



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Rosefield Solar Farm
Hearing:	Recording of issue specific hearing 3 (ISH 3) - Part 3
Date:	07 July 2026

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FULL TRANSCRIPT (with timecode)

00:00:10:04 - 00:00:22:21

Okay. It's now at 155 and time for the hearing to continue moving on to agenda item four C, which is Landscape and visual mitigation.

00:00:24:10 - 00:00:57:14

A question initially in relation to the potential adverse effects of mitigation. Um, the action group's response to further written questions is question 2.1.6. That's library reference rep for dash 103 states the applicant is not fully factored in the adverse effects of mitigation. The action. We acknowledge that the loss of openness has been considered, but highlight that adverse effects arising from screening planting, resulting in a loss of view, was not factored in.

00:00:58:14 - 00:01:10:14

Um, question. first of all, to the applicants. Can it respond to this point, please, and perhaps can identify where an assessment it has considered the adverse effects of screening? If it has done so?

00:01:13:12 - 00:01:16:14

Yes. Done. Leave it for the applicant. Um, so.

00:01:17:10 - 00:01:37:20

The way we have assessed from particular receptors is to take an initial view, uh, at, uh, completion of the development and its initial operation, where there would be no mitigation from any of the planting, uh, hedgerow or woodland. And so that would give us, um,

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uh, for instance, uh, for effects on footpath between, say, bottle of Claydon and Brentwood, where there's a network of footpaths. Um, we have a range of effects, but they would be major to, to major moderate initially, uh, certain of those footpaths. So for instance, for, uh, Splash Lane, which is the bridleway which runs along the western side of parcel two. Um, we've provided initial assessment, uh, that effects would be usually to hand.

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Um.

00:02:20:19 - 00:02:58:22

Yeah, the effects would be as high as major in year one for that, for those receptors. And then following introduction of so effectively there would be open views of solar panels at near distance for some of those footpaths. And then we've, we've then assessed uh, the residual effects following establishment of the hedgerows at year ten. And we've reduced those effects to, uh, major moderate. So there's been a sort of half level of reduction in effect, which takes into account the fact that views of panels Would effectively be screened at year ten.

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Uh, for the for the most part, from certain views. Obviously there are views in Burma generally way where that's not the case, but talking about residual effects from from footpaths where views could be screened, such as from Splash Lane. Um, so we have assessed a small reduction in the level of effects in the level of adverse effect. But we've not assessed that effect as, say, reducing to minor or neutral in any way. Um, and that has been to take into account the fact that there would be a loss of a view from the, uh, southern extent of Splash Lane.

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There'd be a lot of view of the Quainton, Quainton Hill and the wider Aylesbury Vale. So we we certainly would say that. And that's one example. But the judgments within our assessment have taken into account that the loss of view, we wouldn't say that that loss of view would increase the effect, say, over the initial assessment. The year zero effect, if you like. So we haven't gone from where we've got a major moderate effect because of the views of the proposed development.

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We haven't said that'll be made worse by the mitigation. Uh, I'm not sure that's that's what, um, it's being suggested, but, um.

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But we have we have accounted for a reduction in the level of effect due to mitigation, but it's it's not a complete removal. In fact, usually it's only a half level, uh, such as stated for, for those footpaths such as Splash Lane, a half level of reduction, which we think is reasonable considering a majority of, uh, infrastructure would be screened from those locations.

00:04:47:23 - 00:05:02:09

So so the applicant is suggesting that the possible adverse effects of screening has been factored into the assessment. So screening that mitigates one effect but may also have a potential adverse effect in itself as well that has been considered is that. Is that what you're suggesting?

00:05:02:11 - 00:05:03:03

Yes yes.

00:05:03:05 - 00:05:09:06

Yes. Thank you, Miss Tinkler. Did you have any further comments on this point, please?

00:05:10:10 - 00:05:14:07

I think those things are actually group. Um,

00:05:15:25 - 00:05:49:22

normally if I accept it wasn't clear in the Elvia, but if that's what the applicant has done, then I accept that. Although there's no mention of the disruption to field patterns, but in terms of the loss of the view normally, and indeed in the Livia's method in the tables, um, a loss of a view is the highest possible negative effect. And therefore, um, it's not clear to me where the Elvia has said, all right, we're going to screen this view which was open.

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Then it would have panels, but we're going to screen the view of the panels. Therefore the negative effect that year one would reduce. But I don't see that the total loss of the view that would theoretically occur has been because in theory that should be a higher effect, not a lower one.

00:06:06:26 - 00:06:11:00

Mr. lever, do you have any further comments at that point, please?

00:06:11:02 - 00:06:54:00

Just just taking the same example of Splash Lane. So views would likely be screened by the solar infrastructure, um, at year one or year zero, whichever you go. And so essentially the screen planting that would develop is creating a softened view, if you like, that would create a, uh, a tree lined avenue, sorry, a hedgerow corridor with a wide verge. So we would still maintain that year zero that the initial effect judged is the worst case, because that takes into account views of the solar panels, which themselves would likely screen, uh, wider views already.

00:06:54:13 - 00:07:02:13

And so mitigation does reduce that effect by essentially screening views to the solar panels themselves.

00:07:04:29 - 00:07:11:11

And the point you just raised that's clear and set out in the yes as currently drafted. Is that correct?

00:07:12:21 - 00:07:18:24

Yes. Yes, I believe so. That's that's how it was written to take into account Miss Tinkler.

00:07:23:01 - 00:07:49:12

Oh, you think the Clayton Solar Action Group. Thanks. So I'm going to accept what the applicant says. It's just that there are some views where I accept that splash lane you would have. It's either a question of the viewers screen by panels or hedges, but there are certain situations where the view would not be screened by panels. It may be an oblique view, but hedges on the periphery of the site are being grown on, and therefore that open longer view over the panels would would be lost. Thank you.

00:07:50:02 - 00:07:50:26

Thank you.

00:07:53:14 - 00:07:54:09

Mr. Burton.

00:07:56:03 - 00:07:56:18

Sir.

00:07:56:20 - 00:08:22:20

Thank you. James Burton, on behalf of Preston Farms and Theseus Biosciences, told me to sit down, and I'm taking this out of turn, sir. But I've got a point that I want to raise through you. Please. Because it's difficult for us. Impossible, actually, to see where the mitigation in terms of heights and

so on is actually nailed down. And of course, we're the people who actually who are right up against this. So if this is out of turn, I'll sit down.

00:08:25:16 - 00:08:31:10

No, please make the point now because we've got one more question on mitigation and then we'll move on to next item. So no, no, now's the time.

00:08:31:12 - 00:09:12:08

Thank you. So it's not it's not badly timed. So so as as you know we have been raising with the applicant for years actually if you if you want a reference back I refer you to our, our written reps actually rep 1133 a power Seven fourth, fourth bullet point of that, where of course, we reminded everyone that we've been putting forward matters in discussions with the applicant since 2023. Is that what's said there, including clear and enforceable? I'm going to skip over sound, but visual thresholds or barriers between rosewood infrastructure and sensitive grazing areas, in particular the Rosehill substation and the collect compounds.

00:09:12:10 - 00:09:44:16

Now, obviously, I hear Mr. Lever talking about what he's done in terms of Elvia. What we're interested in is that is the much more concrete, um, position, um, is there because it's not in the design commitments or the outline length. Is there actually something that says the applicant is going to deliver this, this screening that will effectively what the hope is to stop our livestock scaring around the collect compounds the best or so.

00:09:44:18 - 00:09:54:23

And it will be to this this height, and it will be of this nature. Apologies if we've if we've missed it, but but we can't find it. And we're very concerned that it's still not there.

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So unfair,

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Mr. Lever.

00:10:05:05 - 00:10:35:13

Or Miss Stirling Lever for the applicant. Um, yes. Mind saying that? That is detailed within the, uh, both the lamp and the design commitments in terms of hedgerows grown to heights of three to 3.5m, uh, in terms of species selection, in terms of management. Um, and obviously that that would be detailed further the detailed length. Uh, so my understanding is that that that is clearly available within the current documentation.

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I don't know if, uh, Ruth Knight, my colleague, has anything to add further to that.

00:10:48:04 - 00:11:24:11

Hi. Yeah. Sorry. Excuse me. Um. Ruth Knight. On behalf of the applicant. Um, yes. We also indicate, um, around the perimeters of, um, parcel three, um, early planting, um, which is planting in advance

of the general planting within the proposed development, um, of a 15 meter belt of planting. Um, so that is, um, represented in the, um, plans appended to the um outline Landscape and Ecology management plan.

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Um, which is um.

00:11:30:04 - 00:11:53:27

Library reference rep for dash 072. Um, that's um, I think that's appendix two. Let me just double check that is indicated in yellow around the perimeters of the fields in parcel three. Um, yes. Oh, sorry. That's appendix one to the outline lamp.

00:11:55:19 - 00:11:58:17

Thank you, Mr. Burton. Does that answer your question? No.

00:11:58:26 - 00:12:35:01

Not at all, sir, I'm afraid. And, um, again, there's this odd dissonance, as if we're talking about different documents, which not the first time this has happened. Um, in the course of this hearing, um, we've looked very carefully at the lamp. We've looked at the design commitment documents. I know you have to. You will not find anywhere, despite I'm interested by Mr. Lever's remark. But you won't find that we will grow to this height. This, this thing or or indeed in terms of acoustic barriers.

00:12:35:03 - 00:13:08:03

And I know noises. Later we'll have an acoustic barrier of this high on acoustic barriers. Therefore it will not be higher than and that and that's the theme. But that's not the same as we will grow to this height. And the same is true of the lamp. All there is, as Miss Knight has think this is what she's talking about. But all there is is lines on the appendices to the lamp showing where pre planting or mitigation planting is proposed.

00:13:08:05 - 00:13:48:24

There's no detail that that is all to come we're told later at the detailed lamp stage. Of course the issue that as you know that leaves you with is when you are assessing the impact upon my clients through the impact on their livestock, you're doing so without the benefit of actually knowing what's going to be there by way of mitigation. And you know what I'll say about that? Well, in that case, you need to take a precautionary Approach, but we'd much rather actually have the detail now and know, rather than me having to repeat ad nauseum.

00:13:48:26 - 00:13:52:25

My take a precautionary approach. Submission. Thank you sir.

00:13:53:28 - 00:14:27:24

So Richard Griffiths, on behalf of. Yes. Sorry, sorry. Richard Griffiths, on behalf of the applicant. Um, so I'm just reading, um, say paragraph 5.2.15 of the outline lamp, that refers to the example where we read out the whole paragraph. Hedgerows will be managed to achieve the height of three to 3.5m. Uh, paragraph 5.2 point ten, regarding tree belts. Uh, a minimum height of, um, four metres.

00:14:28:12 - 00:14:40:08

That's referenced throughout the text of the lamp to, uh, minimum heights that the, the, the planting will be managed to, which then correspond to the appendices.

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Mr. Burton, do you have any concerns about the references identified in the overlap where heights are referenced?

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So is if I understand correctly, it's being. Is it being said? And if it is okay, we can take it away and work with it. That all that will be, all that is guaranteed, but it is guaranteed is that there will be a four metre height for woodland. But is is that. I'm sorry to be difficult about it, but what about the fields near us? Does that apply to our fields? How do we translate the generalised text in the length text to the drawings? It's extremely difficult.

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It must be in the applicant's gift to to actually give us that information, and it would be very helpful if it did.

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Thank you, Mr. Chairman. This may be a point that the two parties can take away outside the hearing, just to exchange information and clarify that. It seems that perhaps that could address the point.

00:15:54:14 - 00:15:55:17

Um, right.

00:15:57:16 - 00:16:18:03

Would you prefer this one? Thank you. Richard Griffiths, on behalf of the applicant. I'm happy to take that away. Happy for us to, um, uh, submit something into the examination that shows the this particular, uh, business field around that business and highlight

00:16:19:22 - 00:16:35:14

the planting that's in the lamp. And what and which paragraph that equates to that, that signposting documents effectively that that would assist the examining authority and the effect and the and the Preston Farms are happy to do that, to take that as an action.

00:16:35:20 - 00:16:45:24

Thank you. Yes. And press the conversation we've had before. Deadline filing with a note submitted. Deadline. Fine. But just signpost to where the airline is applying to the Western Farms fields. That'd be helpful. Thank you.

00:16:47:26 - 00:16:50:28

Okay. Yes. Action. Great.

00:16:51:00 - 00:17:21:08

Thank you. Sir. Um, Dominic Woodfield, the action group. This is this is an issue adjacent. It kind of harks back to biodiversity net gain, but it's a more general, general issue here. Um, I'm sure it would assist you in determining, sifting the kind of the balance of benefits versus kind of compensation and mitigation measures, um, to understand what is mitigation, what is compensation and what is enhancement. So you can attribute the right weight to each of those individual components.

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And just I note that the applicant has taken away an action on this. I would just remind the applicant that it also took away an action from the recent meeting, um, which was that they would look at their biodiversity net gain assessment and they would attribute this was a question put by the Bucks Council that they would attribute for each line in that assessment, whether it was mitigation or compensation or whether it was enhancement, so that to assist you in attributing the relative relative bits of weight, because obviously, obviously it's important that we understand how much of the biodiversity net gain and is potentially being double counted.

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And the same applies to landscape as well in terms of what's distinction between mitigation and enhancement.

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The reason you referred to is that the meeting that was held outside of the examination between. Yes, yes. Thank you.

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Yes, there was an action point taken. It doesn't seem to have been followed up.

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Mr. Griffiths or Miss Sterling.

00:18:17:09 - 00:18:47:14

Amy Sterling, on behalf of the applicant, just on the final point. I wasn't at that meeting. The colleagues here. When? At the meeting. Unfortunately, the being expert has no left. That was a point on the agenda this morning. I hope and expect that he was at that meeting. Um, But of course, that meeting was held, as you said, outside of the examination process. So we'd have to check what sort of follow up actions were taken, and we can respond within the communication channels as appropriate in that meeting. We are happy to take the action that Mr.

00:18:47:16 - 00:19:00:16

Griffiths has just described, and I think we're confident that the information is there in the lamp. I think it's just pulling it out and applying it specifically to the situation and pressing farms. We have also provided information on the distinction between

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mitigation and enhancement for landscape. So again, we can signpost that again in our um some oral summaries.

00:19:08:05 - 00:19:14:24

So I have seen that before. Yes. Um but yeah signposting would be helpful. Thank you Miss Tinkler.

00:19:16:15 - 00:19:47:02

Holly tinkler Clayton solar action Group um so would it be possible my understanding from the landscape section of the Statement of Common Ground is that the applicant's landscape expert has confirmed that all the proposed mitigation of plant planting is mitigation and that therefore there is no enhancement. And I just wanted to check that that tally. I wasn't sure which document you were referring to that all that said, it had been counted, which was mitigation and which was enhancement, because I thought now it was clear. It's all mitigation.

00:19:47:04 - 00:19:49:24

I I've seen the statement common ground. Mr.. Yes. Thank you.

00:19:51:13 - 00:19:56:07

Okay. Unless you have any further comments on this particular point. I shall move on. Oh, sorry.

00:19:57:27 - 00:19:59:24

Uh, Councillor Gibbon. Sorry.

00:20:01:20 - 00:20:31:27

Yeah. Councillor gibbon. Um, for Buckinghamshire Council. Um, yeah, I'm just a bit, um, we talked a bit about mitigation and enhancement, and I'm really. I'm not sure how mitigating the mitigating measures are, because the these hedges or trees were never going to be planted will be take ten years or so to take effect. You know, they're not that fast growing. So there'll be considerable harm during that time to the visual aspects of the whole area.

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And then once they have grown to that height, I think there's going to be even more harm, because we're one of the sort of main sort of characteristics in that area is these long term rolling hills and beautiful long vistas and views, and it will then be compartmentalized. So I'm not sure how much weight really should be given to this medication, because I in my mind, it doesn't really seem to be mitigating that well.

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Mr. lever, if you could respond to that point briefly, please.

00:21:02:28 - 00:21:49:28

Don Lever, on behalf of the applicant. So, yes, within the landscape and visual impact assessment, there is an assessment at both stage zero, if you like, when there's no mitigation here having any effect on the scheme and then residual effects at year ten. So there is an assessment pre and prior sort of mitigation establishment. I think we have we have touched on quite a bit already in terms of how we've dealt with the loss of views, and that we've tried to take a balanced approach and that, um, in quite a number of cases, we've said that there may be a small reduction in the scale of effect from, say, major to major moderate, but there's still a potentially a significant effect.

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So that's not the case in every scenario. Um, but just an example. We gave a splash lane. Uh, so we're certainly not saying that it mitigates with every aspect of the development. And certainly the loss of views has been taken into account in our assessment.

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Thank you, Mr. Leaver. Um, moving on then.

00:22:11:24 - 00:22:19:04

I'm very keen to move on with the agenda. Um, is it relevant to this point? I'll be I'll be very brief, please, I appreciate that. Yeah.

00:22:19:06 - 00:22:36:25

Thank you very much. I just would like Mr. Lever to clarify with the impact. Like, you know, I disagree with his saying that the view from Petrarca, Irving and Quainton Hill would have no significant effect. What I would like to know is. But what will you do to soften that impact? Because there will be an impact.

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Mr.. Leave a brief response, please.

00:22:42:03 - 00:23:04:11

And lever on behalf of the applicant. So for the more distant views from Irving and Hitchcock where we've said this, there is not a significant view. We're saying the effect is largely mitigated by by distance at year zero. There will be some I mean, the woodland planting at that distance would probably struggle to register even at

00:23:05:26 - 00:23:49:24

5 to 10m height because of the distance, but it will at some point have some, uh, effect in terms of the sort of landscape structure around the site. Um, so really it's an effect that's already mitigated by, by distance. And further mitigation would require such significant woodland planting. Uh, that. Yeah. It's not possible to do that. It probably wouldn't benefit the landscape as a whole in terms of the extent of woodland that would be required to do that. Uh, in terms of we have assessed significant views from Quainton Hill, I would say as well, which, uh, again, in terms of mitigation, we've proposed woodland blocks to the edge of parcel two to the to the eastern edge.

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These these will help to screen and soften views of the best, which are on the lower lying landscapes. But clearly we have appreciated that our judgment is such that we can't screen all of that view by any means. Uh, and we've made that assessment accordingly.

00:24:07:05 - 00:24:43:03

Thank you, Mr. Lever. Um, moving on. But staying on the general theme of mitigation, um, on the use of the word potential mitigation in the outline Landscape and ecological management plan. Uh, Buckinghamshire Council, in response to our furthering questions. This was question 2.1.5. That's rep

4094. Uh suggested some alternative wording to the use of the word potential um quote mitigation to be delivered that could provide some flexibility and would perhaps provide a greater degree of confidence that mitigation would be delivered.

00:24:43:24 - 00:24:54:24

Um, first of all, if the applicant does have any comments on the council suggestion of that alternative wording in the in the to the use of the word uh, potential.

00:25:02:21 - 00:25:16:14

So would you agree with this on behalf of the applicant? So we're looking at the responses. Uh, uh, at the moment. So I will reserve um, thoughts on that until we respond at D5. Okay.

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Mr. Gazelka, does the council have any further points on that, please?

00:25:21:03 - 00:25:21:18

Thank you.

00:25:21:20 - 00:25:22:05

Sir.

00:25:22:07 - 00:25:56:29

I'll go for the, um. Cancel. You'll remember this originally was discussed at issue one. Um, I mean, the position for cancel takes is that potentially is is a typical word to use. And so we recognize why it's there. We've offered that alternative wording sort of taking the lead from your question, which we inferred a concern on the part of the WSA and thought it appropriate in those circumstances to suggest that wording. We as a council don't have any concern that we can we can require, if it comes to it, all of the potential mitigation to be secured in detailed design.

00:25:57:01 - 00:26:28:20

So it's rather offered sort of NASA in the sense that we're not sure it is a necessary substitution, but it does make it clearer. And if that wording is substituted, you do have the benefit of that wording. But then the actual DCO requires the detailed to, um, plan to be substantially in accordance. So the applicant still retains some flexibility. It's still subject to detailed design, but I understand Mr. Griffiths will be coming back. So I just wanted to set up a point that we're not sort of fighting to the last on that.

00:26:29:00 - 00:26:42:29

No, sir, I understand that, but I thought I'd raised the point. Thank you. Um, so we'll record that as an entry point for the applicant to respond at deadline five to that drafting. Yes. In the context of the council's position on on the use of the word potential as well.

00:26:43:01 - 00:27:11:22

Yes. And of course, it goes down to the as I think has been said by the Council about the securing mechanism. Anyway, regarding the outline length that it has to go through an approval process. So the Council has to be satisfied that the mitigation we're putting forward in the final form satisfies them.

And so there's always that look for the council to approve. But we're we're looking at the wording I haven't got an answer now. But we are looking at it and and we'll respond uh at that five.

00:27:11:28 - 00:27:22:22

Thank you. Uh, unless there are any further points anybody wishes to raise on landscape and visual. We have two Tinkler.

00:27:24:03 - 00:27:58:25

Thank you sir. Carly Tinkler Clayton solar action group. Um, just on mitigation then finish that off. Um, my position is and we heard again when we were in the landscape, um, statement of common ground meeting. My understanding was that the applicant's landscape expert had agreed that it wasn't acceptable to double count landscape visual mitigation as landscape visual enhancement, as per Govia three. But even again today, I heard him use the word enhancement. We know that there are no enhancements because it's been confirmed that all the planting is mitigation.

00:27:58:27 - 00:28:39:18

So I'm not expecting an answer to this question, but I am at a loss to understand how we get to a moderate, beneficial, significant effect on the fabric. Um, three very small points of sort of housekeeping. I noticed again, a little late that East Claydon as a settlement was not included in the Elvia as a receptor. Now it is, as far as I'm concerned. That's an important omission in that it should have been. And it has a grade two star listed church and none of that was factored in. However, given that we are at the point where we are where we agree significant adverse effects on landscape, character and certain views, I'm not sure that it would add much.

00:28:39:20 - 00:29:17:05

I don't know whether it would be helpful to go that far, but I just wanted to make that point in case anybody thought it might be a good idea. Um, I was wondering. Hmm. I've noticed. I'm apologize that there is an error in the current version of the landscape of the Statement of Common Ground, because we had copied and pasted from my text into there. And there's a it's been paragraphs been pasted twice, and you may have noticed that. So what I would like to suggest is if I could, um, update the landscape statement of common ground and make a couple of further additions based on stages tweaking.

00:29:17:07 - 00:29:59:23

It won't affect the, um, what we agree on and disagree on, and perhaps discuss that with the applicants landscape expert after the hearing. Um, and then the other thing. Oh yes, we um, at deadline three. Again, apologies, I missed the deadline three submission for a note which was answering a question that the applicant or a point that the applicant had raised on my, um, landscape and visual report in the written representation where they had said that, um, an image that I had used to illustrate, um, what a public right of way crossing a field with a res would look like.

00:29:59:26 - 00:30:37:27

And they said that it wasn't acceptable in Elvia to use AI. And I do not know anything about AI and digital. So I went to the person who, um, created it. It was for another project and unfortunately they didn't respond until the day after the deadline. Um, but they I that note was submitted late and we had no, no acknowledgement and they simply said no, it wasn't AI. And they explained how it was done,

but I just wondered whether that note, I did mention it in the meeting, and I think I may have sent it on to the applicant just for information, but I'm not sure if it's officially been logged in the examination.

00:30:38:14 - 00:30:53:27

On that point. For the record, it would be useful if that were submitted at the deadline. Five, please. And then we have a complete record of that in relation to the consideration of East Claydon in the Elvia. Mr. lever, if you're still online, do you have any comments on that particular point?

00:30:53:29 - 00:31:18:07

Please don't leave it for the applicant. Yes. East Clayton was excluded from the assessment and scoped out, as agreed with Buckinghamshire Council because of, uh, likely non-significant effects. So, uh, yeah, the RBA focuses on those sectors that have potential more significant effects. So that was the reasoning behind that exclusion.

00:31:19:21 - 00:31:26:24

Thank you. And can the council just confirm that? That's correct. Concurs that it should be scoped out because of no likely significant effects.

00:31:26:29 - 00:31:32:07

Um, hopefully Mr. Hutchinson is on online still on that? Um.

00:31:35:21 - 00:31:38:29

And Hutchinson, I'm sorry. Could you repeat the question?

00:31:40:00 - 00:31:41:07

Um, sorry. Sorry.

00:31:41:27 - 00:31:51:06

Does the council agree with the applicant's position that, uh, assessments of landscaping, visual effects and escalating were scoped out because of a lack of likely significant effects?

00:31:53:11 - 00:31:56:23

So did the council agree with the scoping with the the levy? Effectively.

00:31:57:11 - 00:32:04:00

It would have been good to have had it within the assessment just to prove that there are no significant effects. Um.

00:32:07:19 - 00:32:08:04

Mr..

00:32:09:28 - 00:32:26:01

Um, uh, Daniel Gazelka for, um, uh, Buckinghamshire Council. Um, as you can probably tell, I. Can I just clarify that over the next break, just to make sure that we know what we agreed? I mean, the applicant's going to tell us anyway, but we did agree that, in fact, if Mr. Griffiths wants to.

00:32:26:12 - 00:32:27:02

If Mr. Griffiths.

00:32:27:04 - 00:32:45:26

Well, Richard Gibson and Mr. Lever just said the, um, the, the applicant agreed with um, with the council to scope out East Claydon I think there may have been an issue with perhaps different offices. I'm not quite sure. Um, but Mr.. Nodding there was agreed with the council that East Claydon would be skipped out.

00:32:46:06 - 00:32:46:24

Thank you.

00:32:46:26 - 00:32:50:25

Okay, if there's anything further on that, sir, I'll tell you after the next break. Just check.

00:32:50:27 - 00:32:54:10

Thank you. Noted. Okay. Um.

00:32:55:26 - 00:32:56:16

Samson?

00:32:58:02 - 00:33:00:27

Uh, yes. Thank you sir. Helen Hamilton, on behalf.

00:33:00:29 - 00:33:01:14

Of the.

00:33:01:16 - 00:33:05:19

Claydon Solar Action Group. Um, I'm hoping this is the appropriate place.

00:33:05:21 - 00:33:06:06

To.

00:33:06:08 - 00:33:06:23

Bring.

00:33:06:25 - 00:33:37:17

This up. But it's not on the agenda. But, um, a deadline for the action group raised an issue about the site visits that have taken place. And, um, there are a number of residents in particular that that had asked for site visits. And, um, and there were also viewpoints that we would have liked to have been either in an unaccompanied or accompanied site visit.

00:33:37:24 - 00:34:16:12

Um, we were particularly concerned that the accompanied site visit involved visits to two properties, one of which was behind Very Tall Hedge and the other which had no, um, outlook over the the site itself because it was, um, surrounded by planting. Whereas a lot a number of the properties where people had requested visits had had clear reviews or would have clearer views of the development. And so my question really is, is whether or not there is any scope for further site visits, um, whether accompanied or unaccompanied, in which you might go to some of those viewpoints.

00:34:16:23 - 00:34:34:18

Uh, well, the examining authority will be undertaking unaccompanied site inspection on Thursday afternoon after compulsory acquisition. Two um, which includes at least one of the locations suggested by the action Group in its latest submission, along with some others as well, that we'll be taking a look at that we haven't seen before.

00:34:36:04 - 00:34:37:00

Thank you very much.

00:34:37:02 - 00:34:37:23

Thank you.

00:34:39:11 - 00:34:47:14

Okay. Um, moving on to agenda item number five, then the water environment, and I'll hand over to Doctor Morgan.

00:34:48:16 - 00:34:49:10

Thank you.

00:34:49:12 - 00:34:50:03

Um, yes.

00:34:50:05 - 00:35:11:14

So agenda item five, water environment. And for a, uh, the Environment Agency updated the flood maps for planning on the 28th of May, 2026. These are now include new surface water, climate change extents and banded depth information. Are there any implications of the proposed development?

00:35:12:19 - 00:35:23:07

Amy Stirling, on behalf of the applicant. I'm joined online by Mr. Colin Whittingham, who is our technical expert on this topic. So I'll pass to Mr. Whittingham to introduce himself and respond to your question. Thank you.

00:35:26:00 - 00:36:00:12

Good afternoon sir. You're correct. Yes. The updated mapping was was released at the end of end of May. The main change to this is the climate change allowances that were incorporated. So the previous mapping looked at the um the 2050s epoch for the upper end climate change allowance. The updated mapping is the 2070s epoch for the upper end allowance as well. So there are minor changes in the uh, in the flood extents, but it doesn't have a fundamental impact on the on the assessment itself.

00:36:01:18 - 00:36:02:03

The.

00:36:03:23 - 00:36:09:10

um, the more sensitive flood equipment such as the sub.

00:36:11:15 - 00:36:17:17

The hydraulic modeling would always supersede the environmental. Sorry, national data sets.

00:36:17:21 - 00:36:23:00

Sorry if I could just stop you there. You were just breaking up for a second. Could you just repeat what you've just said?

00:36:24:17 - 00:36:51:16

Just saying. The much of the assessment was based on detailed, uh, modeling undertaken by the applicant. Uh, this would always supersede the the Environment Agency's national data set. Anyway, so there are minor changes in terms of some of the surface water outlines. Uh, but this is only where the the PV panels are located. And there's sufficient mitigation incorporated into the design to ensure there's no, no impact on the on the development.

00:36:53:11 - 00:36:57:11

Okay. Can we have a brief note to that effect, please. By deadline five.

00:36:58:03 - 00:37:09:10

You can we we are planning on updating the submitted flood risk assessment with a small addendum, just noting the updates and that'll be submitted at deadline five.

00:37:09:27 - 00:37:11:28

Okay. Thank you, Miss Hamilton.

00:37:13:05 - 00:37:48:11

Thank you sir. Hello. And Hamilton, on behalf of the Canadian Solar Action Group. Um, the, uh, the one of the issues is not just the extent of the flooding, but the depth of the flooding, which is what these maps are showing. And it was a point raised by, um, East Clayton Parish Council at the last, um, issue specific hearing. Um, and they're not able to attend today. Um, was that some of these flood areas cover accesses into and within the site, and we're we're not clear about how those have been addressed.

00:37:48:13 - 00:37:58:00

And that will be, uh, managed. Um, in terms of the both the damage to the land and accessibility during the construction period.

00:37:58:22 - 00:38:01:03

Okay. Thank you. Could you respond to that, please?

00:38:03:06 - 00:38:36:03

Certainly. Colin Whittingham for the applicants. Uh, again, where the, um, the updated mapping is applicable, we will have a look at the depth mapping associated with that and make sure that the mitigation is still applicable. Uh, where we've got things like the access crossing, particularly for the substation. Um, again, that that was all subject to the, to the detailed modelling. So there's no impact on this updated data set. But yes, we will we will have a look at the the impacts of the depth and ensure that the mitigation that we're proposing is still applicable.

00:38:37:11 - 00:39:07:21

Okay. Thank you. Any other questions on that particular issue? No. Okay. Moving on to for B and for C. Uh, these were issues raised by the Environment Agency who's not with us today. But their email informing us they would not be attending suggested there may be some movement. and the two issues are floodplain compensation, which is a gender item for Bee and PFAS substances, which was a gender item for C.

00:39:07:29 - 00:39:13:18

So the question is what progress has been made? Have they been resolved? Can you give me an update, please?

00:39:14:03 - 00:39:56:25

Hey, Mr. Lane, on behalf of the applicant. Yes, I'll provide you an update with both points. And if you want any more detail on the flood risk compensation, Mr. Whittingham can step in in relation to flood risk compensation. And the Environment Agency and the applicant have been in discussions most recently, I think, at 930 this morning. So right on the steps of the inquiry, um, the Environment Agency was looking for some additional wording to be included, particularly around consulting with them on the design of any floodplain compensation. The applicant, um, has been happy to accommodate that within the Outline Construction Environmental Management plan and indeed has been making updates to the floodplain compensation wording within that document as the examination progresses.

00:39:56:27 - 00:40:28:26

The Environment Agency have put forward a draft DCO requirement to the applicant. Most recently sent this morning, which obviously we need to know review to understand if a DCO requirement is one necessary and appropriate, or whether or not they're already covered by the relevant sections of the management plans. Also, to understand what more specific remedial action or consultation the drafting is looking for. So we're making good progress. We're in regular dialogue. And the latest position as of this morning was that the parties had a productive conversation.

00:40:28:28 - 00:41:12:13

The Environment Agency shared the draft requirement. We obviously now need to review that. So we're providing an update at deadline five through the Statement of Common Ground and or via an updated draft eco and or outline camp. In relation to the FAS, the applicant updated its management plan, specifically the Outline Construction Environmental Management Plan and Outline Operational Environment Management plan at deadline four to include specific further constraints on its processes

for procuring and installing different types of infrastructure, and specifically with the aim of seeking to avoid the use of PFAS materials within that equipment.

00:41:12:15 - 00:41:26:05

The Environment Agency has now had an opportunity to review the deadline for submissions, and has confirmed as of today that it is content with the changes the applicant has made and that this can now be matched, as agreed in the Statement of Common Ground that will be submitted at deadline five.

00:41:27:11 - 00:41:37:19

Okay. Thank you. So hopefully those two issues should be resolved. Anyone else got any queries on those issues with Hamilton?

00:41:38:07 - 00:42:11:21

Thank you sir. Helen Hamilton on behalf of uh, Clayton Solar Action Group. Um, yes. So we've looked at the updated construction environmental management plan and see that there is indeed, um, a section that seeks to address PFAS and other forever chemicals. But it is so hedged about with provisos that it offers very little comfort whatsoever. So, you know, there there are issues about, you know, availability of materials and not commercially available at a reasonable cost.

00:42:11:23 - 00:42:23:16

And, um, you know, there seems to be rather a lot of get out clauses to provide the, um, the safeguarding that the action Group would like to see. Thank you. Okay.

00:42:23:29 - 00:42:29:24

Thank you. Miss Sterling, would you like to comment on that? I've got the wording in front of me. There is such a language that.

00:42:29:27 - 00:43:05:06

I'm selling on behalf of the applicant, and you could certainly pick some caveats out of it, sir, but I think that would be to ignore the other commitments that are made within the language. The applicant has been very clear that it's not possible for the reasons for the caveats, to commit absolutely to not have having PFAS materials within the equipment that it installs on site. Nevertheless, the applicant has committed, for example, to prioritise the procurement and installation of cables and construction materials that are free of PFAS and the use of PFAS containing materials will be considered where PFAS free alternatives are not technically feasible, etc..

00:43:05:08 - 00:43:29:21

The caveats and also the applicant will request from contractors a justification for the necessary use of PFAS containing components. The applicant has gone above and beyond what is standard practice in the US, and as I said, the Environment Agency is now happy with this wording and that ultimately the detail will feed through the detailed management plans subject to the supply chain and procurement processes processes at that time.

00:43:30:04 - 00:43:35:06

Okay. Thank you for that. Would you like to comment at all on the PFAS issue?

00:43:35:20 - 00:43:38:07

Uh, general counsel? No, sir. It's not picking.

00:43:38:09 - 00:43:38:24

Up.

00:43:38:26 - 00:43:39:11

Okay.

00:43:39:22 - 00:43:42:28

All right. Then if there's Councillor Gibbon.

00:43:44:03 - 00:43:50:18

Councillor Gibbon, for bringing to your counsel. Could I ask about flooding rather than the PFAS? Would that be okay?

00:43:51:15 - 00:43:52:25

Briefly, yes. If you.

00:43:53:05 - 00:44:18:14

Um. I just wanted to check with your sort of flood mitigation strategies, because the soil where those fields proposed to be is very clay. Soil and suds don't really work. Are you sort of planning on using some sort of, um, controlled? So the water, the amount of water that runs is controlled over things called attenuation of something. So it is a slower runoff, because that seems to be the only way to prevent flooding in that type of soil.

00:44:18:25 - 00:44:20:11

If you could respond to that, please.

00:44:20:13 - 00:44:26:00

Amy Sterling, on behalf of the applicant, that would be Mr. Whittingham is on line. So I pass to Mr. Whittingham to respond. Thank you.

00:44:28:20 - 00:45:00:08

Hi. Colin Whittingham for the applicant. Yes. So we will be incorporating suds. So suds are, you know, things like attenuation basin swales just to attenuate the water. So there will be studies incorporated into it. We are aware of the uh the soils on the site and there is a significant amount of runoff. Um, there will be flow control devices to ensure that the runoff from the proposed development does not increase post development. And that's where you have your your suds, your attenuation basins to to store that water. Um, at times of, of higher rainfall.

00:45:00:22 - 00:45:13:02

Uh, so generally, you know, these, these things are sort of put in place to make sure there's no impact, um, downstream. And that's exactly what, what the drainage strategy is, uh, seeking to do in this case.

00:45:14:26 - 00:45:18:08

Okay. Thank you. Any other quick questions?

00:45:20:08 - 00:45:26:05

No. Okay. I'll hand back to my colleague, Mr. James, for agenda item six, cultural heritage.

00:45:27:26 - 00:46:07:06

Thank you. Uh, so just picking up the item around the applicant update. So next of the archaeological assessments and the setting assessments, and that's reference rep 4060, as well as the associated chapter of environmental statements, chapter nine on cultural heritage and arts rep for Dash 029. Um, some points of clarification. Uh, initially, uh, to Buckinghamshire Council. Um, they provided a useful note to deadline for um that sets out its differences of opinion on the applicant's assessment of heritage assets in relation to its own view.

00:46:07:27 - 00:46:41:02

Uh, I think that's reference rep 4090. Also note from Stepney Common Ground. That's been further conversations and discussions between the two parties in relation to cultural heritage. Um, just keen to understand whether or not the applicants sorry the council's notes that compares its assessment conclusions with the councils. Where there is a difference of opinion, does that take on board the applicants updates at deadline for so it's fully informed by the applicant later assessment? Effectively, I suspect it is given the discussions but just wants to clarify that point.

00:46:41:12 - 00:46:51:15

Uh, thank you, Sir Daniel, for the council. Um, I'll go over to Mr. Sabel, who should be online, who should be able to give you the background because he was the person who attended these meetings. So if you're there. Mr..

00:46:52:03 - 00:47:22:17

Oh, hello. Um, uh, kind of sable, um, uh, um, heritage specialist for the council. Um, yes. I mean, this was based on on the discussions and the previous submission. Um, there is a mistake actually in it, I've noticed, of which apologies. I've in the Rose Hill farm in the in the table at the end. Um, Rose Hill of, um, rep for 90. Um, the table at the end says that we agree on Rose Hill Farm. Of course we don't.

00:47:22:19 - 00:47:59:04

Because in the text it doesn't say we do. And in I think in, in the applicant's test, it also says we don't um, it um, the applicant says it's at the lower end of, of um, of less than substantial harm, whereas we're saying it's at the middle. Um, there was one in that table. I left one, Um, entry blank, which was Burntwood House, because though we'd agreed, both agreed with slight, I wasn't too sure at that stage. At the stage I wrote, it was, um, what what the applicant was going to say about the level of harm, but we had discussed it in meetings.

00:48:01:11 - 00:48:20:10

Thank you. So I was going to come to that particular example, actually. Um, so just to clarify this, does the applicant's updated assessment a deadline for, um, only difference in what your, your view is on, on the difference between the two parties or is that what was discussed effective. So you're fully aware of that at the time?

00:48:23:03 - 00:48:44:18

Um, sorry. You're asking me. Yes. Yes, I can say um. Council. Yes. I was aware of the differences. I wasn't necessarily aware of the exact, um, um, um, uh, levels. They were going to state in what they were, um, about to submit. But as a result of those discussions, I filled in in the table.

00:48:46:02 - 00:48:47:17

Thank you. Um,

00:48:49:03 - 00:48:59:08

in your submission, Mr. Saber as well, I think you also referred to wind farm in a candidate for local listing. Are you able to provide an update on any progress with that, please, in any timescales?

00:49:00:13 - 00:49:22:19

Yes, I to be honest, I don't know the timescales. It's been a candidate list for a while. Um, and that I did respond earlier in the process about um, the East Clayton Conservation Area because I was aware of the timescales on that. But I'll have to get revert back to you on the on timescales for the locally listing. Um, candidate.

00:49:24:09 - 00:49:25:05

Thank you.

00:49:26:20 - 00:49:36:20

Um, did you have any comments on Mr. Stables comparison note or what he's just described there, please?

00:49:41:25 - 00:50:11:27

Richard Griffiths on behalf of the applicants. We'll obviously look at the D4 submission from the, uh, council, but, um, we have our our cultural heritage expert, Jennifer Richards from Headland Archaeology, who just might be able to explain some of the her rationale for to some examples as to the conclusion of the level of harm. I think it's a key point here, is that we're all in agreement that the level of harm is less than substantial harm.

00:50:11:29 - 00:50:42:22

There is no we're all in agreement on that fact. Um, it's also important to note that on the Claydon House and Park assessment of harm, uh, we assess it at the lower end of less than substantial harm, as indeed does Historic England in the National Trust. Um, so the council is a bit of an outlier there in terms of their assessment with being in the middle of less than substantial harm. But I'll just pass to Miss Richards just to go through some examples of to explain the thinking behind her judgment.

00:50:42:24 - 00:50:58:03

I think this may be an area where, um, whilst the two experts can still continue to talk, may get some resolution, but it might be here just a disagreement of professional judgment in respect to the precise level. But I pass to my switches to explain some examples.

00:50:58:05 - 00:50:58:25

Thank you.

00:50:59:22 - 00:51:08:08

Yes. Jen Richards for the applicant. Um, yes. Uh, Mr.. Um, alluded to, um, we have um,

00:51:09:26 - 00:51:42:02

um, some areas of professional disagreement about the level of less than substantial harm. Um, one example of that is, is Claydon House and Park, which um on reviewing through um the council's D4 submission, we actually have agreement with them on the magnitude of impact as being minor. That is to say that these heritage significance of the house and park would be slightly compromised using the terms where they are, um, methodology. My judgment is that slightly compromised would sit at the lower end of less than substantial harm.

00:51:42:07 - 00:52:15:05

That is in accordance, as my colleague says, with the assessment of Historic England and the National Trust. Um, Buckinghamshire Council consider it to be more the middle. And that leads to them concluding a greater significance of effect. Um, but we are in agreement with the magnitude of impact. Um, and we can draw that out in a in an update to the Statement of Common Ground, we're open to further discussions with Buckinghamshire to refine that statement of common ground on points such as this. Um, but that's just one example.

00:52:16:06 - 00:52:34:08

I mean, on the I think it would be helpful if, um, I probably would be following this anyway, but a specific response to each of the, um, assets where there is a disagreement and Mr. Sayles comments, I've got both positions clearly set out, would be useful. Yes. Anything to receive a deadline. Slide, please. If that could be action. Thank you.

00:52:37:22 - 00:52:42:10

A related point in relation to Burwood Farm, um,

00:52:43:26 - 00:52:58:09

which I think has now been included in the next day in terms of the setting assessments. Um, but I think it hasn't been included in the update to. Yes, chapter nine. Is there a reason for that?

00:52:59:00 - 00:53:14:22

Jennifer Richards for the applicant. Yes. We agreed with Buckinghamshire Council that it did not need to be included within the update to chapter nine, as it's not a significant effect and therefore wouldn't fall under the the EIA assessment. But we have presented a detailed assessment, as you say at NXT.

00:53:15:22 - 00:53:16:15

Thank you.

00:53:19:15 - 00:53:20:10

Mr. Zelikow.

00:53:22:10 - 00:53:51:06

Thank you sir. For the council, I was just going to bring Mr. Sabin on any points he wanted to to make in response on those points. And also particularly one of the issues that I know he's concerned about is about the applicant fairly recognizing that other contributory elements to the settings where it's been, it's been taking into account, and whether that should have resulted in the applicant identifying, um, things essentially being budged up the scale a bit. Um, Mr. Sable.

00:53:51:21 - 00:54:28:28

Um, yes, sir Kenneth Sable, um, for Buckinghamshire Council. Um, I've got a few things to say in this respect and in response and in respect to, uh, our council was, was, was, was just saying, um, the, um, the, um, there's one thing I wanted to point out, actually, in the revised chapter, although the in the NXT, um, update, there's quite a lot of new detail on the baseline, and there is a change to the level of harm in relation to Blackmoor Hill Farm in the applicant's assessment in chapter nine.

00:54:29:00 - 00:55:02:10

There are no changes at all to the level of harm or, um, anywhere. Um, which I assume is a mistake. And the only change relates to the addition of Saint Mary's Church, which wasn't previously mentioned. So, um, I think there's a there's an omission there. Um, um, and also, um, um, we still maintain that there are errors in the latest version of, of the annex D, um, submission.

00:55:02:23 - 00:55:49:21

Um, um, and we disagree on some of the detail of the analysis of the baseline, the contribution of setting and the levels of harm. Uh, for example, there's an identification in the applicant's assessment, um, of the 19th century date for Pond Farmhouse. Um, we, we identified to identify it as 17th to early 18th century. Um, because firstly it says it on the list description. So not to consult the list description. You think that would be a primary source of information, and indeed the omission previously relating to the stone facades of these farms and of the demolished farm that was demolished by HS2? Um, wasn't mentioned in their previous versions of their assessment.

00:55:49:24 - 00:56:25:24

So it seems that the the listed building consent, um, the listed buildings, sorry. Um descriptions um, um, Historic England descriptions that weren't necessarily consulted. Um, and also the that building also has rubble stone in its architecture, which also points to the late 17th century date um or pre early 18th century date. Anyway, um, um, in a number of assessments, there's another point we'd like to make, if possible, a number of the assessment the applicant stated states that the development would not obscure views of heritage assets, but would appear in them.

00:56:25:26 - 00:57:03:11

So the setting relationships would be largely preserved with slight diminution. Um. The idea. I think that the idea that extensive modern intrusion into the setting of a designated heritage asset that doesn't block the view is invariably a slight diminution, as they'd still be visibility. Seems odd to me. Um, as the character of the view is altered and in some cases loses its original, um, setting, um, completely blocking the views that make a major contribution to the significance of a heritage designated heritage asset might be considered, um, substantial harm by some people.

00:57:04:00 - 00:57:13:20

Um, and the council thinks that modern contrasting development doesn't sit automatically and doesn't really sit neutrally in the settings of heritage assets.

00:57:15:07 - 00:57:29:25

Thank you. In terms of the issue around, um, whether assets can be viewed from from afar and whether vegetation is obscuring the view and therefore minimising effects. Are you referring to the consideration of the Church of Saint Mary?

00:57:30:03 - 00:57:57:24

Well, yes. And part of Clayton Conservation Area, and also the view from Noel Hill, where you look over the past a large block of solar PV panels. And there are various instances in the applicants assessment where they where they say this in relation to various um, um, heritage assets. Those are the three I could think of offhand, but yes, you're right. Mary's church is one of them.

00:57:58:05 - 00:58:05:09

Thank you. And the the errors and omissions that you refer to, you have. Have you discussed those with the applicant already or are they additions? No, no.

00:58:05:19 - 00:58:15:10

No, I don't know that there are different additional ones I've found in the latest version of annexed, which I hadn't seen yet when we met.

00:58:16:01 - 00:58:31:04

Thank you. Okay. The applicant email will be the conversations we had between the two parties. Again, to go through some of those areas and emissions So I'm not the best forum to discuss those today, but in practice the conversation could be offline on on those points.

00:58:31:06 - 00:59:04:04

Jen Richards for the applicants. We're happy to continue these discussions with with with the council. Um, there is clearly some um, as we said, disagreement about the application of professional judgment on on these. In regard to, um, you're aware where we have referred to, um, not blocking views, for example, we do acknowledge that there is a change to the character of the of the views within the wider setting of these assets. It's simply my professional judgment that that has less impact than Buckinghamshire Council believe it does.

00:59:04:21 - 00:59:08:00

But we can take this, um, into further discussion.

00:59:08:24 - 00:59:23:19

So you don't contest that. Well, I use the, uh, church that Mary as an example. You don't accept that that can be viewed from higher ground from further afield. It's just that the the effect is lessened by the screening that's in the vicinity, and therefore the harm is reduced. Is that your position?

00:59:23:21 - 00:59:25:15

Yes. That is That's our position. Yeah.

00:59:26:23 - 00:59:29:12

Thank you, Mr. Sabel. You hand this up.

00:59:29:14 - 01:00:02:21

Yes. Yeah. I just wanted to really say that it's very. It's. You know, it's likely that we're going to continue to be disagreed on on the items that we've both submitted. Uh, further details on and, um, uh, and that we'll be I think we'll be able to hammer out sort of, um, you know, the minor points and facts. I think that in the end, it's it's looking to me as if, as if we will have a disagreement and that you'll need to the examining authority, you'll need to make a judgment of their own based on, on, on our submissions noted.

01:00:02:23 - 01:00:39:18

But as I say, if a conversation could be had in the in the near future to try and resolve any issues that can be emailed with some factual areas that could be rectified and addressed before the deadline, fine. That would be. That would be perfect. Thank you. Um, just to point to the applicant as well, just a minor point of clarification, really in relation to the update to table 915 in chapter nine of the S, um, so the S has been updated to include the assessment of the Church of Saint Mary's, but the summary table at the end, although the church is referenced, there's no other information provided with it.

01:00:39:20 - 01:00:46:24

I don't know whether there's a forming formatting issue or something, but the data isn't there. That could be rectified as well. Jennifer. Line five.

01:00:46:26 - 01:00:53:24

Sorry. Jennifer Richards for the applicant. Yeah, that's clearly a typographic error or a formatting error, which we will correct for deadline five.

01:00:53:28 - 01:00:56:24

Thank you, Miss Thompson.

01:00:57:24 - 01:01:29:18

Thank you sir. Helen Hamilton, on behalf of the Clayton Solar Action Group. Uh, a couple of fairly quick points. Um, first, um, I don't think it's right to say that Buckinghamshire Council is an outlier in taking the view that the applicant has under assessed the, um, the level of harm. Um, our experts are entirely agreed that In almost every case, the level of harm would be higher than had been assessed by the applicant, and a mr.

01:01:29:20 - 01:02:02:07

Sable has drawn attention to this. And I know that you're aware that we've raised very significant concerns about the reliance on both existing and proposed planting around these heritage assets, and in particular, looking at the new assessments that we've got of Saint Mary's Church. The reliance is entirely on the existing growth around a grant that churchyard to diminish the importance of its setting within the open countryside.

01:02:02:09 - 01:02:36:07

It would be helpful, if you haven't already done so, to actually go and look at the what that growth is around the churchyard. It's pretty much all just overgrown hedges, which, um, even if they were to last, the lifetime of the development would become very, you know. Would grow into sort of a tall guppy. Um, trees. That is, if they're not cut down before then, there's no sort of long standing or, uh, developed woodland there that has any level of protection.

01:02:36:09 - 01:03:03:27

And the seems to have pond farmhouse and and bottle house, the same sort of, um, screening is relied on. Um, and, you know, I just refer to the historic England guidance on, um, the settings of heritage assets, which does, uh, make the point that you shouldn't rely on trees and hedgerows where those aren't protected and they can't be guaranteed to provide a screen throughout the lifetime of the development. Thank you sir.

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

Thank you. Um, we'd like to respond to that point, please, in terms of the effect of the screening in the long term.

01:03:13:00 - 01:03:42:10

Yes. Jennifer Richards for the applicant. Um, the the guidance on assessing setting is clear that we assess the existing baseline. So if the setting as it is now and how it contributes up to the present, which includes that existing vegetation, and that is what we have done, um, it is not reasonable to assume that it will vanish or to assess it in the absence of that vegetation. Um, we do have to assume that it would be maintained at its current level.

01:03:44:17 - 01:03:48:26

And that's vegetation outside of the old limits and beyond the control of the applicant as well.

01:03:48:28 - 01:03:49:17

Yes.

01:03:51:09 - 01:03:53:26

Miss Hamilton, do you have any further comments on that?

01:03:56:28 - 01:03:57:18

Um.

01:04:00:15 - 01:04:43:00

Well, this is an up to date assessment. I wonder if this assessment have been carried out a couple of years ago, that the same level of screening would have applied, since it is quite recent growth, but this is an assessment for the lifetime of the development. Um, you know what is what if. Between now and the time that the development commenced that those overgrown hedges were cut back? Or indeed, if there were a storm or a period of drought and those those trees were lost. And do you carry out a new assessment, or do you just accept the level of harm that would arise in the absence? I think the Natural England guidance is that you shouldn't rely on in the first place.

01:04:43:20 - 01:05:05:16

Historic England guidance is that you shouldn't rely on it in the first place. And just one other quick point, which Mr. Gazelka, I think briefly referenced, we don't seem to have an assessment of the impact of noise and vibration, um, and the whole experience of tranquility and how that will change the setting of these heritage assets.

01:05:07:10 - 01:05:11:06

Thank you. Would the applicant like to respond to that last point, please?

01:05:12:12 - 01:05:39:27

Yes. Jen Richards for for the applicant, an assessment of of noise and vibration has been included within is chapter nine for construction and decommissioning phases where there would be potential for a significant effect, although we haven't found one. So I would just point you the Zeta to those, um, aspects of chapter nine where we do reference the increases in construction noise, for example, within the assessment.

01:05:40:10 - 01:05:41:03

Thank you,

01:05:42:25 - 01:05:43:24

Mr. Gazelka.

01:05:44:25 - 01:05:50:17

Thank you sir. Just, um, councillor Collingwood, um, wanted to comment briefly on Collingwood.

01:05:50:22 - 01:05:52:12

Thank you. Chairman. Um, councillor.

01:05:52:14 - 01:05:52:29

Frank.

01:05:53:01 - 01:06:24:02

Mohan, who's the member for Clayton House I think would actually suggest it is significant harm against Clayton House. Um, but of course he can't be with us today in the same way as Saint Mary's Church. But for me, it's a culture. Heritage is not just about individual assets. Yes, there are some key individual assets there, but to me it's about the wider landscape. Setting is actually more important. And the issue for me is about successive projects and how it's affecting the character. Both of East Claydon, the Claydon House and in the other surrounding areas over time.

01:06:24:26 - 01:06:58:14

And that is clearly altering and affecting the character of the playing area. My concern is it's not simply about direct harm of individual heritage assets, but it's the erosion of the wider historical landscape and the whole setting. And I think that's where the applicant seems to be, I'm afraid. Well, again, relatively generic desktop scenario, rather than actually going, okay, where is this actually? Where does this impact the whole of the community as a whole in terms of this cultural setting? Because it's quite an unusual house. You've got to Claydon House, I gather, quite a few times, just as a regular sort of general public, but actually it's quite an unusual house.

01:06:58:16 - 01:07:24:27

It's not. It's sort of running the mill one. It's the same as the case and even the East End, it's not, you know, it's a particular type of box village, if that makes sense. So therefore it's not, you know, where I come from, Marlow or, and, or, you know, handy. But it's much more of a tranquil bucks village. So therefore, my cultural heritage wise, I'm still not convinced. And I would go stronger than my own officers are going. Actually, the bar needs to be set much higher. Thank you chairman.

01:07:25:25 - 01:07:26:18

Thank you.

01:07:28:11 - 01:07:31:08

But the other thing. I like to respond to that, please.

01:07:36:14 - 01:07:44:02

Richard Griffiths, on behalf of the applicant, I'm just a filler. Whilst Mr. Richards is finding the relevant space and place for her to answer.

01:07:44:04 - 01:07:44:19

The.

01:07:44:21 - 01:07:45:06

Question.

01:07:48:00 - 01:08:07:07

Joan Richards for the applicant. Um, in relation to um, cumulative impact on on the historic environment, I would point the essay to the recently published historic environment, Historic England Environment Advisor. What's the name of it? Sorry. Um,

01:08:08:23 - 01:08:20:12

Historic environment advice Note 15 recently published by Historic England. Paragraph 72 makes clear that cumulative impacts shouldn't. Aggregate multiple small impacts

01:08:22:00 - 01:08:35:00

on different assets. It is. It is about the cumulative effect of different developments on an individual asset. It's paragraph 72 of that document. We can include it within our overall.

01:08:35:13 - 01:08:39:27

If yes, provide that along with your deadline. Five submissions please. That would be helpful. Thank you.

01:08:40:05 - 01:08:49:24

Sharing that provides my actual point. That's what I was trying to articulate. But obviously the African Secretariat, a much better job of what I was trying to articulate in my own layman's version. Jim. Thank you.

01:08:50:05 - 01:08:50:27

Thank you.

01:09:00:15 - 01:09:05:21

Okay. Any final points on cultural heritage before we move on to the next agenda item?

01:09:07:18 - 01:09:20:03

I can see no hands. So I will take us into item seven. Transport and access. And starting out with the outline construction traffic management plan.

01:09:20:13 - 01:09:28:14

So sorry if it's 30s whilst reshuffle. Mr. Buckingham comes to the table. Thank you.

01:09:42:24 - 01:09:57:16

Mr. Lee, on behalf of the applicant, just for organising yourself. Sorry. Also just to flag the in relation to glint and glare effects. We do have a consultant on line. That's a mr. Ian Thorpe who will be speaking to that agenda item so we can bring Mr. Thorpe in at the other point.

01:09:57:18 - 01:09:58:12

Thank you.

01:10:08:18 - 01:10:48:19

Okay. Are we all set? Right. So in terms of the outlying construction traffic management plan, or OC tmp, which is this examination library reference rep 4070. And in relation to the Traffic Management Group, Buckinghamshire Council's response to our furthering question 2.6.6. And that's from Document Library reference rep 4094 um suggests that the management group should include business representatives, because elected representatives cannot necessarily capture the range of business and tourism interests.

01:10:49:07 - 01:11:05:27

Um, in light of this, is the applicant, um, in a position to comment further on the composition of the group, whether or not it feels as though any amendments may be necessary to expand its composition to include more business representatives.

01:11:13:27 - 01:11:14:12

Thank you.

01:11:14:14 - 01:11:44:08

Sir. Gordon Buchan, on behalf of the applicant. So the, um, to be effective. The transport management group needs to be reasonably small and compact. Um, our preferences that um, elected members and parish councillors can, uh, adequately, um, put forward the views of both residents and businesses. And as a former councillor myself. Uh, in a previous life, that's exactly what I did in a unitary authority.

01:11:44:20 - 01:11:53:06

Um, representing both constituents and indeed business interests. Um, on similar types of, uh, committees.

01:11:56:08 - 01:11:59:02

Mr. Zelikow, does the council have any further comments?

01:11:59:08 - 01:12:30:12

Thank you sir. Danny, for the council. Um, I mean, it's ultimately a balance. You know, a number of people you have in this group, the more you have in, the more views that are represented, but the harder it is to run. We simply take the view that, um, this is a specific group that the council has recognized as concerned about the development in a specific way, related to the businesses and the tourism that they run. Um, and that being a specific thing, um, should be represented in its own way.

01:12:30:14 - 01:12:40:24

It may be that you conclude that that that's going too far away. Um, but that's basically why we've taken that position. Um, that's the long and short of it.

01:12:41:08 - 01:12:42:02

Thank you.

01:12:44:16 - 01:13:00:16

Mr. Burton, do Preston Farms or TCS Biosciences have any comments on this particular point in terms of the the makeup of the traffic management group in the outlining construction traffic management plan? I think you have in the past call for representation on that group.

01:13:01:02 - 01:13:32:17

Uh, yes. Thank you very much, sir. James Burton, Preston Farms Biosciences. Obviously, we'd like to be involved. Obviously, as you know, our major concern is about the routing, which you're coming to later. So we can see that we would be one foot in and one foot out of this group in terms of what was actually concerning us. But that's not a reason for us not to be in it, because I imagine everyone will be a little bit one foot in and one foot out in terms of what they're particularly concerned about. So we maintain our position.

01:13:32:19 - 01:13:35:21

We should be involved is right that we should be involved. Thank you sir.

01:13:37:27 - 01:13:39:19

Thank you. Yes. Councillor Gomm.

01:13:39:28 - 01:14:13:16

Thank you very much, sir. Councillor John Ward, member in that area. Um, I like what I hear. I'd certainly like to be involved because I chair the infrastructure area or they're there already. So with HS2, Network Rail and with all the further applications coming through with solar and other battery points, it would be essential to have one group and not loads of little groups because of the way the system would work. So that's what I would like to see moving forward. Um, is is a big well, not a big group, but the major players are working as well.

01:14:14:04 - 01:14:16:27

It gets quite busy around there. Very.

01:14:18:04 - 01:14:22:06

Thank you. Thank you. Any further comments on this point?

01:14:23:12 - 01:14:23:29

No.

01:14:25:14 - 01:14:53:10

Okay. Question in relation to, um, construction traffic, uh, through the villages. Um, and this is picking up on a point raised by East Parish, East Claydon Parish Council, um, querying the extent to which the outlying construction traffic management plan may or may not, uh, control, uh, construction traffic in terms of staff minibuses or cars travelling to and from the site. Uh,

01:14:54:27 - 01:15:02:25

does the outline construction traffic management plan control those movements through the villages. And if not, why is that not the case?

01:15:04:27 - 01:15:28:03

Thank you, Sir Gordon Buchan, on behalf of the applicant, sir. Construction traffic not is not just HGV traffic. It would be like good vehicle stuff. Minibuses and private vehicles moving to and from the site as the route we have selected does go through the villages, it's been carefully designed to ensure that that does not happen. Um, staff.

01:15:30:19 - 01:15:31:04

Uh.

01:15:33:18 - 01:15:49:25

I think there's details outlined within the outline construction traffic management plan. I can provide the reference later if that would be of assistance. But we treat minibuses, private vehicles, ATVs exactly the same. There is one route in and one route out of the site, and that applies to all persons visiting sites.

01:15:51:17 - 01:16:04:17

So the construction, the construction traffic route is applicable to all vehicles that would use the the route fed for construction purposes, and that would include staff commuting as well. Regardless of what type of vehicle they're using.

01:16:05:15 - 01:16:07:23

Gordon Buchan on behalf of the applicant. That is correct, sir.

01:16:09:25 - 01:16:13:04

Thank you. Um, yes. Councillor Gunn.

01:16:13:25 - 01:16:44:10

Thank you very much, councillor for Buckingham. And this is my point. You talk about construction traffic. You talk about yours. But with the accumulative of what's going on in the area. This is where the villages are concerned. Is it your traffic, their traffic, whatever. So that's why I would like to reassure that. Could we have one group that works? Um, as a, as a collaboration rather than an independent? Because that's where issues happen and all sorts of work traffic ends up going all over the place.

01:16:44:12 - 01:16:46:10

And it does. Thank you.

01:16:47:28 - 01:16:56:01

We have come to the point around the coordination with of the projects, and this is a point we've we've touched on in the past, isn't it? Perhaps if councillor comes benefit we could revisit that.

01:16:56:20 - 01:17:28:02

Thank you. Sir. Gordon Buchan, on behalf of the applicant. Um, if of a resistance councillor, we have a signed statement of common ground with HS2. Um, that is the predominant, um, project that is consented just now that would share those routes. And we have assigned the common ground, uh, ensuring that the applicant and the promoters of HS2 work together and that there will be regular meetings and consultations and there are joint measures for them to work together.

01:17:28:04 - 01:17:41:08

Um, that is already accounted for. Um, there's further details on the outline construction traffic management plan. We'll be more than happy to have a discussion with you afterwards, if that would be assisted to go through it, if that would help reassure you.

01:17:41:10 - 01:18:02:09

Thank you, sir, for allowing me to come back. Philip, come again from Buckinghamshire Council. I appreciate what you say, but in practice that doesn't always work. You know, whether you then, with no disrespect, you could be talking to HS2 or whatever. And for every day that we're correcting some of their roots. So I appreciate that. I would like to see a bigger collaboration working together, and not just a few of you on your own.

01:18:04:12 - 01:18:05:21

Would that you respond?

01:18:08:01 - 01:18:16:20

On behalf of the applicant. So I mean, if it would be of assistance, more than happy to have a chat with the counselor after the session if that would help clarify matters.

01:18:16:29 - 01:18:22:13

Yes, email would be a efficient use of time. Yes, for that to happen. And just to clarify those points, thank you.

01:18:22:23 - 01:18:54:23

So sorry. So on that point. Yep. Richard Griffiths, on behalf of the applicant, um, obviously we're not in control of our developers. Um, but there is a commitment, um, in a outlined construction environmental management plan that we will consult with other developers, not just HS2, but the East Coast and Best East Claydon, Greener Grid Park, etc. and then in the TMP at 7.3 to 7.3.2, uh, we, we do actually pull out HS2 in that example, but we can broaden that out.

01:18:54:25 - 01:19:46:09

The point is, we're happy to provide that commitment to say we would be willing to our group meet as a bigger group with other people. Uh, we can't force that. So we would need to rely on the council to help us do that. But we certainly would say that are we are willing to be part of that. That's why I think it's important that the group is kept quite tight, as we've already said in the previous answer, otherwise it's become completely unwieldy. Um, as you can imagine, and as Mr. Parkin said, councillors can obviously speak to their constituents and to get the relevant information so we can amend 7.3.2 of the TMP, um and the OC and to and to um, to make sure that we make it clear that we're happy to be part of a bigger group, if that would be helpful, to give the council the ability to then also encourage other developers to be part of that larger group.

01:19:47:17 - 01:19:49:27

Thank you. We'll record that as an action point.

01:19:53:14 - 01:19:55:08

Moving on then. Um.

01:19:56:24 - 01:20:04:28

And it's my fault for not listening to Mr. Griffiths. We're not understanding, Mr. Griffiths. It is the applicant accepting we can be in this group or out.

01:20:05:00 - 01:20:37:09

I'm Griffiths, on behalf of the applicant. I was explaining that we are in a we're happy with with the council's suggestion that if the council can bring everyone together, all the other developers, then we're happy to sit on a larger group so that our each of the groups, the camp management groups, are not isolated from each other. We're happy to support the council in that endeavour. And we'll write something, put something into the TMP to make that point clear. But we can't pull everyone together. We will need the council to help us with that. But we'll make that commitment to the council.

01:20:37:14 - 01:21:06:03

I'm saying that we we we're not going to add individual parties to the group. We consider it should be kept tight for the reasons that Mr. Buchan said, and that the local councillors will be able to understand what concerns there are for local people to bring to that forum. Otherwise it gets too unwieldy, particularly if, as the council would like these forms to be part of a bigger group.

01:21:08:13 - 01:21:41:16

Could I? Sorry, sir. James Burton, on behalf of Preston Farms and CCS Biosciences. Could I just. In that case. Thank you, Mr. Griffiths. Now, now that I've understood the applicant's position is no. Preston Farms and TCA shouldn't be part of the traffic working group. Um, I'm afraid, given that we

are meant to be, according to the applicant's documents, working hand-in-glove, cheek by jowl with them to ensure that, for example, their traffic doesn't bring contamination onto our site.

01:21:41:18 - 01:21:51:14

It is. It's disappointing that they're not even willing to contemplate us being on the Traffic Working group. Thank you sir.

01:21:52:20 - 01:22:12:12

Thank you, Mr. Burton. I mean, on that point. So just sorry, Mr. Crisp beforehand. I mean, at that point, there are commitments in various documents from the applicant to work with Preston Farms. Um, I mean, if they weren't part of the traffic management group, presumably there were still would be conversations around traffic management with them as part of those wider discussions. Is that correct?

01:22:19:26 - 01:22:54:26

Yes, sir. Richard Gibson, part of the applicant. So we're talking about the management group here. That's true. That's, uh. May was make decisions about how things are run. So we need to keep it quite tight. And Mr. Zelikow made that point earlier at 5.5 of the construction access review. We make a commitment that we want to ensure that we we're making a commitment for weekly meetings with TCS Bio Sciences limited. We can see in Preston Farms there as well to ensure that the actions from the last meeting are, um, have been done.

01:22:55:01 - 01:23:20:13

Uh, update on biosecurity matters. Us telling them where the construction progress is. Where it's where it's up to, um, any issues, improvements that can be made. Um, timing of specific events, etc. as a list at 5.5 per one. So the commitment is there to have a constant dialogue. Um, with Preston Farms and TCS, that information would of course be then be brought to the, to the uh, forum as well. Um, but that commitment is there.

01:23:21:03 - 01:23:29:04

So there is a form of commitment to engage with TCS and Preston Farms, but not part of the the part of the traffic management group itself, but it could feed into it and vice versa.

01:23:29:18 - 01:24:06:10

And our Richard group is part of the applicant. Our point as well is that where do you where do we stop? Um, there are other parties who may feel well, in that case, why aren't we part of that? And then suddenly they come to a very large group, and particularly if the council would like to have this working group part of a bigger working group, then it becomes quite difficult, I would imagine. So we will. We support the council in trying to have everyone together in one room to discuss this, and we'll put that commitment in the TMP. And we've got the commitment, particularly for Preston Farms talks, that we have weekly update meetings which will which will then feed into that that forum.

01:24:07:00 - 01:24:17:25

Thank you. Mr. Burton. Do you have any particular concerns about there's 1 to 1 type discussions with the applicant that may include considerations of traffic management matters.

01:24:17:27 - 01:24:49:05

Thanks to James Burton for Preston Farms. Yes. So we we don't have concerns about those. It's a simple point, matter of logic, that it makes the best possible sense for us also to be on the traffic management group. And as regards Mr. Griffiths point about where where do we stop? Well, we can all surely see that of any business We're the ones that the applicant is proposing to drive its access right into the heart of our operation.

01:24:49:07 - 01:24:59:04

So surely there are cases and cases, and one wouldn't be opening breaching the dam to include us. Thank you sir.

01:24:59:18 - 01:25:02:03

Thank you, Mr. Burton. Miss Hamilton.

01:25:03:06 - 01:25:38:02

Thank you sir. Helen Hamilton Clayton, solar action group. Um, just just a quick comment. First that, um, it's a little bit hard to understand the applicant's position on this. They keep talking about opening the floodgates and all of these other people wanting to join this group. But as I understand it, there is only one party that wants to join the group and that's TCS. Preston Farms and is a little hard to understand the applicants resistance to this given the pivotal nature of the construction traffic on on their business.

01:25:38:10 - 01:26:07:23

Um, my other point is, I'm afraid a tired refrain. You'll be fed up of hearing it from me. But in the construction traffic management plan, we've got a commitment to applying these mode share requirements for employees coming onto the site only where it is practical to do so, and once again, really not offering very much security that the kind of protections that they're suggesting they're going to offer will actually be delivered. Thank you very much.

01:26:08:09 - 01:26:21:00

Thank you. On the Mod share updates to the TMP. I'll just turn to the counsel initially. Um, I think there has been some conversation with council on that point. Is the council now satisfied to that update in relation to the TMP?

01:26:21:06 - 01:26:23:27

Thank you Sir Daniel for Council. Yes for wording in that.

01:26:24:01 - 01:26:29:25

Thank you. Does the applicant have any further comments in relation to the Sampson's points there please.

01:26:31:07 - 01:26:54:18

Gordon Buchan on behalf of the applicant. So um, the MPs, the requirement of the draft DCO and therefore the requirements within the camp are a requirement of the draft DCO, and will be a requirement under the legislation that the DCO acts under. So those requirements for modal shares are guaranteed, sir.

01:26:55:12 - 01:26:56:04

Thank you.

01:27:00:29 - 01:27:31:05

Moving on to my next question. Just in relation to the modelling at the A41 Station Road junction. In the updated transport assessment. And that's Labour reference rep 4046. Question two the council does have any points it wishes to raise in relation to that. I notice from the applicant's response to our further questions that there have been no adverse comments to date from the Council. It was just checking that that was still the position today.

01:27:31:19 - 01:27:33:04

Yeah. No, no I'm

01:27:34:21 - 01:27:45:07

Danny Gazelka for the council. Um, yes. No on that modelling on the junction, where we're satisfied that the relevant testing policy hasn't been met. So we're happy with that there.

01:27:45:24 - 01:27:48:24

And you concur that there is spare capacity at the junction?

01:27:49:18 - 01:27:54:27

Um, on that I'll have to go to my expert. So I'll just go to, um, Mr. Duncan, who is, um, who should be on line.

01:27:54:29 - 01:27:55:20

Thank you.

01:27:59:27 - 01:28:00:19

Uh. Good afternoon

01:28:02:13 - 01:28:12:07

Council. Uh, yes, I can confirm that the the outputs of the model show that Station Road A41 junction can take the proposed traffic.

01:28:13:16 - 01:28:16:06

Thank you, Mr. Duncan. Councillor Gunn.

01:28:16:27 - 01:28:47:15

Thank you very much, sir. Councillor Gunn again represents the area. I found it quite interesting to see the the modelling of the A41. That's been been in my back for the last 4 or 5 years. What's going on there? I will talk to our officer at Buxton. Happy to talk to the applicant as well. So because it's not just that junction that will affect you, but you will need to be going up Fitness Field, Lee road and that sort of area. So your construction traffic will come across quite a few different difficulties.

01:28:47:17 - 01:28:55:01

So again, if we could make maybe an action of that if the applicant would want to and then we could talk that further.

01:28:56:19 - 01:28:57:15

Mr.. Welcome.

01:28:57:26 - 01:29:10:08

Gordon Buchan, on behalf of the applicant. I'm more than happy to have a chat with the councillor after this session, sir, and explain the measures and elements that we have for the entire route. If that would be of assistance.

01:29:10:10 - 01:29:11:11

I think that'd be helpful. Yes.

01:29:11:13 - 01:29:14:09

Thank you, thank you. As the local member, I'd like to know that. Thank you.

01:29:16:20 - 01:29:50:00

Okay. Moving on to discuss the construction access review that was submitted by the applicant. Deadline for to assess the alternative construction traffic route suggested by Preston Farms Limited and by Sciences Limited, as well as providing details of access management and transport related biosecurity measures for Preston Farms and TCS. Um, question first of all to Preston Farms and TCS then do you have any initial comments on on that review? Um, perhaps a summary of them now.

01:29:50:02 - 01:29:52:27

And I'm sure there'll be something in writing as well at deadline five.

01:29:53:28 - 01:30:29:15

Yes, absolutely. Thank you sir. James Burton for Preston Farms and TCS Biosciences. Yes. This is by way of summary only. Obviously this only came in at deadline for um, we've considered it and we'll say more at deadline five. Um, could I bracket my remarks firstly construction and then operational and the distinction between the two being quite, quite important for our certainly for our purposes. So, um, clearly starting point a starting point is mitigation hierarchy.

01:30:29:17 - 01:31:14:07

Um, and um, has the applicant actually sought to avoid us. The the first point that jumps out and I've got four points regarding the document under construction, most of which apply to operations. Well, the first point that jumps out is that clearly nothing of the document points to a prior assessment. So as as we suspected, the first time the applicant has looked in detail at our proposed route, which let's not forget, is, as we say in our, you know, um, a deadline three and four um, submissions was these deteriorate inspectors proposed route for that development, our proposed route.

01:31:14:09 - 01:31:48:17

So she found it acceptable by contrast with Grand Bur Road. The first point is that this is the first time it's being looked at in detail by the applicant. The, um, second point is, whilst we we disagree with

most of the judgments that that are reached regarding our proposed route. Um, what we can see is that in the assessment of our proposed route as against the applicant's proposed route, nowhere does the assessment factor in the benefit.

01:31:48:27 - 01:32:22:17

We would say the huge benefit of avoiding impact upon us. And as you know, sir, as at the moment, just by way of visual reminder, if one looks to the back of 4087, which is this, this, this review document the applicant has produced, one can see the applicant's present proposal, which is to take their access off the grammar road right by our silage clamps, um, giving rise to excruciating biosecurity concerns for obvious reasons.

01:32:22:27 - 01:32:57:02

Um, so it's it's immediately apparent it's an incomplete assessment because how can you not factor in the benefit of avoiding us. Um, the third point. Um, sorry. No, um, I think that the final one fundamental point is that certainly as I read the document, it's not said there that our alternative route fails the policy test that you have to apply as regards traffic and transport in M1.

01:32:57:15 - 01:33:28:02

It's not it's not it's not said it fails due to safety. It's not said it fails due to severe residual impact. No. Um, we acknowledge of course, it identifies what it says is a safety risk in Winslow for HGV turning there. But I repeat this is the route found. Not just acceptable but preferable by your colleague who considered this deterrent application.

01:33:28:06 - 01:34:00:15

And no one is saying it fails the test. Um, that's as regards construction. Um, as regards the operational. Moving on to that, the applicant says and this is this is, um, totally baffling to us. Um, the document says, and there's a very small section right towards the, towards the end regarding operation at the end of the review of our, our route, um, at um, 3.6.1.

01:34:00:17 - 01:34:38:18

It says, um under the heading operational access. Access between parcels one and two. And parcel three would result in a 33.1 mile long journey if the alternative access route is used. This is neither efficient in time nor in transport. Carbon reduction. This makes no sense. The applicant is talking about, um, like goods vehicles during the operational phase, the restrictions it's seeking to add or impose upon itself to shut out our alternative route concern TVs and the.

01:34:38:20 - 01:35:10:21

And the issue it raises in Winslow concerns TVs for the operational phase. There's zero reason for a light good vehicle not to just take the direct route. So that is a red herring. And it's it's just a huge concern. What why why? For the operational phase, why on earth does the applicant need to be accessing through our site for the 40 year 2 or 1 and a half generation life of this of this scheme? Um, I don't know if either Mr.

01:35:10:23 - 01:35:27:24

Preston or Mr. Williams have anything to add in terms of the, the the finer detail. I'll warn them up to that. But the final point I want to make is that within the review and I appreciate this is a granular point, but, um.

01:35:30:04 - 01:36:00:22

If we're wrong and the applicant does need to access off the ground, erode, and you find that it shouldn't in fact be taking the alternative route, then why does it need to come right by our silage clamp? Why can't it go as far to the east as possible, up as close to the brook as possible, and then we might be able to work, possibly work around it and avoid, which is very important, our livestock having to cross its access route. So that's a that's a long summary I know.

01:36:00:24 - 01:36:07:10

But but nonetheless it is a summary and more coming. Thank you sir. Does anyone else want to add anything.

01:36:08:12 - 01:36:08:27

No

01:36:10:14 - 01:36:27:13

thank you Mr. as well. Just on that. Did you have any specific comments on the there's some proposal in there for the provision of gates and fencing in the vicinity of the silage clamp. Did you have any comments on the extent to which they may I address any concerns around biosecurity, which I think is what they're aimed at.

01:36:27:25 - 01:36:30:00

And James Preston Preston Farms.

01:36:30:06 - 01:37:00:29

Um, the the sort of map they've done around the silage clamps is quite confusing. I don't think it really shows a clear understanding of how it works. The map is also seriously outdated. Um, so for example, they, I think, assume that we only access the silage camp from the field side, which is not true. Um, there's a comment about there not being a gate. There is a gate on the silage clamp. The main, the main one. There is not one on the part to the right where we have access behind the silage clamp.

01:37:01:01 - 01:37:33:20

You can see the gate in the photo they put clearly. This is probably the most used part of the farm. Um, it is totally, totally fenced off and secure from any surrounding field or other parts of the farm. It has to be accessed frequently by tractors going up and down the road. Who go to the three farm sites that we've mentioned. Um, I don't see how their designation there also coincides with their new access and arc around E 23.

01:37:34:02 - 01:38:12:18

Um, you would also be funneling animals into a kind of relatively tight corridor going through there to the left of the track. But I think simply, you know, I go back to our timeline and we said that while we clearly did not want access across us, it causes all the problems. We've said, you know, uh, 16th of October 2024, that if we absolutely had to, then having it against the brook would be the preferable

solution. So I think just reading the document and we do have comments. Um, you know, it seems like another example where it looks like that they are really listening and working with us, but it doesn't feel like that on the ground.

01:38:12:20 - 01:38:28:07

The one thing I would say is positive is the idea of having a track and then the additional fence, but in terms of the placement near the silage clamps and how that actually works with the operation, the movement of animals. Um, it's still very much not ideal.

01:38:29:02 - 01:38:56:12

Thank you. And was there any dialogue with the applicant during the preparation of that, that diagram or. That's what we saw that deadline for along with everybody else. Correct. Okay. Thank you. Um, there's a fair amount to go through there. Um, but can the applicant please respond to those points, including the reason why a separate location along Grammar Road wasn't selected? Uh, for the access instead of that particular parcel? Um, over to you. Thank you.

01:38:57:28 - 01:39:38:25

Thank you, sir. Gordon Buchan, on behalf of the applicant. So when we looked at the access options for the site, uh, and those, uh, criteria that we applied, uh, are detailed within the construction access review. Um, our strategy was to avoid going through towns. Uh, to avoid sensitive areas, etc. that is detailed within the document, and obviously the option that is promoted by present farms and TCS Biosciences has would require us to go past two schools through Winslow Town Center, um, etc.

01:39:38:28 - 01:40:25:11

you know, and the criteria that we set out there that is detailed within that report. It would it doesn't meet those criteria. So there's an interesting point. Um, the Burton made there is that, um, the the route that is being used by others is preferable. And, and, um, you know, acceptable by others. Um, so it's not it's the only option that's doTERRA, that StarCraft that Tucky farms and presumably National Grid when it comes to an application have that is the way to go in because in terms of construction access, the only other option they have is coming up through the south and going through the villages of the collegians, and that is not a preferable route for anyone making a sensible construction project.

01:40:25:13 - 01:40:59:08

So it is not that this is the best route available for these projects. It is the only route available to these projects. That is not an issue that Roosevelt has. It has an option that avoids going past two schools. That avoids going through Winslow High Street. It avoids the highly constrained Vicarage Road High Street junction, which will come to shortly. So and it avoids the need for other suspensions, parking and other elements within the town of Winslow.

01:40:59:21 - 01:41:29:24

Um, so I just wanted to make that point there. It was considered it was rejected because there is a superior option in terms of the wider transport and access routing there in terms of the arrangements on Canberra roads, sir, and I think we did state this at the last hearing. Is there is an option that this could be moved and adjusted, and we're more than happy to have a discussion on a belief.

01:41:29:26 - 01:42:10:15

The applicants, agents and others are continuing in dialogue with TCF Bio Sciences and Preston Farms. There is potential that we can move the junction around. It's shown at its current location because it matches that. That's already in the outline construction traffic management plan. More than happy to have a further discussion with Buckinghamshire Council about moving that junction around. One thing that the proposed access strategy does provide, and it is a benefit to all users of Cranberry Road, not just to the applicant, but to Preston Farms and other users.

01:42:10:17 - 01:42:44:12

So there are a number of passing places and road improvements that are subject to after the project has been constructed and subject to the approval of Buckinghamshire Council. That those can be made permanent and that is a full time benefit for access there, which will, I'm sure, be of assistance to farmers during harvest times and when other vehicles move around on the on the network there. Um, we have um, suggested some um, improvements around near the silage clamp.

01:42:44:14 - 01:42:56:27

Um, if I could direct you to page, uh, and to, um, just trying to find the figure of figure five of the construction access review and the reference for that, so is.

01:43:01:22 - 01:43:09:03

Uh rep 4087. Uh, a figure for there. So, um.

01:43:12:00 - 01:43:15:11

My apologies. There's not figure four in.

01:43:20:11 - 01:43:21:20

There to find the figure.

01:43:24:17 - 01:43:54:20

My apologies. Figure six. Um, that is an image. They're taken from Google Street View. It's, uh. It's not an image that we we have taken ourselves. Um, it's one that you can review today. You can also go back in other times on Google Street View and you can see, you know, it is open. Um, we have offered within the construction access review if it would be of assistance, we can improve biosecurity there. We can improve the junctions.

01:43:54:22 - 01:44:26:23

Uh, at the, at the silage clamp as well. What we've provided in annex appendix two is we have shown a tractor coming out one of the side clamps there going north. That's certainly illustrated to show that a vehicle can exit the silage clamp and there is sufficient space for a tractor with a very large trailer to make that maneuver. Um, with, uh, the proximity of the suggested, um, biosecurity fencing, uh, that is provided in the drawing there.

01:44:26:25 - 01:45:06:19

So, so that's we're not saying that's the only manoeuvre that happens there, but it was just illustrate there is sufficient space between the fence and the silage clamp for, again, an agricultural tractor with a particularly long, um, uh, trailer there, a two bogie trailer with a, with a dolly, um, uh, set of wheels at the front. So we have looked at that, but as I said, we're more than happy to engage with the council

to try and move that junction around. Its position there is purely to match what's in the Oct MP that you have before you, um, trying to think what the other points were.

01:45:07:26 - 01:45:41:17

Yeah. So if we could turn to the High Street and Vicarage Road junction today, we heard from elected members that the stack craft application has been approved. I have, and my professional judgment as a Chartered Engineer and a fellow of the Institution of Highways and Transport is that there's a cumulative issue here. You've now consenting more schemes coming through. Winslow. If you look at the heavy traffic associated with Brookfield, it's not particularly high.

01:45:42:04 - 01:46:12:08

But if you look at that, that's already consented for Tucky farm, for StarCraft and Stutterer, you could potentially have 3 to 4 vehicles every minute, sorry, one vehicle every 3 to 4 minutes going through that junction. And if they are HGV sir, you are having vehicles swinging out on the exit at one of the only the two controlled crossing points within the High Street.

01:46:12:10 - 01:46:42:21

Taking up all of that space there, even with the proposed curb realignment. That's the terror that StarCraft have. You still have vehicles swinging out there, and to me, that is a significant safety point. Under CDM regulations, I'm required as a designer to advise my applicant to remove risk. The advice I have given my client is that we remove that risk by coming from the south.

01:46:42:23 - 01:47:08:07

So by avoiding coming through towns, by avoiding interactions with pedestrians, by avoiding interactions at controlled crossing points cumulatively, sir, I do not believe that it is particularly safe to have vehicles swinging right out over two lanes as a pedestrian crossing in a busy high street, and I would not be content pulling my name to that.

01:47:09:05 - 01:47:20:08

Thank you. Would you be able to prepare a note along those lines, that line five plays, that just describes some of the issues related to that new consent plays and implications for the for the traffic route for this project.

01:47:21:03 - 01:47:23:00

Gordon Buchan on behalf of the applicant. Yes, sir.

01:47:23:25 - 01:48:01:11

Thank you. And in relation to the access review, um, and biosecurity measures, I note at paragraph 5.2.5 of the access review, which itself is rep 4-087. Um, it talks about the biosecurity measures being in accordance with the, with the framework identified to date. That being the note itself and any further elements to be agreed with by sciences, and that these requirements can be included in the outline TMP to ensure its delivery in the DCO if required.

01:48:02:02 - 01:48:31:03

Um, I would like to understand what else may be added to that. Um, and also just to go to Turbines and Preston Farms to see whether or not he would like further information in the TMP on this point in

relation to possible additional measures that may come out of this review, along with a commitment, perhaps, for further discussions to inform more detail moving forward. So to the that's it initially to.

01:48:31:05 - 01:49:05:00

Richard Griffiths on behalf of the applicant. We've um, obviously a deadline for seeing the, uh, additional information provided by Preston Farms TCS licenses regarding the security measures. We'll be updating the biosecurity preliminary biosecurity notes for deadline five. Uh, in light of that information. So more, uh, detail will be going into that biosecurity document, uh, for deadline five, uh, to demonstrate how we're going to comply with, um, what they're saying in that note.

01:49:05:02 - 01:49:38:00

So that'll be that's underway at the moment. Well that's the deadline five. And then um, I suggest that it rather than sitting on its own, it could just be appended to the outline construction transport management plan and the outline construct environmental management plan. So um, so that is clearly in one place, even though it might be repeated across number of documents. So it is secured by reference to all of those documents as a commitment to deliver those biosecurity measures, uh, with the camp um operational plan and the KTP.

01:49:39:08 - 01:49:44:27

And would that include the commitment to continually seeks to develop those measures?

01:49:45:10 - 01:50:26:25

Yes. Richard Griffiths on behalf of the applicant. Yes, I think that's already written in somewhere. But yes, we'll make sure that that the final form of those documents, um, and the final form, biosecurity measures would be developed, uh, at the time with Armbrust and Farms talks, and then we would submit that for approval to the authority for them to then determine. And we can obviously then submit with that document evidence of how we've liaised with and consulted with TCS. And of course, it would be free to local authority to ask for comments from Preston Farms and TCS, so we can write that detail in of how we'd imagine that approval to work into the document itself.

01:50:27:12 - 01:50:41:13

Okay, so the precise location of the future junction from Grammar Road and the arrangement of gates, fencing, etc. in the vicinity of the site, clamps would still be over for further discussion and final details as to where they may or may not be.

01:50:41:25 - 01:51:14:14

As Mr. Buchan said. Richard Griffiths, on behalf of the applicant, the, uh the applicant is happy to discuss, uh, now moving that to the plans, show it in a, in a in a preliminary position further away from silage clamps, as we've heard today, that can be discussed. Now we can submit the drawings to show that. But in terms of the precise location, uh, that could be agreed. Um, uh, uh, in consultation with them prior to detailed design and then submission of the detailed documents to the authority for approval.

01:51:15:09 - 01:51:36:04

Thank you. I'm turning then to the council, Mr. Gazelka. Does the council have any comments on the review in terms of the construction traffic route? I think you already expressed that you have agreed

the construction traffic route as is, but perhaps without, um, having regard to the effects on individual businesses, it's more from a transport perspective. Is that correct?

01:51:36:10 - 01:51:54:18

Thank you, Sir Daniel, because I'll call the council. I mean, that's it in a nutshell, sir. We've not got into this particular issue in great detail because the local highway authority was looking at the highway as a whole and the route that was put before us. And so that's the position we're in basically on the entire discussion that's just been had.

01:51:55:22 - 01:51:56:16

Thank you,

01:51:58:15 - 01:51:59:15

Mr. Preston?

01:52:04:25 - 01:52:06:00

Yes. Please go ahead.

01:52:08:05 - 01:52:38:13

James Preston, Preston farms. I will respond with some comments on the document, but there was just a couple of things that I wanted to follow up. I might not be a traffic person, but reading the documents of Satara, Mr. Tara had the option of both Granbury and Winslow Road. So the idea that all the other projects had to use the Winslow Road is not not true. This the appeal actually recommends they use the Winslow Road over the Grand Parade. They will still use the Grand Parade for access. So the construction route was specifically designed.

01:52:38:15 - 01:53:12:21

So I just felt that wasn't made very clearly. And the route that we suggested is a approved HGV route. The road that goes around Buckingham and Winslow, as per Buckinghamshire Council, and the silage clamp we have mentioned about the gate and the photo, if they look closely at their own photo. Uh, you know, I'm not quite sure what their other points are with the desktop based exercise. Um, and I think, you know, look, we understand that we're not all going to have the same opinion, but our overarching feeling is that this other route has not been assessed.

01:53:12:28 - 01:53:40:19

Um, and, and we very much feel that, that it has not been approached with us as a sensitive receptor, which the applicant now says we are a very highly sensitive receptor. That that is the impression that we've had. The document doesn't seem to show any significant data from when we flagged this issue in October 2024, and it uses the recent statecraft data. So I just wanted to kind of give that sort of a flavor of our feeling on it, and we can put that in writing.

01:53:41:09 - 01:54:16:01

So good. I just I've just come in on that. Sir James Burton for Preston Farms, Tewkesbury Sciences. Um, Mr. Preston, as regards um, I know you've seen this, you've read it, but I just remind you, your reference there is our rep 3067. Appendix F, which is where we present what I hope is a perfectly fair

summary of the satire. Inspector, that was, of course, Inspector. Plenty decision, and it is clear that Granville Road was was considered and our route was found preferable.

01:54:16:03 - 01:54:48:15

Graham Bell Road, I think, was going to be or decided to be used simply for um, ale movements when our proposed route, as it were, was, was not available. Um, so that's the point there. The point regarding I think the point Mr. Preston was making regarding the applicant's figure six in its review document is that there is a gate there, but for the Google fly by has not allowed one to actually readily see that there is a gate there.

01:54:48:17 - 01:55:35:08

You may have seen it on your on your site visit that it's not the case that the signage plan isn't secured. And of course, at the moment, that's in the context of an incredibly lightly trafficked road where, frankly, we're the we're the people who use the road probably more than more than anyone else. The final point is, I hope I'm not taking heart out of turn, as it were, but unless I missed it, I didn't hear Mr. McCann or Mr. Griffiths say actually, the applicant is sticking by its position regarding the operational side of things, and I hope that means the applicant is taking away our point that if operationally you've just got light vehicles, it's not right to say that you've got to do some massive diversion and you still need access via our site.

01:55:35:17 - 01:55:40:09

I hope I'm not taking that out of turn, but I'll ask a question through you, if I may, sir. Thank you.

01:55:42:07 - 01:55:44:15

Could the applicant respond, please?

01:55:53:20 - 01:56:37:15

Thank you, sir Richard Gibson, part of the applicant, just on the construction access route. The applicants position. Um, is that, uh, as Mr. Buchan has said, that in his professional opinion, the proposal put forward by Preston Farms TCS is not a reasonable alternative because of the health and safety, the real health and safety concerns to pedestrians at the High Street junction. And because of that, it is ruled out creatively as a reasonable alternative to the proposal that in the application that is the his professional opinion that will be written up as you requested, as one of the action points.

01:56:37:17 - 01:57:07:28

So more of that detail that was said orally. We will explain at deadline five. Um, so the construction access, um, uh, will be via, uh, Bramber Road with the Our security measures that will be put in place. And because of that, the operational access would be through from Granville Road, using the construction infrastructure that was put in place, the gates, etc..

01:57:08:04 - 01:57:13:26

Uh, uh, that's already there, um, to, uh, to facilitate the operational access.

01:57:17:06 - 01:57:48:27

And on the scope to, um, potentially move the proposed construction access that then would become the operational access of Granville Road. How much flexibility is there within the application at

present to move that up or down Granville Road? So it's shown in a particular location in the within the documentation. And it's been suggested that that could be, could be moved further down the road to perhaps ease some of the pressure off the size camp and the sensitivities in that area.

01:57:48:29 - 01:57:54:24

How much flexibility do you have to do that within the application that we have before us?

01:57:59:07 - 01:58:00:28

Richard Griffiths, on behalf of the applicant.

01:58:05:13 - 01:58:31:27

I would need to let me take that away because there's obviously other environmental considerations we just need to look at. And I haven't got those consultants here to ask the question of, so rather than me give you a an off the cuff comments, we'll put that in writing to you in terms of the precise location and how close can we get to the brook? Um, given the other environmental constraints, that's as best I can go. I think at this point, because I've got the consultants to ask, okay.

01:58:31:29 - 01:58:35:12

That's fine. So an action point for deadline five again. Thank you.

01:58:37:25 - 01:58:38:19

Councillor Gomm.

01:58:39:10 - 01:59:02:04

Thank you very much. Councillor Gunn, Buckinghamshire ward member. Um, just a question. I might be out slightly, but, um, the construction traffic, working hours somewhere. At one point, it was seen from 7:00 in the morning to 8:00 at night, and in somewhere else. It's from 8:00 until 6:00 at night. Could we just clarify that for future reference, or is that too early for my question?

01:59:03:24 - 01:59:11:23

I do have a follow up to Mr. Griffiths response. Just there, Councillor Gong, if that would be convenient to perhaps to take this and then return.

01:59:11:25 - 01:59:17:14

If we could take that point first. Mr. Burton, just to continue that thread and then we'll come back to your question, Mr. Gummer, if that's okay.

01:59:17:26 - 01:59:49:29

Thank you very much, Sir James Burton for Preston Farms TCS by Sciences. It's a simple point, sirs, and it obviously will be a matter for you to to weigh. But we say it can't be the right approach given our sensitivity. And I hope we'll come to it tomorrow. But given the mountain of evidence you've now seen about our importance to our nation's health and indeed other nation's health, it really can't be the right approach to say, as the applicant now does. Well, we'll have put a construction access in.

01:59:50:15 - 02:00:03:14

Therefore, we should continue to access through the Preston Farms holding for for 40 years. That that cannot be a proportionate approach given the balance of risk. Thank you sir.

02:00:07:17 - 02:00:08:14

Mr. Griffiths.

02:00:10:00 - 02:00:11:18

I've got nothing further to add.

02:00:14:03 - 02:00:15:03

Okay. Thank you.

02:00:48:19 - 02:01:04:25

Okay. I was going to have a break. Round three. But we've gone past that point. Um, and we only have glinting glare left under this agenda item. If everybody else is happy, I propose we carry on and deal with glinting globe before hanging without having a break.

02:01:05:25 - 02:01:25:18

I'm just going to say, um, Danny Kosaka for cam. So I was also going to say I can, um, in the break, I can walk Councillor Gum through the relevant plans so you can see. But just on his question really just asked about working times, um, so that he has that information in front of him. If he does have a question after the break, if that's helpful as well. Yeah. Is that helpful?

02:01:28:24 - 02:01:31:22

Is that your point, Mr. Counselor? Go on then. Yeah. Thank you.

02:01:35:17 - 02:01:38:18

Okay, so you would like a break, in fact.

02:01:39:07 - 02:01:47:18

Uh, Daniel, I would at some point, but I'm happy to go on to glint and glare First, I'm not suggesting we split. Now it's just. I'll do that explanation of the break, if that sounds sensible.

02:01:47:20 - 02:01:50:22

Yeah, just just conscious that, um,

02:01:52:09 - 02:02:05:00

we need to start generating make population tomorrow. So once we've dealt with glinting glare, that will be it for today. So short break now and then. Glinting glare or carry on was was a question really. But so it sounds like maybe a short break would.

02:02:05:19 - 02:02:15:15

Be for council. Apologies to everyone, but yes, in which case if I do that it'll just save us doing it orally. And councillor government can ask me questions. Well that's that's going on. If that's some sensible.

02:02:15:20 - 02:02:17:21

Yeah that's fine, that's fine. Everybody else.

02:02:17:23 - 02:02:20:03

So happy to have a big thank you.

02:02:21:09 - 02:02:27:22

Okay. Uh, if we reconvene about 4:10. Okay. Thank you. Hearing is adjourned.