of those, uh, are not to be planted with solar panels, but that that may be a different issue. That was perhaps to address the amenity concern.

00:24:38:02 - 00:24:42:11

But those are not the fields that we're talking about being divided.

00:24:48:13 - 00:24:49:16

I was the applicant.

00:24:52:07 - 00:24:57:21

Um, yeah. So, uh, the the splits occur, so B8 and.

00:25:01:03 - 00:25:35:13

Essar two, I believe it is, is the full extent of the field. So the split occurs so that B8 which is the higher part of the field or the part of the field closer to Noel Hill is the part of the field that is separated. Um, so that is developed and then SA two is the lower part of the field where the development is occurring. Apologies. I'm looking at the works plans. Sheet one of eight. Um, I don't have a library reference in front of me for that document.

00:25:58:18 - 00:26:10:15

Um, during the site visit, we were looking at to be 18 and be 19. Um, that was the, um, the fields that the clarity's were pointing out to us.

00:26:15:03 - 00:26:15:21

Amenity.

00:26:16:15 - 00:26:20:26

In terms of the the effect on splitting those fields.

00:26:21:07 - 00:26:36:06

Yes, yes. Sorry, sir. That night. On behalf of the applicant, that was. That's the fields that I'm referring to in terms of splitting those fields to create an offset from the the residential property at North Hill Farm.

00:26:42:18 - 00:26:44:24

The action group. Any further comments, please?

00:26:46:05 - 00:27:01:22

Um, only that the same could be achieved by, um, uh, using, uh, what's keeping 18 and removing 19 or vice versa. Sorry.

00:27:07:28 - 00:27:12:27

Choosing one of those fields or the other would have a similar effect in terms of amenity.

00:27:16:29 - 00:27:18:12

I'm sorry.

00:27:19:12 - 00:27:19:27

Mhm.

00:27:24:00 - 00:27:38:27

Um, yeah. Ruth knight. On behalf of the applicant. Um, so our rationale was that offsetting the development, a consistent distance from the residential properties was preferable in.

00:27:38:29 - 00:27:39:14

Terms.

00:27:39:16 - 00:27:44:23

Of the the visual amenity, um, effects of the proposed development.

00:27:46:05 - 00:27:54:15

Okay. Thank you. I think this is perhaps a matter of may follow up in writing. Um, unless you have any further points to raise from the action group.

00:27:55:05 - 00:28:11:17

Um, only Helen Holt, on behalf of Clayton Solar Action Group. Um, only that this seems to have been decided without any consultation with the farmer who may have, um, had more concern about the agricultural management than the amenity of the farm.

00:28:12:24 - 00:28:53:02

Noted. Thank you. Um, so moving on then, to item B in the agenda, focusing specifically on field E 23 and the replacement land that is proposed as mitigation in relation to field E 23, the applicant updated the design commitments at Rep 2-010, a deadline to to specify minimum width of 20m to create a corridor for grazing animals, and the applicant states that exceeds the minimum website of the guidance published by the British Horse Society.

00:28:56:27 - 00:29:28:09

To Preston Farms. I note your response to your first written question. 1.7.4 and support letters from a current and former veterinary surgeon suggesting that a quarter would not work, even second side or safety matters as an effect. Multiple corridors were required to connect eight separate gates a crossfield E 23, and it'll be useful to know precisely where those gates are and get a better understanding about the movement of animals across fields.

00:29:28:11 - 00:29:29:15

23, please.

00:29:32:08 - 00:29:38:26

Thank you sir. James Burton, on behalf of Preston Farms and TCS Bioscience, says, um, yes. Uh,

00:29:40:12 - 00:30:12:18

we will be supplying something at deadline three that gives you e 23, as we'll be doing with the Banks's Field by the access of Grand Prix Road. That shows you exactly where the gates are and, and the movements. And it will look like a bit like a cat's cradle, I suspect. So, um, I'll hand to Mr. Preston

in a moment. Um, I think, and I hope I'm not jumping ahead, but I think you already have the point that guidance for equestrians.

00:30:12:20 - 00:30:46:10

And to be fair, the applicant does acknowledge this. But guidance. Going through questions, I'm afraid it's completely irrelevant to our herds. Um, obviously it's irrelevant to sheep, but it's it's also irrelevant to our our natural state herds. And I, I believe that on your site visit, you will have seen one or more of the herds of horse and seen that you've got 60 to 70 animals, almost like in a in an old fashioned Wild West movie, you know, mustangs running across the plain type, type arrangement.

00:30:46:14 - 00:31:12:24

Um, you can't you simply cannot put them, um, in a corridor or that narrow. Um, I know the applicant says it wouldn't be between the solar panels, but it's just way too narrow. We've got two examples, actually, that can show you this is not something my clients have pulled out of their hat in response to this solar farm. They've been very consistent about that. Um, in terms of width. Can I just turn to Mr. President?

00:31:13:15 - 00:32:11:10

Yeah. James Preston, Preston farms. Um, two. Two slight, slight points and one. I'm sure the applicant will suggest that there will only be seven gates going forward, because obviously, they are taking some of the land. One of those gates leads to E 23, so eight is perhaps overstating it. It is Will if the uh project goes forward B seven, not eight. And and then I think second just to the, the letters that we put forward, that it's not an exaggeration to say that those two letters are from uh, one is our current named veterinary surgeon under the Home Office license, and one is from a person who previously acted in that capacity, is now totally independent, but voluntarily sits on our Animal Welfare and Ethics Review Board, which is again a compulsory part of our Home Office license.

00:32:11:12 - 00:32:22:03

So they are two people who are unparalleled in how well placed they are to understand what we do and offer, in my view, a judgment on that specific issue.

00:32:24:18 - 00:32:25:14

Thank you.

00:32:25:22 - 00:32:27:19

Can I say something about the other example?

00:32:29:01 - 00:33:00:28

Uh, yeah. Yeah. With the other examples, we can, um, we will add something in at deadline three. Sorry. Uh, one, uh, is an example that you perhaps inadvertently saw when we were looking out from from Zion Hill Farm. Um, he mentioned that there was an area fenced list linked to the national grid, um, re cabling that has been deemed not appropriate for horses.

00:33:01:00 - 00:33:34:11

That is roughly about 65m wide. Uh, and then the other one is linked to the replacement land. Now, initially, we, um, we didn't have access to the replacement land. That that has been remedied. Um, but

really, at the moment, as we've said, that there is no access. It needs a lot more work. I'm not trying to make that point, but just a desktop exercise. Uh, that that link to the replacement land, if you look at it on a map, is over 80m wide.

00:33:34:13 - 00:33:51:07

So, so we can submit that the next deadline. But but just to say when we actually are there on the ground and understand the terrain and, and the surroundings for animals to move through there, it might be that we, we still say, look, this needs to be tweaked somewhat. That's, that's only a desktop exercise so far.

00:33:51:27 - 00:34:09:29

So I hope so that that that's clear. The point is the farm have deliberately not used the land fenced off by the national grid pylons, which is 65m wide, because that's too narrow. Um, and my point is they've done that anyway, irrespective of of the solar farm.

00:34:11:12 - 00:34:17:28

And is there a minimum width that would be appropriate for such corridor if a corridor was to be a workable solution?

00:34:18:18 - 00:34:30:26

Well, in this in discussions, they explained to me that the width that's presently being proposed for the access land is. That is the minimum. I think that I actually scaled it off at 89m.

00:34:31:21 - 00:34:47:03

Yeah. I it's it's about 80 plus ish meters. Um, so as I said, we think that that looks okay, but we'll need to actually see when the full access has been made because at the moment you can't access the parcels. And it's just from a kind of a map view.

00:34:48:06 - 00:35:12:07

Thank you. And given seven gates you refer to now with the number of gates, would a single corridor be effective. Would that would that still work to connect those gates? Is there any option for a single corridor to to serve the same function as what you have at the moment to move animals through the fields and through the seven gates.

00:35:13:12 - 00:35:53:23

Um, James Preston, Preston farms. I think the answer is no. But you know, again, the idea that this has been designed for us in mind. It's it's just been words. It was ten metres. Now it's 20m. Certainly one diagonal route would not enable us to access, particularly as highlighted in our written representation, the fragmented land that we show on a map. I think if it was the case that, uh, it is a code around the whole field, you know, but but then again, that's it's not going to be suitable to sort of bunch a herd of largely native type horses into a, into a corner unless it's sufficiently wide enough.

00:35:54:01 - 00:36:01:12

Um, so in terms of there being one corridor. No, I don't believe that makes sense.

00:36:03:03 - 00:36:07:15

Thank you. Mr. Griffiths. Do you have any response to those points, please.

00:36:09:00 - 00:36:41:12

Rich Griffiths, on behalf of the applicant. Thank you sir. Um, uh, I welcome the movement plan. As I said earlier. We have been I think our response on written on the written representations makes clear, and we welcome as much information as possible. We have been asking for this. Uh, I'm not sure why documents like that can't be provided to us at earlier, either before the examination or indeed at D2. But we welcome, um, the, uh, the movement plan. Uh, I don't think my clients have heard the 80 meter reference before.

00:36:41:14 - 00:36:48:29

It's the first time we've heard that in the hearing. Um, so all I can say is that, uh, we are. We're not proposing

00:36:50:15 - 00:37:14:08

the design of the of the. I'm not sure corridor is maybe the right word, but designing the access through the field, um, in conjunction with, uh, Preston Farms. That's the commitment. Um, we will take the movement plan when we see it. Uh, and take and consider it further. When we have that information, to see what more we can put into the design commitments to reflect their needs.

00:37:15:08 - 00:37:23:08

Thank you. It may be a matter that warrants further discussion outside of the examination as well. Rather than waiting for deadlines, and that sharing information might be a useful step forward.

00:37:24:02 - 00:37:25:18

Absolutely agree sir. Thank you.

00:37:36:00 - 00:38:11:19

And then again to the applicant in response to the point raised in Preston Farm, submissions from the veterinary surgeons around the type of horses that are on on Preston Farms, he may not have the same behavioural traits as a as a horse that is, that is ridden and handled on a daily basis by humans. In that context, how applicable is the British Horse Society guidance in managing effects for those horses who may not behave in the same manner may become more erratic or stressed.

00:38:19:22 - 00:38:59:11

Richard Griffiths, on behalf of the applicant, um, I must say I'm going to be straying slightly out of my my knowledge of equine specialist. Um, all I can say is that, um, the applicant has taken the best available evidence that has had before it. Um, we've gone above that. We're we're continuing to talk to Preston Farms to understand. Um, and that's why I welcome the additional information. And we take your points to continue talking outside those deadlines, uh, to design solutions that allow both organisations to coexist.

00:38:59:13 - 00:39:04:26

And that is our that is our commitment and our desire to to deliver that.

00:39:06:18 - 00:39:09:21

Thank you. Mr. Burton, do you have any further points on this?

00:39:09:23 - 00:39:14:26

I do, thank you. James Burton for Preston Farms and TCS Biosciences, sir.

00:39:18:15 - 00:39:31:26

The applicant, I'm afraid, is not taking advantage of the best available information before it because the best available information before it regarding the

00:39:33:22 - 00:40:09:03

potentially unique in the in the in England and Wales, I'm not sure. And nature of these these horses certainly I cannot recall seeing a herd of effectively wild horses trotting around fields. The best available information regarding these animals comes from my clients, and that can be demonstrated in a couple of ways. Um, the position at the. Yes, as you know, is that, amongst other things, the applicant hadn't assessed the impacts on horses and sheep.

00:40:09:13 - 00:40:42:04

Um, the applicant has now done some. It's done Dan now done some, some work. And the outcome of that work, and it's in the technical note to its response to the written representation as appendix one is, there isn't any data regarding horses like these. There's data regarding equestrian as, as you would expect. Um, we can all see that a horse that is accustomed to being handled, ridden and so on and so forth is going to be a very different animal to one that's in a, in a wild herd.

00:40:42:06 - 00:41:12:00

And so the the answer for AI purposes or the other purposes is to listen to the best evidence, the best information. And in this very unusual situation that is my clients and and I'm afraid whilst they're speaking and have been speaking for years, they still don't feel they're being heard. If they've been heard. No one would have proposed a 20 metre movement corridor and all the other things, sir. Thank you.

00:41:14:22 - 00:41:15:16

Thank you.

00:41:21:26 - 00:41:49:15

A point of clarification to the applicant. If a corridor was deemed to be an appropriate means of mitigating effects on Eve 23, would that corridor also be in place during construction to help manage the effects of the primary construction compound, which might be in field D 23? Or is that just an operational stage? Mitigation.

00:41:51:05 - 00:41:59:15

Richard Griffiths on behalf of the applicant. Now it would be for construction and operation. It's my mind standing for both. Yes.

00:41:59:17 - 00:42:01:01

Yeah. Okay. Thank you.

00:42:05:03 - 00:42:13:18

Depression farms. Have any comment on that particular point in relation to the corridor during the construction phase to mitigate the effects of the construction compound?

00:42:14:20 - 00:42:41:23

James Preston, Preston farms. I'm trying not to be despondent, but I don't understand the prospect of us moving the animals we've described through through the middle of a construction site how that's appropriate, you know, without without that. Um, we yeah, it leaves us in a very difficult situation. I don't understand how that works.

00:42:43:08 - 00:42:44:01

Thank you.

00:42:47:13 - 00:42:48:11

Mr. Griffiths.

00:42:49:17 - 00:43:17:16

Give us on path the applicants. Um, well, the replacement land would be would be in place at that point. And I set out Alex won, we've also offered to Preston Farms. Um, uh, that there could be other land that we could make available. Um, as well. So we're trying to move the conversation on to reach that an agreement where we, if we can on on on, on on mitigation.

00:43:20:11 - 00:43:58:15

And I would also just add, as I said earlier today, that, um, the construction program will be ready at least at least 12 months in advance. Um, where we want to liaise and discuss, um, what that looks like. What that means for, um, certain fields. So it's not a 24 hour or one month, that is at least a six months and in advance and and potentially even longer than that. So there'd be plenty of notice regarding, um, regarding, um, when the construction activities are taking place to allow various mitigation measures to be instigated.

00:44:00:09 - 00:44:02:17

Thank you, Mr. Burton.

00:44:03:14 - 00:44:40:03

Thank you sir. Um, I hear what Mr. Griffiths says. Um, James Burton, part of Preston Falls, and he says biosciences. I hear what Mr. Griffiths says. Um, and he draws us attention to potential, uh, temporary replacement land as well as the actual replacement land. Um, obviously, we're interested to hear more about that, but, um, the question arises for both of them. Um, which I would invite you to ask the applicant. Um, if if these are available now, why why is the I mean, certainly in the case of the replacement land, which is permanent.

00:44:40:08 - 00:44:47:06

I propose to be permanent. Why isn't the applicant putting it solar panels on those rather than on e 23?

00:44:52:18 - 00:45:22:03

We will be coming on to the to replacement lands shortly, so perhaps you could revisit that point in a moment or two. Um, continuing on A23, just for the moment, though. Um, and just to provide some useful context to this discussion. Um, it will be used to know from the applicant, perhaps as an action point, um, if it could confirm the amount of energy generation proposed from field E 23.

00:45:24:09 - 00:45:26:10

If that could be an action point for deadline three.

00:45:28:21 - 00:45:32:29

Which Griffiths on behalf of the applicant. Yes. Or will confirm the energy generation.

00:45:33:07 - 00:45:34:01

Thank you.

00:45:37:05 - 00:45:38:06

Mister Preston.

00:45:38:10 - 00:46:12:04

Sorry. James Preston, Preston farms. Just just one final really quick point. You know, we don't have a really malleable business. We have one that's been designed over 60 years to produce a high quality product that is devoid of contaminations. You know, we also have specific sites that are linked to those donations. And as I said, the Home Office license extends over our establishment. The idea that we can just move things around easily without increasing risk of all types, security, biosecurity.

00:46:12:14 - 00:46:28:12

Um, is is just not realistic. So, you know, we we continue to want to work with the applicant. We as have said, we we are asking for very minimal changes. I don't understand why they're not willing to consider our points on E 23. Thank you.

00:46:28:27 - 00:46:30:08

Thank you, Mr. Preston.

00:46:31:28 - 00:47:05:07

I would like to respond to that now, or I'm going to move next in to replacement land. So perhaps we can pick things up there. Okay. Moving on then. And in relation to replacement lands to be provided by for tenants on the on the Clayton estate, the applicant's response to our first written question, Q 1.7.8 states that the heads of terms replacement land provided in land swaps far exceeds the provisions of compensation under the Agricultural Holdings Act 1986.

00:47:06:09 - 00:47:13:18

Can the applicant just elaborate on how the provisions of compensation under the act are exceeded with the replacement land, please?

00:47:19:21 - 00:47:20:12

James Dewey.

00:47:20:14 - 00:47:24:16

On behalf of the applicant. Yeah. I think under the Agricultural Holdings Act, the.

00:47:24:19 - 00:47:25:04

Fairly.

00:47:25:06 - 00:47:42:18

Limited provisions in terms of compensation limited to two terms and things like that. I think going above and beyond by offering replacement land, um, goes way above and beyond what those terms of those provisions in the Aha would have been. I can give more detail in writing if that would help.

00:47:42:20 - 00:47:46:24

Yeah, I think that would be helpful. Please. Yes. Deadline three. Yeah. Thank you.

00:47:48:15 - 00:47:51:14

Mr. Burton, do you have any comments on that particular points?

00:47:51:16 - 00:48:13:22

I do. James Burton for Preston Farms and TS Bio Sciences. Um, the, uh, the whole point of the Agricultural Holdings Act is it's incredibly difficult to force a farming tenant off as as I understand it, sir. Um, certainly we'd welcome some clarity, because I'm not sure what you've been told really captures the reality.

00:48:14:22 - 00:48:30:24

Mr. Jerry James, on behalf of the applicant. Yeah, a valid point in that the land that we're talking about is, of course, under a farm business tenancy, not an agricultural holding Act tenancy. Um, so. So, yeah. Um.

00:48:33:29 - 00:48:34:27

Mr. Burton?

00:48:38:15 - 00:48:52:29

Sorry. James Preston, Preston farms. I'm not quite sure what the the question or. The point is, I thought it was to do with aha terms, but now it is this as per earlier with if we're forced off the FBT? I'm sorry.

00:48:53:29 - 00:49:23:06

But the question to the applicant was, as it stated in response to written questions, that the replacement land exceeded the provisions that were provided under the Agricultural Holdings Act. And I was looking for clarity as to how it goes beyond what would be required under the acts in terms of the provision of replacement land. And the applicant has tried to set out how that would be and has offered to provide more detail in writing at deadline three. So that's that's where we are. And that's what I was seeking some feedback from you on, so I apologize. Is that wasn't there?

00:49:25:00 - 00:49:29:11

Sorry. I think we better see what the applicant comes back with. Sounds like. Yeah.

00:49:29:13 - 00:49:33:13

Thank you. Yeah, that'll be helpful. Thank you. So again, we'll note that as an action point.

00:49:37:01 - 00:49:50:18

Um, it would be helpful please, at this stage, if the applicant could please share map B, which is on page 31 of Preston Farms and seeks biosciences written representation.

00:49:52:11 - 00:50:06:22

There we go. Thank you. Um. Which shows the outline of Preston Farms current holding, I believe, and the location of the replacement land as proposed.

00:50:08:15 - 00:50:38:06

Um, first of all, can the Preston farm. Sorry, just outline how if it knows how the replacement land would be used. Um, and also summarize any concerns that it may have with its, with its suitability in terms of how the business operates at the moment, particularly in terms of the requirement to move individual flocks of animals that need to be segregated around the farm holding, as we observed on the site inspection.

00:50:39:03 - 00:51:19:20

Uh, James Preston, Preston Farms, um, so I guess in the first instance, I believe the land is mostly currently arable, and I think this is just a small point to mention because the applicant confuses arable and our terms. We don't grow crops to sell like an arable farmer does. Everything is used for food production, whether that is summer grazing, sometimes winter food production and later summer grazing. Um, and and so in terms of what we need it for, which is for the use of our of our horses and sheep, it currently doesn't have the fencing.

00:51:19:29 - 00:51:50:05

Uh, there's currently no physical access. You can see that the sort of link that has been attached to it, that's the link that we mentioned is least, um, 80m, you know, as as it currently stands, it is not accessible. And even when access is granted, it is not a substitute for the role that E 23 plays as, as the linchpin of the center of the farm. As you can see from the map. The other thing to highlight is that, um, you know, there is no there's no housing there.

00:51:50:07 - 00:52:19:01

So this again goes into some concerns around noise, visual glare at Zion Hill Farm where we're at the site inspection. You know, you're you're moving animals up to an area where they have no winter housing. So that that, again, is a worry for us, particularly if our, our, our concerns around the audio visual noise glare, um, are founded. I'm conscious I might not have answered all the bits of your questions, so please redirect me if if needed.

00:52:20:01 - 00:52:50:09

Um, yes I guess. Are there any, um, a Kingston stand wasn't a key message I took from the currently site inspection was that there's a very precise operation in terms of moving the different groupings of horses and sheep that need to be segregated at all times, and that seems to be a very highly controlled and restricted process to make sure they are separated. Um, I was just keen to understand whether or

not the replacement lands presented any difficulties in achieving that objective, given its out on a limb in effect. Yeah.

00:52:50:11 - 00:53:24:12

Yeah. James. Past and present. Farms. Yes. That is exactly correct. We, um, are obviously very grateful for the replacement land, considering that the land that is being lost. But in terms of functional operational elements like that, we have have no real answer at this moment in time. As I said, you actually still can't access the land from where we are. It needs significant groundworks to lower it, fencing water. Um, so we haven't even got to that part before we get into the operational movement and rotation of animals and how that works.

00:53:24:14 - 00:53:45:09

Back to a donation centre, that is, that is further out on a limb. But I would just like to reaffirm that we are nonetheless very grateful for the replacement land. Without it, we would be seeing a significant hit to the number of animals estimated originally when discussed at a third of the horses. We have, um, and, uh, us.

00:53:46:25 - 00:54:21:13

Can I just just add something? Um, please. James Burton for Preston Farms and, um, I, of course, Mr. Preston is is very grateful. And he's going to keep saying he's very grateful. And I imagine you'll understand why he's so keen to make sure that the Clayton State can hear. He's very grateful. That can't gild the reality of what's going on here, though. Um, and just, um, just want to make this point, which is slightly tangential, but it's I think it's important to just conceptualize this correctly for your for your decision making.

00:54:22:15 - 00:54:55:15

I suspect that one of the ways you may be thinking about this, um, I refer to, but for scenarios. But another way we might think about this is in terms of, um, fallbacks. And um, Is the fallback, a real one, and so on and so forth. Um, if the solar farm was not coming forward here, it is very difficult to see how the fallback would be that my clients would be losing A23 and the and the land that they're losing.

00:54:55:17 - 00:55:02:01

And I do wonder whether that is a way to to start thinking about it in traditional planning terms. Thank you sir.

00:55:02:26 - 00:55:03:24

Thank you, Mr. Burton.

00:55:03:28 - 00:55:05:19

Can I just come in on that, please?

00:55:05:24 - 00:55:06:13

Please do.

00:55:06:15 - 00:55:40:17

Richard, give us one path. Applicant. Um, uh, we're clearly going to be disagreeing here with the with Preston Farms. Um, as it's not a surprise, but it comes down to, um, uh, the fact that a a owner of freehold land has made a decision, uh, as is as they are entitled to do, uh, on how they want to use their freehold land. And they have made a decision that they want a a certain, um, uh,

00:55:42:09 - 00:56:12:25

income from that land or, uh, helped the benefits with climate change to use that land in a particular way, in this case solar. As a result of that decision, the estate has made. They have served. They have served on Preston Farms. A notice to quit and following the signed heads of terms, um, to move, to relocate that business to another part of their estate that is entitled that the landlord is entitled to do that.

00:56:14:26 - 00:56:16:24

And that's, that's that's the position.

00:56:19:02 - 00:56:44:14

Thank you, Mr. Griffiths. And could you comment in particular on some of the potential practical issues that the replacement land may bring about in terms of the operation of the farm, and also what may need to be put in place to make the replacement lands suitable. So in terms of the housing for animals. Fencing and related infrastructure. Can you provide any further comment on those points please?

00:56:44:16 - 00:57:09:12

Richard Griffiths on the applicant. Um, my understanding is there are ongoing discussions between the estate and the and Preston farms regarding, uh, the provision, access and and making that land suitable. So those are ongoing discussions and active discussions. Um, uh, as we speak, the legal documents are securing with this with Preston Farms at the moment. Uh, uh, for for finalization.

00:57:10:14 - 00:57:15:22

Thank you. And our civil discussions being held in relation to Knowle Hill Farm and the replacement land for that as well.

00:57:25:20 - 00:57:37:27

Richard Griffiths on behalf. Yes, that is correct. Um, we we understand we think we've hopefully agreed the final two points, uh, with Noel Hill Farm and the documentation is with their lawyers as well.

00:57:38:27 - 00:57:39:21

Thank you.

00:57:40:23 - 00:57:43:21

Sir. Sorry. Can I, can I? Can I come in, sir?

00:57:43:23 - 00:57:44:23

Mr. Burton? Yes, please.

00:57:44:29 - 00:58:18:24

Thank you. Thank you very much, sir. Um, um, James Burton, president of farms DCS Bioscience, is just, um, with a with a with an avowedly planning hat on. Um, I know that my clients haven't. I know because I discussed it with them. They haven't yet begun to think through whether they would need planning permission for the necessary built infrastructure for the for the replacement land. Out on a limb. As a as it is, there are all sorts of things that they haven't even opened the box on yet.

00:58:22:09 - 00:58:33:07

Mr. Griffiths, does the applicant give any thoughts, those those issues in relation to any necessary planning consents that may be needed to bring the replacement land up to a standard where it's usable?

00:58:34:18 - 00:58:48:25

Would you give us on behalf of the applicant? As I said, ongoing discussions are happening between the estate and and and Preston Farms, and I welcome as much information as they feel Preston bombers feel they can disclose to this examination at deadline three.

00:58:50:27 - 00:58:51:21

Thank you.

00:58:53:18 - 00:59:10:19

Um, before we move away from fields A23 and replacement land, are there any final points on those two issues that Preston Farms would like to raise? With the caveat that we will be going back to noise and air quality under those separate agenda items.

00:59:12:23 - 00:59:44:16

Thank you sir. James Burn for Preston Farms TS Bio Sciences I think the only final point from my perspective I'll turn to to to Mr. Preston and Mr. Williams in a moment. Is that, um, what the landowner has done now in terms of my client's landholding would not be happening. Clearly would not be happening if the applicant wasn't telling the Claydon estate that they needed field A23.

00:59:44:25 - 00:59:55:28

If that was removed from the proposals, then realistically the Claydon estate would would not have been serving a notice to quit or anything like that.

00:59:56:19 - 01:00:27:18

Mr. Preston um, no, I think it really probably goes into to to the later ones around soil disturbance, but it's just to sort of highlight the impact that with A23 in, um, we have, I think it's nine fields interface with the project, whereas without there are only four, um, which you can see from uh, also with the prevailing wind from biosecurity, all the additional things that we've said that obviously significantly reduces the impact to us. But perhaps I'm coming in too early on that.

01:00:30:22 - 01:00:31:22

Mr. Preston.

01:00:33:16 - 01:00:36:05

Mr. Gerrard, did you have anything to say at this point?

01:00:41:00 - 01:00:49:12

Richard? I think I've made my point. So I'm not going to prolong this discussion given the other agenda items.

01:00:50:17 - 01:00:51:11

Thank you.

01:00:55:10 - 01:00:58:05

We shall move on from agenda item eight then.

01:00:58:07 - 01:00:59:12

Um, sir.

01:00:59:14 - 01:00:59:29

Sorry.

01:01:00:01 - 01:01:27:06

Oh, apologies. Sorry, Richard. Um, I was just looking at the agenda, and I just wondering whether, given we have at the table to avoid musical chairs. Um, just wondering whether we do noise, then air quality, then move up to soils and then to health. Um, because we have at the table, uh, noise and, um, air quality. Uh, so it makes logical sense to try and do that in that order, if that's possible.

01:01:27:18 - 01:01:58:18

You've also just reminded me that I forgot to omit to discuss how we're going to approach this afternoon as well after lunch break, which I promise to do, and I'll do that now. I mean, our approach was that we try and get through as much as we can. Um, today, given I'll push for time, but we will do our best in the time we have left. Um, it may well be that we need to take some additional questions in writing in second written questions, which is due in two weeks time. Um, so that may be the approach that some of those questions fall back into that research and um, stage.

01:01:58:22 - 01:02:05:13

But we'll do our best in terms of how we're going to reject the agenda though. Did you suggest noise next?

01:02:06:07 - 01:02:06:26

Correct.

01:02:09:01 - 01:02:13:03

I say noise and human health. Uh, together effectively.

01:02:15:22 - 01:02:40:13

In your standing on behalf of the applicant, we just note, sir, that the agenda items which are listed under noise and human health are generally related to the topics that we have been discussing with TCS Biosciences. So our experts are already at the table. Our experts recoil behind me. Our experts at

air quality are in the audience. We can certainly rejig it with more just for practical purposes, so we don't have to keep moving our own seats.

01:02:56:05 - 01:03:16:13

Perhaps noise and air quality suggest that in the sense that then that would cover off some of the remaining symptoms of items that we may have where discussion with Preston Farms would be helpful. Um, and then follow on from, from that point to noise, air quality.

01:03:18:02 - 01:03:29:10

If you're selling on behalf of the applicant. Yes. Thank you sir. Air quality expert has now just joined us at the table as well. Right. So I think I think we've got everyone in the right place. If not, we'll move quickly.

01:03:29:12 - 01:03:33:18

Thank you. Okay. Mr. Gazelka, I'm sorry. Yes.

01:03:33:22 - 01:04:23:12

Thank you sir. Just be done for the council. Just before we moved off, that and, um, maybe I'm getting form for doing this. Going back to something that was said at the start, but is relevant to what we've just, um, we've just seen we've obviously had a focus on TCS Bioscience is here. And Mr. Griffiths said right at the start, you know, actually all of this is addressed in their relevant ES chapter on this. And the detail is there just just to reinforce the point that the council made at the start and was made by Anna Morris, that this level of detail, it just none of the documentation that's provided goes to this level of detail about, um, your reporting of groups and multiple businesses and the combined receptors, um, the receptors, when actually addressing this issue.

01:04:23:14 - 01:05:00:20

And we think that really this reflects a lack of transparency in how this issue has been addressed in the U.S.. I'm not inviting us to go through it now, and it's something that maybe we will put in some written points on. It would likely be a default or D3 given we'd want to see what's going to come in at D3 on this, but just it's just because we raised it at the start. I mean, I think Mr. Griffiths said no, it is all there about TS Biosciences, and we don't accept that. We think that this should be done in a lot more detail. And it's been done in a rather cursory way, of which TS Biosciences are possibly the sharp end of that experience.

01:05:01:26 - 01:05:12:26

Thank you, Mr. Gazelka. Mr. Griffith, you did respond to that point earlier. But in the light of what we've heard since then, is there anything else that you'd like to add in terms of the overall approach to the assessment and the level of detail?

01:05:13:27 - 01:05:22:17

Mr. Gibson? No, I mean, we'll we'll, um, if we if we see anything further from the council at D3 will respond to coordinate inviting.

01:05:23:16 - 01:05:24:12

Thank you.

01:05:26:04 - 01:05:31:01

Okay so moving on to agenda item ten then noise and vibration.

01:05:49:16 - 01:06:24:18

I'm looking at the level of detail in mitigation in relation to noise as a first point. Um a note from Buckinghamshire Council's comments on the applicant's deadline. One submission that's rep 2-089 that it welcomes the outline, the updates, the outline operational environmental management plan. But the compliance with thresholds preclude the potential for significant residual effects in terms, particularly in a very low background noise environment and respect to the rights of way And tranquility is not fully addressed.

01:06:25:07 - 01:06:52:26

The Council states that further assurance is required through the detailed Olymp, and it will comment on this when it's available. Just a point clarification to the council, as the detailed map would not be available until the discharge requirements. If the if development is granted consents. Is the Council satisfied with the level of detail provided in the outline now? And if not, what is it looking to be included at this stage?

01:06:53:28 - 01:07:25:19

Um thank you sir. Daniel, for the council. I'll bring in. Hopefully he's there in his court. A slight change in ordering, uh, Charlie Robinson, who is, um, our environmental health, um, expert on this matter. I think just just to start from the top there, I think one of the points that we were drawing the distinction from was this point about the approach to background levels and setting of levels and souls on the one hand, and then how you assess against a very, very low background, which you'll know from a British standard.

01:07:25:27 - 01:08:01:12

Um, deals with these issues about, you know, if you take into account the absolute magnitude change in noise or you take relative changes, which is really a problem when you're looking at, um, areas with a high level of tranquillity. Um, and so that's where this concern comes from. But hopefully I've now given Mr. Robinson enough time to be sat in the chair. Um, and so if I can go to Mr. Robinson, who I can see has just, um, come on to camera and just looking specifically at this point about mitigation and the outline plans, um, either, um, Mr.

01:08:01:14 - 01:08:02:18

Robinson. Yes.

01:08:02:20 - 01:08:05:24

Yeah. Thank you very much. Charlie Robinson for Buckinghamshire Council.

01:08:05:27 - 01:08:36:28

Um, yeah. I think, um, Mr. Gazelka has done a good job there in summarizing the concerns. Really? Um, I did have a relatively constructive, uh, meeting with the applicant, acoustic Station about a week or so ago. Um, and I've had some further information over around some other points which we may

well come on to. Um, but I think at this point the council still has some residual concerns, really, from a point of view of of the significant low background of the area that we're looking at here.

01:08:37:07 - 01:09:18:18

Um, I completely understand and appreciate the approach that the applicant has taken in terms of setting a 35 DB sort of threshold because of the the significant low background, um, which is an approach that's sort of accepted across the board when we're looking at assessments in, in this type of situation where you've got that low background level. Um, however, we have identified and noted from the applicant's assessment that there are a number of residential, uh, receptors that, um, are going to be are predicted to experience, uh, increases of around nine, ten and 11dB above background level.

01:09:18:27 - 01:09:20:29

Um, excuse me for a moment.

01:09:23:15 - 01:09:57:17

So from that perspective, we do have some residual concerns because, um, when we're looking at BS 4142 alongside the EIA, uh, sort of scope, uh, we need to take into context and obviously the nature of the, the noise that's going to be experienced, um, as a result of the character of the noise, um, is going to be significantly different to what's existing in, in the environment there. And a ten, ten and 11dB increases, uh, of concern to us still.

01:10:00:05 - 01:10:35:04

I don't know if it might help that there. So, so so jumping on that, I think the point is that, um, we would if there were more scope to mitigate those effects, even though they are, you know, below Seoul or whatever. You know what, whatever the position is from a sole and lower low perspective, but we have these absolute increases that are so large. I think that's what Mr.. Um, Mr. Robinson is referring to as the point where he would still seek to address in mitigation. And I take the point and I think it's the correct point, which is that's really still an outlying point, not a detail point, because obviously you will set.

01:10:35:06 - 01:10:41:11

We set the parameters at the outline stage. Um, so hopefully that then gets to the question that you are asking.

01:10:41:13 - 01:10:42:29

Thank you. It does. Yes.

01:10:44:17 - 01:10:48:19

Mr. Griffiths, does the applicant have any comment on Miss Stirling. Sorry.

01:10:48:29 - 01:11:01:02

Amy Stirling on behalf of the applicant. I can pass it to Mr. Mark Underhill, who's our noise consultant for the project, who has some comments to add. And then we have some follow up, depending on what Mr. Underhill has to say.

01:11:01:04 - 01:11:01:26

Thank you.

01:11:02:15 - 01:11:33:02

Mark on the Hill for the applicant. Um, in line with the British Standard, which is for one for two in the sense for assessing commercial industrial sound. The standard notes that where both background sound levels and rating levels are low. The absolute level is, is as or more important than the relative change between the background and the and the predicted level. Um, as a result of this, it suggests that in that instance, um, absolute levels would be more appropriate.

01:11:33:04 - 01:12:11:07

And and the Association of noise and noise consultants suggest a level of 35, a rated level of 35dB absolute would be applicable and appropriate in that instance. That is what's been adopted in this. At that level, we wouldn't be exceeding a low threshold. And then therefore noise, noise, um, may be heard, but it wouldn't cause a change in behavior, attitude or a physiological response. There may be a small effect on the character of the of the local environment, but not such that it would cause a, um, an impact on quality of life.

01:12:13:05 - 01:12:16:15

Mr. Kosaka is a counselor. Any further response, please?

01:12:16:17 - 01:12:51:02

Um. Thank you sir. Yes. Daniel Gazelka for the council. I'll bring him Mr. Robinson again. But obviously just to flag what the British Standard, um, says of relative versus absolute increases. Is, um, as or more important. And we say that's particularly pertinent in situations where you have such low background noise. Um, the reality is that you are going to see an uplift of ten decibels in some areas, which if you excluded the setting of the baseline at 30, 35, um, would be significant, would be obviously be assessed as significant.

01:12:51:06 - 01:13:12:02

Um, and so that is what we're trying to pick up is this idea. But yes, we accept so low um, a mess. But it's about bringing things down as much as they can, when people will genuinely experience a change in, um, the, um, the way that they experience this tranquil setting. Um, Mr. Robinson, are you do you have anything to add on that?

01:13:12:07 - 01:13:40:00

Yeah, just one small point. So, um, I just referenced that in BS 4142. In these sorts of circumstances, it does emphasize the importance of context. Um, and I think the context of the tranquil nature of the existing, um, soundscape and then the, uh, characteristic of the the introduction of the proposed noise is significant context for us to consider. Alongside that ten and 11dB increase. I think that's all I'd have to add at that point.

01:13:41:01 - 01:13:50:01

Thank you. Can you deal with a pointer on the context plays in relation to the relative tranquility of the of the surroundings, the.

01:13:50:25 - 01:14:15:03

Context in terms of tranquility, the actual settings, the residential settings are affected by, um, manmade sources. And therefore it may be less about tranquility, albeit it might be more about it is a quiet area, and therefore that is what's reflected in the in the absolute levels that have been adopted for the assessment, which are consistent with other DCO schemes of this nature.

01:14:19:06 - 01:14:23:18

Thank you. Um, I know that, Mr. Gazelka. I'm sorry.

01:14:23:20 - 01:14:57:29

It might just us, Gazelka for the council. It might just add to add one thing as well, which is the, um, point about this applies not only to residential settings, but also, um, amenity areas outside, including footpaths. Um, obviously, I've seen the position of the applicant on footpaths, which is all transient, which in principle, you know, you do walk down footpaths, but there is still an amenity effect on footpaths, which again, I know Mr. Robinson who might want to comment on this as well. Um, that is so an effect on how you use those, um, assets in the area.

01:14:58:01 - 01:15:17:10

And obviously there are some quite significant footpaths, including the Birchwood Jubilee Way and things, um, assets of that nature, which are close to the best which are allowed, etcetera, etcetera. So it's that entire picture of how people use both their homes, but also footpaths, etc.. I don't know, Mr. Robinson, if you have anything else to add.

01:15:18:09 - 01:15:29:00

Just before you do, sorry, the footpath point. I will become on to that next. So if there is a footpath comment I can pick that up in the next question if that's okay. Unless there was anything else that you wanted to raise.

01:15:31:03 - 01:15:41:08

Sorry, Mr. Danny, for the, um. Not for the applicant. For the council? Um, no. We'll just. And that is where part of the concern about mitigation comes from.

01:15:42:02 - 01:16:22:09

Sir, if I may, Amy Stirling, on behalf of the applicant, just to sort of bring the discussion altogether. Um, I could perhaps understand that there seems to be, you know, a technical, um, misalignment as there was an appropriate threshold whether or not it's in the increased level or whether or not it's an absolute level. I could perhaps understand the concern that if the only mitigation we were relying on was requirement 14, which sets a threshold for operational noise, which is 35dB during the night time, but that is just one of the many noise control mitigations that the applicant has put forward, and which ultimately Buckinghamshire Council and their role as a relevant local planning authority will control at the detailed design stage.

01:16:22:11 - 01:16:56:14

So, requirement 12 Operational Environmental Management Plan will the Outline Operational Environmental Management Plan has a host of commitments within it to manage operational noise, including that noise emitting equipment will be defined as part of the detailed design and we will look for alternative equipment specifications, etcetera, etcetera, etcetera. You know, the Buckinghamshire

Council will have entire control of discharging that requirement or not, depending on if they are satisfied with the mitigations that the applicant puts forward at detailed design. So I just want to be absolutely clear that we're not entirely just relying on the 35 DB.

01:16:56:16 - 01:17:03:05

There are a whole host of mitigation measures put forward that the council will be able to rely on at detailed design stage.

01:17:04:09 - 01:17:05:06

Mr. Gazelka.

01:17:09:20 - 01:17:26:15

Daniel Gazelka for the council. Um, obviously the council does appreciate, but that is the position where it's not just those limits, but, um, I'll. I'll bring in Mr. Robinson if he has anything else to add on. Um, particularly mitigations before we, um, move on.

01:17:26:27 - 01:17:57:26

Um, yeah. Charlie Robinson for the council. Um, no major comments to make. Although I think it's, um, a good point that's been raised by the applicant and the the importance from our perspective in terms of the detailed design, but also throughout operation, things like, um, continuing monitoring, um, complaints procedures, maintenance and those sorts of aspects. Um, which we, we understand have been sort of outlined in the applicant's proposals. Um, which we would obviously support. Very much so, but no other comments at that point.

01:17:57:28 - 01:17:58:17

Thank you.

01:18:00:09 - 01:18:02:20

Thank you, Mr. Jordan.

01:18:04:08 - 01:18:07:17

Thank you, sir. Chris Jordan, on behalf of East Claydon Council.

01:18:07:29 - 01:18:45:24

I would like to contest the fact that residential receptors are subject to a lot of man made noise. I mean, if you have if we have visitors in our homes. One thing that strikes them is the absolute silence of the area. Um, and, and we will move on to public footpaths. But the I would say that residential receptors or human receptors are not the only receptors here. Animal receptors are critically important. And, um, it's consistent in planning that the weighted equivalent continuous sound level is used as a measure of sound.

01:18:45:26 - 01:19:26:15

But if we were to sit in this room for an hour, um, in, in this sort of level of noise and the alarm, fire alarm went off that probably wouldn't pick up in, in an averaged, uh, um, sound level. However, to an animal or indeed to a human being. The sound of a fire alarm is one of alarm and alert, and particularly with sensitive animals, and sudden loud noises are critically important. And so I think we

have to be careful that we just don't look at averages in terms of sound levels, but also the magnitude and unexpected noises that may occur.

01:19:26:17 - 01:19:29:16

And this is particularly a concern during construction.

01:19:31:10 - 01:19:32:15

Thank you, Mr. Jordan.

01:19:35:10 - 01:19:41:00

Mr. Burton, is this a related point? Just, just just to make you aware, we are coming on to livestock.

01:19:41:02 - 01:19:46:21

That's exactly what I was. I was anticipating you were, sir. Which is? I have to explain why I wasn't coming in.

01:19:46:23 - 01:19:47:20

It's on the list.

01:19:49:00 - 01:20:17:18

Thank you. Amy Stirling, on behalf of the applicant for me. So just in respond to that point. I'm not sure if Mr. Underhill wants to comment on the fact that we have carried out baseline noise survey surveys. You know, we're not saying this without evidence, we have provided evidence of the baseline situation and how those are considered representative of the receptors that we have assessed. It is not our assertion, you know, that there are certain baseline noises. We have carried out a very thorough, detailed EIA that is before you.

01:20:19:19 - 01:20:20:10

Thank you.

01:20:21:28 - 01:20:22:15

Yes.

01:20:23:07 - 01:20:53:28

Helen Hamilton, on behalf of the Clayton Solar Action Group, um, the Solar Action Group has raised a concern that, um, once again, we have got assessments which are based on non-specific plant noise data. There's no certainty before you that what you are considering is the worst case scenario. And again, we note that everything is being left to the detailed design stage, which is beyond the point at which the decision has been made.

01:20:54:01 - 01:21:14:16

And and and so again, there is a concern that we don't have a genuine picture of what the likely impact will be. And just on vibration we still have. As I understand it, unless I've missed something. Um, no assessment of the impact of vibration from piling.

01:21:16:25 - 01:21:49:10

Mark. Yeah. Mark Underhill for the applicant. Um, the as part of the response, the written responses, we have provided justification for the piling identified that there aren't any significant effects as a result of those works. These aren't large scale piling rigs. These are very small rigs that generate low levels of energy. Um, for the percussive works, the predictions identify that where we are undertaking piling works in vicinity of receptors, there are no significant effects predicted.

01:21:49:12 - 01:22:15:00

That's been presented as part of the written responses for the for livestock. Um, that's been considered separately. And that is a key mitigation measure on the basis that they in the event that there are livestock closer to the piling works. And in that instance, there is a possible mitigation measure, is reversion reverting to a rotary board technique, which would reduce those potential for startling effects.

01:22:16:25 - 01:22:20:06

Thank you. As I say, we'll come back to to livestock.

01:22:20:14 - 01:23:03:00

In your study on behalf of the applicant. And if I may, just for the record, to the applicant's position, it does not agree with the characterization that everything has been left to detailed design. The applicant has carried out a detailed environmental impact assessment and has submitted that, in addition, it won't be too late. I think, as was the suggestion by the action Group at Detailed Design as the applicant has just set out in its previous response, Buckinghamshire Council will have quite significant control over the noise mitigation at the point of detailed design and ultimately that will have to have to get Buckinghamshire Council's approval before they can proceed to construct the authorised development, and, it seems, expects a position that they agree with.

01:23:03:02 - 01:23:09:03

So I do not think it is fair to characterise everything having been left to, to detail design and it being too late then.

01:23:10:18 - 01:23:12:06

Thank you, Miss Hamilton.

01:23:12:23 - 01:23:31:23

Um, only that, um, if the, um, applicant is able to say that by the use of the equipment, there will be no significant impact, um, from piling vibration. Why haven't they produced an assessment to demonstrate that?

01:23:33:24 - 01:24:05:15

Malcolm. The health of the applicant. The piling works are highly transient, with each pile taking less than a minute to install. These aren't akin to the, um, HS2 piles of substantial sheet piles. Um, as a result of that rapid installation time. Any any vibration effects that would occur would only occur for a very brief period. But ultimately, as shown in the written responses, we predict we provided the predicted levels which identify that it's not above the threshold that's been adopted for the assessment.

01:24:06:06 - 01:24:16:28

Just to clarify, the applicant then said this has been addressed by the applicant and it's solely in its response to the cloud and the action group's written reputation rather than the environmental statement. Is that correct?

01:24:17:00 - 01:24:17:23

Correct.

01:24:18:28 - 01:24:19:22

Mr. Hampson.

01:24:19:26 - 01:24:28:12

Um, may I ask if each pile takes a minute? How many piles are there going to be?

01:24:32:11 - 01:24:51:27

I mean, that's a good question. Obviously, I don't know the answer to that individually, but obviously, ultimately, even at the closest point, we're not we're not getting a significant adverse effect. We're not exceeding the one millimetre per second peak particle velocity threshold. And therefore, if we're not exceeding that at the closest point, we wouldn't be exceeding it at greater setback distances.

01:24:53:23 - 01:25:02:08

I think perhaps this is something that the applicant could take away and flush out in writing. Write a tactical note that just elaborates on the points raised, really.

01:25:03:09 - 01:25:37:23

On behalf of the applicant. And we can certainly consider doing that. I think it would probably have to be for deadline for. I would just like to make the point about the scope of an environmental impact assessment, which is to assess the likely significant effects of the of the proposed development. There does have to be some element of proportionality, hence why it was not included within the environmental impact assessment. I think in that technical note, it would be useful if Mr. Underhill could also explain almost the number of piles, why they would not necessarily be additive in terms of noise given they would occur, you know, perhaps not all of them sequentially, but not all of them at the same time.

01:25:37:25 - 01:25:46:02

So they wouldn't necessarily combine to increase the noise effect. But unless Mr. André has a comment on that now, we can certainly take away that note for deadline for.

01:25:47:19 - 01:26:03:24

Arc and for the applicant. Yeah, it would it. I think as part of the construction phase assessment that's been undertaken. It's on the basis of. Two piling rigs. So there is potential for cumulative noise levels. But the vibration would not be cumulative and therefore there won't be any changes of the threshold criteria.

01:26:03:29 - 01:26:13:22

Okay. Thank you. I think a fuller explanation in writing said line four would be would be welcome, please. Um, do you have any further comments on that before we move on?

01:26:14:03 - 01:26:14:28

No thank you, sir.

01:26:15:03 - 01:26:29:21

Okay. Moving on to public rights of way users. Can the applicant please share? Figure 13.4 the noise and vibration figures. That's rep 2-040.

01:26:45:10 - 01:26:48:08

Is a different plan. Sorry. It's the noise and vibration figures.

01:26:54:28 - 01:26:57:19

Reference 2040, I think.

01:27:09:18 - 01:27:16:00

It shows the noise contours in relation to the old limits and rights of way.

01:27:32:14 - 01:27:34:09

They are slow in appearing for me as well.

01:28:17:17 - 01:28:23:10

It's the figures further down that don't want to show themselves.

01:28:43:04 - 01:28:43:21

There we go.

01:28:48:01 - 01:28:48:25

Thank you.

01:28:51:15 - 01:29:27:26

I think this is 13.4. I can't quite make it out, but I think it is. Um, so it's the second one of the two. Thank you. Yeah. Um, the updated figure of 13.4 and 13.3 as well show the permissive paths in parcel one. Um, and that they would run between sources of elevated noise. And first of all, can you clarify what the elevated sources of noise are either side of the permissive path through parcel one? Because I don't think that the string inverters, which are marked on the plan.

01:29:28:19 - 01:29:36:24

Mark under the applicant. Um, they are central inverters. Um, in parcel one, in those locations where the permitted paths are located.

01:29:37:03 - 01:29:42:02

Should should they be marked on the plan in the legends to distinguish what they are?

01:29:56:03 - 01:30:08:15

For the applicant they identified under the best plant and infrastructure. So it's part of the wider infrastructure. But for clarity, the figure can be updated to highlight that as a as a central inverter.

01:30:08:17 - 01:30:41:11

Thank you. Minor point. Just a point of clarification. Um, but following on from that, um, I mean, it's clear that the permissive paths seem to follow the roots of where there are sources of elevated noise. It was just a query whether or not the routing of the permissive path was it was an appropriate alignment, um, on that basis. And therefore, whether the alignment of the permissive path or the sources of noise themselves may need to be relocated to try and minimise the effects and rights of way users.

01:30:43:24 - 01:30:56:26

Amy Stirling, on behalf of the applicant. To be fair to Mr. Underhill, I don't think that's necessarily one for him. It's probably one that we need to consider as part of the scheme design and master planning. So if you just give me a second, I'll just consult with my colleague.

01:30:57:11 - 01:30:58:04

Thank you.

01:31:19:28 - 01:31:34:09

On behalf of the applicant, I'm advised that they were the location of the permissive paths were driven by connectivity rather than the noise. And so I think this is something we're probably going to have to take away and consider the point. The point is, I'm just looking at the map.

01:31:35:27 - 01:31:43:29

So the point taken away is the relabeling of the map effectively, rather than the consideration of the alignment of the path in the.

01:31:44:14 - 01:32:12:07

Ocean, you're standing on behalf of the applicant. And that is the point that I'm taking away, is to consider the permissive path and the context of of these noise contours, which we are currently showing on screen. As I said, they were originally designed to maintain connectivity. Um, I'm advised that this particular element wasn't considered, perhaps in as much detail as I would like to give you a response now. So it's something that we'll have to take away without generating a deadline.

01:32:12:09 - 01:32:13:09

3 or 4.

01:32:13:21 - 01:32:30:07

Um, we will be able to provide an update on what was considered in terms of noise in routing of the permissive path for deadline three, and I would hope to update the plan for deadline three. And then in terms of any additional management or otherwise, then we can provide that for deadline four.

01:32:30:18 - 01:32:31:12

Thank you.

01:32:36:15 - 01:32:37:21

Moving on then.

01:32:40:09 - 01:33:15:16

Buckinghamshire council's local impact reports, that's 1112 states the applicant has not acknowledged potential significant noise effects to rights away users based on a review of the applicant's own noise contours. For example, rights of way closest to the bears and the applicant response back to this does not agree with this conclusion and points to its qualitative assessment and mitigation, such as noise barriers, as well as the suggestion that um put rights away are transitory and so noise would not be experienced for a prolonged period of time, and therefore it would not have a significant effect.

01:33:17:10 - 01:33:47:19

First of all, to the Council. Whilst rights away may be transitory in that people travel along them. Um, can it comment on the possible effects on rights of way users where they encounter multiple noise sources along a walk? So for instance, as we're just seeing with a permissive pass, if there are multiple sources of noise, longer walk while you may be passing past them, you'll experience that noise on multiple occasions over a prolonged period of time, potentially. Does it have any comment on on that particular point?

01:33:47:21 - 01:33:48:13

Please

01:33:49:28 - 01:33:56:19

hear me saying on behalf of the applicant, I think you started that addressing it to the council, but is that one for the applicant to respond to first?

01:33:56:25 - 01:33:58:08

Sorry. The applicant.

01:33:58:10 - 01:33:58:27

Thank you sir.

01:34:01:28 - 01:34:04:12

Mr. Underhill. Thank you.

01:34:04:18 - 01:34:27:09

Welcome to the applicant. Um, there's no quantitative threshold for determining adverse effects on public rights of way for both construction and operational phases. Um, this reflects the transient use and the fact that the people, users of the public right of way wouldn't be exposed to noise levels for a prolonged period. Um,

01:34:29:00 - 01:35:06:23

for for context. Um, in all instances, we're predicting levels below 50dB leq um at the public rights of way. This would be a threshold criterion that would be applied for external amenity areas, for houses where people would be static for long periods of time. And therefore, as a result of this, um, we don't consider to be any significant adverse effects. Um, ultimately, in terms of the siting, we can, you

know, there's scope to move the, the noise emitting plant locally to avoid those to, to minimise the, the noise levels where possible.

01:35:07:29 - 01:35:10:04

Thank you. And this time to the applicant.

01:35:13:01 - 01:35:45:21

Uh thank you sir. Um, Daniel Gazelka for the, um, council. Um, I'll bring in, um, Mr. Robinson, if he's there. I mean, just as a starting point, sir. Um, I think the question rather makes the point or one of the points that we have concerns about here, which is that it's hard for it to be transient when you're passing multiple noise emitting events or indeed, as you can see on the plan. The area around the base is in a area of heightened noise for a significant period of time.

01:35:45:23 - 01:35:53:27

That isn't a point effect, but I'll ask Mr. Robinson to come in and may have one of the points after that, but I'll let Mr. Robinson speak.

01:35:54:02 - 01:35:54:25

Thank you.

01:35:55:06 - 01:36:34:06

Yes, thank you. Charlie Robinson for Buckinghamshire Council. Um, there's a couple of points that I'd like to make. Obviously, we've established there's no quantitative assessment that can really be in place for public rights of way. It is quality based. Um, as, as the applicant said, users will be transient and therefore it's we're looking at it from a slightly different angle rather than sort of impact on human health as such, which would normally be a standpoint. It's more an amenity question here. Um, I understand, um, the applicants mentioned that the 50dB, um, threshold level that's usually used for amenity spaces, for housing developments.

01:36:34:08 - 01:37:00:25

I'd just like to point out that that's normally a it's used as a measure for a maximum threshold for amenity spaces for new developments. So I think the use of that 50 DBI in association with an existing quiet area and a public right of way, um, may not be the best translation. Um, but I accept the point that that that is a figure that's used, um, although I think maybe not quite relevant in this context.

01:37:01:23 - 01:37:11:22

And if I, if I could just pick up on that, sir, I think what Mr. Robinson is referring to, and I think what the expert for the applicant will be referring to, is that the figure from the W.H.O. guidance.

01:37:11:24 - 01:37:13:10

Welcome to the applicant. That's correct.

01:37:13:12 - 01:37:44:21

Yes, yes. Um, and I suppose to build on the point that Mr. Robinson made that the guidance figure for outdoor living areas, um, there is a question of whether in this type of situation, you should use the guideline in the World Health Organisation guidelines for outdoor and parkland and conservation

areas, which says existing quiet outdoor areas should be preserved, and the ratio of intruding noise to natural background should be kept low. So that's one of the other parameters that the World Health Organization suggests, which I think rather aligns with Mr.

01:37:44:23 - 01:37:45:24

Robinson's point.

01:37:47:15 - 01:38:02:03

Thank you. And just to follow up for Mr. Robinson's comments previously as well, can I just confirm, did you say that you are satisfied that the applicant's qualitative assessment is an appropriate approach to rights of way users, as opposed to a quantitative assessment?

01:38:03:11 - 01:38:38:14

Yeah. Charlie Robinson for Buckinghamshire Council. Yeah, I think it's um it's an accepted approach given that there is there is no real set standard for an assessment in terms of assessing impact on public right of way. So, um, I accept that the approach they've taken there, I think it adds value. Um, in the absence of a quantitative threshold to work from, I think it's reasonable to have that sort of, um, sort of hybrid assessment, if you like. So we've got that qualitative assessment alongside the figures from the the baseline and the predictions is what we've formed our judgment from.

01:38:39:12 - 01:38:40:07

Thank you.

01:38:44:11 - 01:38:50:15

Does anyone have any further points to raise in relation to rights of way, users and noise before I move on? Miss Hamilton.

01:38:51:13 - 01:39:16:21

Uh, Helen Hamilton, on behalf of the Clayton Solar Action Group. Just a very quick point. Um, Mr. Underhill mentioned that, uh, noise emitting equipment could be moved away from public rights of way. I presume that is at the design stage rather than in the operational stage. And again, at what stage would that happen? Is that once again going to be deferred to detail design?

01:39:18:27 - 01:39:34:24

The applicant mark on the applicant. Uh, that would be done as part of the detailed design. It wouldn't be done during the operational phase. Um, so yeah, it would be done. And that would be as part of the scheme that would be submitted to Buckinghamshire Council for review and sign off.

01:39:36:26 - 01:39:38:05

Thank you, Miss Hampton.

01:39:40:04 - 01:39:58:12

Um, only again, the point that I keep making that there is so much in the assessments that are before us that are guesswork, really, the they are we are not convinced that what we're seeing is a reasonable worst case scenario.

01:40:00:21 - 01:40:01:14

Thank you.

01:40:03:02 - 01:40:33:12

Amy Stirling for me. So just to confirm the approach the applicant has taken is entirely standard. The precise selection and location of noise mitigation is very commonly, and for good reason, best considered at detailed design to ensure that the applicant does not inadvertently commit to noise mitigation, which serves no useful purpose. When the final detailed design and location of the infrastructure within the maximum design scenario that it has assessed is known.

01:40:33:17 - 01:40:40:27

So I just wish to make the point that we're not taking a novel or unusual approach. Certainly not for an end scale solar project. Thank you.

01:40:40:29 - 01:40:42:03

No thank you.

01:40:43:11 - 01:40:43:26

May I?

01:40:46:13 - 01:41:16:21

Briefly. Very briefly. Helen Hamilton, Clayton, solar action group. Um, just referring back to N3 and flexibility in the project details that to 1070. It does refer that to where, you know, where the precise details haven't been settled. Then there should be an indication of type number, dimensions of the panels, layout and spacing, type of inverter or transformer where the storage will be installed, and so on.

01:41:16:23 - 01:41:31:17

So um, we should also see a range of options based on different panel numbers, types, and layout with and without storage. We're not seeing anything of that kind of detail at this stage. Thank you.

01:41:34:24 - 01:41:55:06

For me, sir. And then I would direct the action group to the applicant's design commitments, which contain multiple, many pages of design commitments that the applicant has made, including, you know, maximum design scenarios that I referred to. And those design commitments are secured by requirement for.

01:41:56:18 - 01:41:57:12

Thank you.

01:42:06:06 - 01:42:17:22

Can I touch the time? Possibly a good moment to have a short coffee break. Uh, if we could adjourn until 350. Thank you.