



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Rosefield Solar Farm
Hearing:	Recording of issue specific hearing 3 (ISH 3) - Part 1
Date:	07 July 2026

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The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

FULL TRANSCRIPT (with timecode)

00:00:11:26 - 00:00:27:16

Good morning everyone. It's now 930 in time for this hearing. To begin, I'd like to welcome you all to this issue specific hearing on environmental matters for the Rose Field Solar Farm project. Can I just confirm that? Everyone can hear me?

00:00:29:15 - 00:00:50:12

Thank you. Can I also confirm with the case team that the live streaming and recording of this event has commenced? Thank you. My name is Richard Morgan. I've been appointed by the Secretary of State to be the lead member of the panel to examine this application. I'm now going to ask the other panel member to introduce themselves. Good morning.

00:00:50:14 - 00:00:53:24

My name is Mark James, and I've also been appointed to be a member of the panel.

00:00:54:20 - 00:01:27:24

Thank you. Together, we constitute the examining authority for this application. I'd also like to introduce the members of the Planning Inspector's case team who are supporting us today, and you've probably already spoken to them. They have Rebecca Luxton, the case manager for the project, and Gerwyn Rigby here in the venue, along with James Leadsom, who is dealing with the virtual online side of things. The case team will be able to answer any questions you may have about today's event and the process in general.

00:01:28:19 - 00:02:09:25

I'll now deal with a few housekeeping matters for those attending in person. However, I'm pleased that all devices and phones to silent the toilets are located just outside this room, and there are no fire alarm tests scheduled for today. So if the alarm sounds, follow the fire exit signs and the directions of the hotel staff. Okay, just turning now to the agenda and logistics for the hearing. This meeting will follow the agenda published on the National Infrastructure Planning website on the 30th of June 2026, which is examination Library reference EV 9-001.

00:02:10:10 - 00:02:26:27

It'd be helpful if you had a copy of this in front of you. The agenda is for guidance only, and we may add other considerations or issues as we progress. We will conclude the hearing as soon as all relevant contributions have been made and all questions are asked and responded to.

00:02:28:18 - 00:02:58:21

But if the discussions can't be concluded, then it may be necessary for us to prioritize matters and defer other matters to further written questions. Likewise, if you can't answer the questions being asked or require time to get the information requested, then can you please indicate that you need to respond in writing? Today's hearing is being undertaken in a hybrid way, meaning some of you are present with us here, the hearing venue and some of you are joining us virtually using Microsoft Teams.

00:02:59:12 - 00:03:04:28

We'll make sure that however you decide to attend today, you'll be given a fair opportunity to participate.

00:03:06:29 - 00:03:28:18

The recording of today's hearing will be made available on Roseville Solar Farm section of the National Infrastructure Planning website, as soon as practicable after the hearing is finished. With this in mind, please ensure that you speak clearly into a microphone stating your name and who you're representing each time before you speak. If you're not at a table with a microphone.

00:03:30:19 - 00:03:35:09

There is a roving microphone, so please wait for one of these to be brought to you before you speak.

00:03:37:13 - 00:04:08:22

Link to the Planning Inspector's privacy notice was provided in the notification for this hearing. We assume that everyone here today has familiarized themselves with this document, which establishes how the principal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to the case team. If you have any questions about. About this at all. Just moving on to the purpose of the hearing. This hearing has been held to address matters and questions at any five births.

00:04:08:24 - 00:04:42:10

Through our reading of submissions to date. Representations made at previous hearings and our observations at our site. Inspections as well as this, please be sure the examining authority will continue to consider written submissions, including those at subsequent deadlines, noting that there are also other matters not included in this agenda that are also relevant to our examination. Just because something is not being considered at this hearing does not mean that it's not important to us. We have a series of questions to ask on each topic in the agenda.

00:04:42:13 - 00:04:54:04

We'll also ask for contributions for interested parties where relevant. Please be patient as we ask our questions, as these are important for us to gain a full understanding of issues and the positions of the parties.

00:04:56:01 - 00:05:28:22

Please remember that these are formal proceedings, and all parties should conduct themselves in a professional and respectful way pertaining to introductions, in terms of introductions to speed up proceedings. We do not intend to go through all the traditional introductions at this point. Everyone who wishes to speak at this hearing said, I'm just going to ask the applicant and key organizations around the table to briefly introduce themselves. We allow other parties to introduce themselves when they wish to speak on a particular item. So for a brief initial introductions, please start with the applicants.

00:05:29:19 - 00:05:57:00

Yes. Thank you. Good morning sir. My name is Amy Sterling. I'm a partner and solicitor at Pinsent Masons and I'll be representing the applicant today. I'm also joined by my colleague, Mr. Richard Griffiths, also a partner and solicitor at Pinsent Masons, who will also be representing the applicant today. We are joined by a range of colleagues, both in the room and online, to speak to the different technical agenda items, but I propose they introduce themselves when that agenda item arises. Sir.

00:05:57:12 - 00:06:01:00

Okay. Thank you for that. I can turn now to Buckinghamshire Council.

00:06:03:20 - 00:06:33:22

Thank you sir. Good morning. I am Daniel Gazelka, counsel from 39 Essex Chambers. Acting on behalf of the Council and instructed by Catherine Stubbs at Buckinghamshire Legal Services. I'm joined on my right by Zainab Hearn, who is a strategic technical lead majors at Buckinghamshire Council. And I'm also joined by Councillor Alex Collingwood, who is the chair of the Strategic Sites Planning Committee. And we also have a number of experts and people who will input into our submissions of the cost of hearing.

00:06:33:24 - 00:06:44:10

I'll introduce those then. Two very sharp points. One, we've got a couple of availability concerns, which maybe once we've done all the introductions, if you come back to me, I could raise then.

00:06:44:12 - 00:06:44:27

Okay.

00:06:44:29 - 00:07:09:05

Yes. Um, and then secondly, I know of some councillors who are also in the room who may seek to make submissions as well, which will obviously assist you, sir. Um, from our perspective, we're presenting the institutional position, and obviously the council is going to chip in on their views, representing their, um, constituents when they can assist the examining authority. But I just wanted to make that position clear.

00:07:09:07 - 00:07:15:07

Okay. Thank you for that. If we can ask Claydon Solar Action Group as well to introduce yourselves, please.

00:07:15:09 - 00:07:34:24

Thank you. Good morning sir. Um, I'm Helen Hamilton from March's planning and environment, and I'm representing Claydon Solar Action Group. And I have with me our ecologist Dominic Woodfield. Um, and later for item four are landscape expert Carly Tinkler will be joining us.

00:07:34:26 - 00:07:45:19

Okay. Thank you. And I think it may be worth, Mr. Burton, if you introduce yourself on behalf of the Preston Farms and TCS Bioscience as well.

00:07:45:22 - 00:08:13:18

Good morning sir. Thank you very much. Yes. James Burton of Council at 39 Essex Chambers, like Mr. Gazelka, representing Preston Farms Limited and TCS Biosciences. And I have with me, um, as last time, says Mr. James Preston, Mr. Gareth Williams. But I also have Miss Emily Utley, who you can't see at all. I think she's she's round, she is around the corner there. So I have a, I have a full team with me. Thank you.

00:08:13:20 - 00:08:53:03

Okay. Thank you. Okay. Before we start then there's just some further points. Uh, we seem to have a mid-morning break at approximately 11:30 a.m. and aim to break for lunch at about 1 p.m.. We do not intend the hearing continues beyond approximately 5 p.m. today. The hearing continues tomorrow morning as necessary, starting at 930. And for those joining virtually, please use the same link as you use today to access tomorrow's proceedings. In terms of action points, request the applicant keep a list which we can be checked and agreed at the end of each day, and it'd be helpful if any submissions resulting from an action point are submitted.

00:08:53:05 - 00:09:02:27

Possible. A deadline fi deadline. Five. Yes. Wednesday, the 29th of July. Um, so if I can go back to Mr. Gazelka.

00:09:03:24 - 00:09:35:21

Thank you, sir. Daniel Gazelka for the council. Um, just to make you aware, we have a couple of non availabilities where I will do my best to impersonate an expert, so to speak. And then we may have to come back in. Um, written comments I think for, for our purposes about noise and soils. Um, I have instructions from the council on them, and we'll be able to assist you as best I can. But anything we need to pick up, we'll pick up in writing. Um, in addition, there was a couple of limited availabilities. Um, and noting what you just said about tomorrow as well.

00:09:35:23 - 00:10:08:09

Our main limitation is Anna Morris, our population and health expert. But you heard from last time as well, who has, um, constraints both today and tomorrow. And the hope was and what I was going to respectfully invite the examining authorities to consider is whether item eight. I'll just get the agenda of item eight and 12. So that's population and health could be considered tomorrow morning together. Um, that would mean that, um, Miss Morris should be able to attend.

00:10:08:11 - 00:10:26:26

I think that aligns with the examining authorities comments that the intention was items 1 to 7 to be done today. Um, and health hopefully would sit reasonably suitably with population. But I appreciate obviously this exact this agenda is written in this way for a reason. So of course we will assist you as best we can.

00:10:27:08 - 00:10:41:25

Okay. Would any in the room have an objection to item item eight and item 12? Um, I suppose it's item 12 moving up to come after item eight.

00:10:42:07 - 00:10:51:28

Amy Sterling, on behalf of the applicant. Um, no, we have the same technical specialist speaking to both agenda item eight and agenda item 12, and he will be available tomorrow morning.

00:10:52:06 - 00:11:00:03

Any other comments on that proposed agenda item change? No. Okay. We'll make that change then. Thank you.

00:11:00:05 - 00:11:00:22

Thank you sir.

00:11:02:04 - 00:11:09:23

Okay, before we move on to the substance of the agenda. Does anyone have any other questions on the way proposed to conduct this hearing?

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

Nope. Okay. We'll now move on to agenda item two, which is need site selection alternatives. I'll now hand over to Mr. James.

00:11:24:24 - 00:12:04:17

Thank you sir. Agenda item number two. Then starting off with the the outputs of the proposed development and the related land take. Um, the applicant's response to action point one from issue specific hearing one. And that's rep 4-083 Regarding the approach used by the project to calculate the output per acre provides a link to a technical guide prepared for the Foss Green Energy Project. The notes provides a breakdown of capacity and effective over planting for both standard test conditions or STC, and nominal operating cell temperature.

00:12:05:19 - 00:12:24:14

Question first of all, to the applicant can now confirm whether the installed capacity and planting ratio assumptions for Rose field are based on either the STC or the CT. That's the nominal operating cell temperature conditions. Measurement, please.

00:12:25:07 - 00:12:37:07

Amy Stirling, on behalf of the applicant. I've got my colleague Cy Gillet available online who may be able to answer that question as to how he's calculated the land use efficiency for the scheme.

00:12:37:09 - 00:12:38:00

Thank you.

00:12:40:18 - 00:12:45:17

Good morning sir. Simon Gillett for the applicants. I hope you can hear me.

00:12:46:22 - 00:12:48:02

I can, yes. Thank you.

00:12:48:11 - 00:13:24:09

Thank you. Um, so the, um, the calculations that the applicant has completed for, um, in respect of, uh, the action point arising from the first issue specific hearing, um, were calculated, um, on the standard test conditions, um, capacity of the, uh, panels. Um, as part of the, as the indicative design. So we have not used, um, the knocked, um, uh, methodology.

00:13:24:11 - 00:13:24:28

So.

00:13:27:12 - 00:13:39:15

Thank you. And perhaps could you just explain the, the difference between the two approaches and the implications that you may have for the, uh, over planting ratios if a different approach was to be applied?

00:13:40:14 - 00:14:15:24

So Certainly. So some get it for the applicant. Um, the analogy that I would use, um, is that of a manufacturer's, um, an automobile manufacturers assessment of fuel consumption. Uh, for a car, um, the, uh, the standard testing conditions will be the sort of laboratory conditions, um, which allow for a comparison of different cell technologies, or in the case of an auto, um, different engines and chassis, etc..

00:14:15:27 - 00:15:01:01

Uh, which provides a number that can compare between models or across models. Um, and real world conditions are clearly not always the same as standard test and conditions. Um, and therefore when we drive the same car on the road, there may be times when we get better fuel consumption, or there may be times when we get lower fuel consumption, depending on a number of factors. Um, those are the two. Um, and if we apply that to the, um, the solar scheme, um, the standard test conditions is that, uh, laboratory, um, read across between different um, technologies, uh, or different cell manufacturers to allow for that comparison.

00:15:01:06 - 00:15:42:13

Um, and the, uh, and the, uh, kind of the more practical, um, or a more practical way of doing that is, is then assessing what the real outturn of the scheme would be. Um, I note that we've used the, um, the standard excuse me test conditions methodology because of the way that, uh, over planting is described in N3, in NPS, n3, where it is described as the ratio of um the installed Capacity of the panels versus the grid capacity.

00:15:42:15 - 00:16:18:09

So the capacity of the scheme is a function, um, or the applicant's position is that the capacity of the scheme is a function of the infrastructure, which is um, uh, installed at the scheme. And that is therefore effectively the number of panels multiplied by the nameplate capacity of each panel for that indicative design or for an indicative design divided by, um, the, uh, the AC capacity of the grid connection and uh, the other factors.

00:16:18:18 - 00:16:49:06

So excuse me, the other factors which feed, um, in around sort of the real world conditions, um, impact the likely level of generation measured in megawatt hours per year, um, which would be, uh,

achieved by the scheme that can be expressed as part of the the load factor. And so for that reason, um, we don't believe that there are any implications around those two different, um, methodologies, um, for the scheme.

00:16:52:03 - 00:17:08:13

Thank you. So by applying the standard test conditions approach, there are no implications for the for the over planting ratio in comparison to the the nominal operating temperature cell, uh approach. That would be the same old planting ratio for both approaches.

00:17:08:15 - 00:17:10:21

Would it uh

00:17:12:19 - 00:17:33:01

slightly get it for the applicant. Yes. In our reading of um NPS SN three, um, the uh, um, the calculation should be completed on the DC installed capacity at the standard testing conditions, which is which is what we have, um, what we have calculated, sir.

00:17:35:03 - 00:18:15:05

Amy Stirling on behalf of the applicant for Mesa, just to provide this specific reference, it's footnote 92 on page 95 of NPS and three 2023 version, which states over planting refers to the situation in which the installed generating capacity or the nameplate capacity of the facility is larger than a generated grid connection. So it's that nameplate capacity that I believe Mr. Gillet is referring to. I do think it is also worth noting, as we discussed in the last issue, specific hearing, that based on current technologies, the scheme is making an efficient use of land and isn't expected to be over planting, although that may change in the future.

00:18:15:07 - 00:18:46:06

Is panel designs become more efficient? I'm also conscious that we've provided quite a lot of evidence and orderly and writing as to land use, efficiency and over planting. I think it is worth noting that there's nothing in N3 in the capacity ranges that it provides, which sets a particular threshold that we must fall between. But even if it did, we have prevented presented evidence that we are firmly within the thresholds referenced.

00:18:46:08 - 00:19:16:29

For example, paragraph two 1017 of year three refers to it being typical that a solar farm will fall within the particular panel efficiency and that it is between 2 to 4 acres. The evidence we provided is that we 2.07 acres. So at the very efficient use of of that range, but nevertheless the context of that paragraph is essentially a preamble as to what the applicant should consider by way of assessment and the Secretary of State and decision making.

00:19:17:02 - 00:19:32:21

So it would be useful for us if the information were not providing or haven't provided to date, that would be useful to satisfy you in this regard. We're obviously willing to do that. We've we've covered this in quite a lot of detail in our submissions.

00:19:34:27 - 00:20:23:26

Thank you. Well, I do have some further questions in relation to our planning, so perhaps we'll we'll come on to those, um, at deadline for the Clayton Action Group. And this is a wrap for 103. Provided an estimate in table two of the generating capacity of the proposed developments in the year 2026, 2031 and 2035. Um, with the possible removal of certain fields that have been contested by different parties during the course of the examination and namely b6, b7, b8, D 28, D 29 and E 23, um and they assumed an annual increase in panel um or decrease in panel efficiency of 4.2%.

00:20:24:26 - 00:20:56:09

Uh. The figures provided indicated that even with the removal of these fields by 2031 and the development would effectively be over planted. Um, that excluded the potential for additional ten megawatt peak from the panels in field D eight and D9. Uh, should the PV modules be brought forward in place of the battery energy storage system? Uh, and that's a figure of ten megawatt peak was confirmed in response to our secondary questions.

00:20:56:11 - 00:21:12:06

And that was question 2.2.1. Um, first of all, the applicant, does the applicant agree with the action group's figures presented in table two of its deadline for representation.

00:21:14:01 - 00:21:44:11

On behalf of the applicant? And we have to give Mr. Gillet a moment to find those specific references. We will, of course, be responding and writing at deadline five and conscious. It's a very specific and technical point. I mean, I would make the point that we have carried out our own calculations and presented our own evidence in relation to whether or not there is over planting. I am not sure what assumptions went into clearing all the action groups calculation of over planting, but on our calculations we are not over planting, and Mr.

00:21:44:13 - 00:22:34:15

Gillet provided evidence of that of that previously. It is worth noting, perhaps, at this stage where Mr. Gillet organises his thoughts there, that as we come to the next agenda item, there is an evolving proposal to remove some solar PV panels within some particular fields relating to further mitigation for bat species, which has evolved in consultation with Natural England. Those, however, would then become mitigation land and therefore based on the previous and accepted methodology, and other solar cells for calculating land use efficiency would not be included within the calculation because that is based on work number one primarily, and other associated development, which is linked to that.

00:22:34:17 - 00:22:36:13

But I'll pass to Mr. Gillette now.

00:22:36:19 - 00:22:37:13

Thank you.

00:22:39:01 - 00:22:58:12

Um, sorry for the applicant. Um, so I think, um, I would like to respond in writing in detail to this representation, but there are a couple of points that I can make now. Um, on the, on the representation, um, which may assist you. Um, so

00:23:00:05 - 00:23:41:14

the overarching comments that I have is that, as you will be aware, there is an urgent requirement for, um, an unprecedented capacity of low carbon generation to meet the government's clean power targets and to keep, uh, the United Kingdom on its pathway to net zero by 2050. Um, and in that regard, bringing schemes forward for the earliest possible uh connection, um, is aligned with delivering to those that that need and holding a scheme back.

00:23:41:20 - 00:24:25:06

Um and and waiting for um, for uh, uh, panel capacities and the sake of be said for other technologies to increase in efficiency or in output, etc.. Um does not meet that that urgent need. So I can see the analysis that, uh, the Clyde and Solar Action Group have completed. But I would say that what that what it wouldn't do to hold back a connection until 2035, um, is it would not meet the urgent need for, uh, for large capacities of solar and other, uh, renewable generations to come forward.

00:24:25:11 - 00:25:01:23

Um, the other comment that I would that I would make is and this is at the top of electronic page, sorry, second paragraph of electronic page 18 of 27 of um Clayton Solar Action Groups representation, where they state that um on the basis of these assumptions, the potential capacity of the site in 2031, which they claim would be the earliest date of which a connection to the grid is expected to be available, would be 411MW, providing over planting of 23%, um, and over planting of 23%.

00:25:01:25 - 00:25:33:08

I would I would express as an over planting ratio of 1.2, which is entirely within the range of, um, uh, commercially sensible over planting, um, for uh, for schemes. So, um, I haven't done the calculation. 411 over 3.35. Maybe somebody with a calculator can. Assuming it is 23%. That would not be unusual. And in fact, that would represent a, um.

00:25:33:28 - 00:26:07:15

Uh, that would not be a bad thing, if you like. Um, and indeed the, um, the number, um, in the paragraph later, which represents a 45% over planting if achievable, um, would also not be outside of any, um, commercial, um, and operational norms. So, um, as I say, I haven't read all of that representation in detail, but I would like to respond in writing to that.

00:26:07:17 - 00:26:18:01

Um, that having been brought to our attention at this issue specific hearing, but hopefully what I've said provide some assistance to your understanding of of those numbers.

00:26:19:15 - 00:26:58:27

Thank you. Mr.. That would be helpful if we can record that as as an action point, please. And what I'm trying to establish really, is the extent to which the applicant agrees or otherwise, that over planting, um, would effectively be in place by the point at which the development becomes operational. Given increases in panel efficiency between between now and then, having regard also to some of the changes that were alluded to previous as well. So perhaps there's an action point that would be a useful exercise. Please, just to clarify whether or not the applicant does agree there would

be a good planting when the project is operational and the extent of that over planting in context of the policy ratio as well, please.

00:26:59:15 - 00:27:00:07

Thank you.

00:27:00:10 - 00:27:51:00

Um, Amy, standing on behalf of the applicant, if I may. So just a final comment and I apologize. I'm having a bit of a Theresa may moment, if anyone can remember. I can remember that. Um, I just want to make the point, as we're all clear on the applicant's position based on current panel designs, the applicant is not over planting any projected parallel efficiency Mr. Gillette can respond to in writing for the next deadline. I just want to make the point, however, that overlanding is permitted within the planning system. So even if our evidence was not prepared and the evidence of the actions group was prepared in terms of the quantum of over planting MPs, M3 is clear that reasonable over planting should be considered acceptable in a planning context, and the reference I have provided previously is footnote 92, and page 95 provides the policy basis for that.

00:27:51:02 - 00:27:51:27

Thank you sir.

00:27:52:20 - 00:27:57:02

Thank you. Um, would the group like to comment, please?

00:27:57:09 - 00:28:38:27

Yes, sir. Thank you. Helen Hamilton, on behalf of the Claydon Solar Action Group. Um, there is a inconsistency here between what, um, Mr. Gullet is saying and what the application documents say, which is that there will be no over planting. Um, if we refer to I'm actually looking at footnote 98, but it's it's similar to footnote 92. Of the 24 insert the the the point being really that what the national policy statement requires is, um, information about the over planting and how much there will be and that it is justified.

00:28:38:29 - 00:29:13:04

I'm not. Um, it may well be that the applicant is able to justify the over planting, but at the moment the position has stated is that there will be no over planting. And just coming back on Mr. Gillette's point about the delay to the connection. Um, in fact, it's the the appellants, the applicant's sorry own evidence that their connection agreement will be sometime between 2031 and 2035. So that's the basis that we used for our assessment.

00:29:13:06 - 00:29:33:21

Um, we don't have the baseline date for the calculation that they've used because there's no information about what panel capacity or number of panel capacities went into the design, what the output of those panels were that went into the design of the scheme in the first place, and when, when that was actually devised. Thank you sir.

00:29:35:27 - 00:29:59:00

Thank you. Yes. I think it would be useful as an addition to the action point for the applicant if that information could be provided in terms of the panel ratings and assumptions that have been applied so far in the calculations for, for over planting and for the output of the project. If we could add that as an end to the action point, please. And with the applicant, I'd like to comment on.

00:29:59:02 - 00:30:09:14

Hey Miss Darling, on behalf of the applicant, know nothing further to add. The points are understood and will respond in writing for deadline five. In response to the action point and also in response to the deadline for submissions.

00:30:10:11 - 00:30:13:29

Thank you. Unless Mr. Gazelka.

00:30:14:29 - 00:30:51:20

Thank you, Sir Daniel Gazelka for the, uh, for Buckinghamshire Council. Um, this is more a point for information for anything else, and it may be something that the applicant should consider in the know produces. There is case law on on planting and what you need to address when you're considering further planting. It's two cases Ros and also Galway Galway, Galway. Anyway those two Galloway um those two cases. I'm not saying whether it points in favour or not, although the planting in this case I'm simply flagging it because, um, it is an issue that has tripped up consenting in other situations, and it may be something that the applicant wants to consider when it replies.

00:30:51:29 - 00:30:53:21

Um said neutrally.

00:30:55:26 - 00:31:31:03

Thank you, Mr. Gazelka. Again, if we could, uh, add that to the action point for the applicant as well, please to comment on the implications of of that case. Thank you. Unless there are any further points on over planting, I shall move on to the battery energy storage system. Um, so Buckinghamshire Council's comments on the applicant, summary of the discussion. Issue specific hearing one and that's library reference Rec 4-092 regarding the battery energy storage system or the best.

00:31:31:07 - 00:32:02:13

Uh, again queried the applicant's view on policy and policy support for the best. And the applicants state that the Council states. Sorry that the the applicant's at risk of misinterpreting National Policy Statement M1 and the Planning Act, 2008 to say that the need for the best is set at the policy level by paragraph 3.2.6 of MPs in one the applicant's response to our second written questions.

00:32:02:15 - 00:32:28:04

That's q 2.2.4. That's library reference rep 4082 appears to contradict that position by stating the applicant considers that the current policy position is that the need established by MPs. M1 applies to all schemes or components of a scheme which currently have a gate one connection agreements, whether or not they are within the scope of MPs. And one

00:32:30:04 - 00:32:40:16

question, first of all to the applicant. Can you confirm that it considers M1 paragraph 3.2.6 to apply to the BS?

00:32:41:15 - 00:33:26:17

Amy Stirling on behalf of the applicant. In summary, yes sir. I would like to direct the examining authority in the Council to paragraph 1.3.12 of NPS, n1, and in that context, it discusses associated development and the necessary test for associated development, which we've already covered. Paragraph 1.3.1 states n1, in conjunction with any relevant technology, specific NPS will be the primary policy for Secretary of State decision making or an associated development in one, and any relevant technology specific MPs should be considered in applications and Secretary of State decision making, noting the cross-references between these and that the text is often not duplicated in full between them.

00:33:26:24 - 00:33:57:13

So I would suggest there is sort of beyond doubt that even one applies to associated development. And we've provided various submissions as to why the base is associated development in this application. I have also, in preparation for this hearing, checked how the Secretary of State applies this policy in his decision letters where solar is co-located with battery energy storage, and he does provide substantial need in accordance with 3.2.6 for both elements together.

00:33:57:15 - 00:34:33:01

There is no such splitting out of the need case in the decision letter. I think, aside from even 3.2.6 noting that paragraph 1.3.12 requires in one to be the primary policy for decision making. There are specific sections on energy storage. It is not itself subject to any technology specific NPS which sets out the need for storage. So for example, paragraph 3.3.5, we need the increased flexibility of providing new storage and interconnectors.

00:34:33:03 - 00:35:17:04

You have paragraph 3.3.25. Storage has a key role to play in achieving net zero when providing flexibility to the energy systems. Paragraph 3.3.26 storage is needed to reduce the cost of the electricity system and increase reliability by storing surplus electricity. I could go on. There are various references throughout NPS m1 to why there is a need for storage. It is clear from the policy position in Ian one that it does apply to associated development, and the Secretary of State decision letters would indicate that he considers the substantial need for the generating station to also apply to the base where the co-located, and there is no splitting out.

00:35:17:06 - 00:35:17:29

Thank you.

00:35:18:12 - 00:35:24:13

Thank you. Could you identify the decisions that you referred to where the paragraph is required by Secretary State, please?

00:35:24:15 - 00:35:40:21

Amy Stirling, on behalf of the applicant, I believe all of them, when they're co-located, I haven't been able to find an outlier, but most recently Peachtree Hill, which was granted last week. So I can provide a full list. And in my all submissions it's on my summary. Thank you.

00:35:40:23 - 00:35:47:06

Yes, that would be helpful. Um, Mr. Gazelka, do you have any further comments on that, please?

00:35:47:08 - 00:36:19:26

Thank you, Sir Danny Gazelka for Buckinghamshire Council. I thought you might come to me. Um, so I think maybe what this issue was turned into was a bit of a storm in a teacup, or at least a widening out of a very narrow point that I was making at the last ice age. Um, if you remember, sir, the discussion that happened was there was an argument between the applicant and cSAC about, um, well, it was in the context of a letter where Nissa was raised, concerns about the amount of BS coming forward.

00:36:20:08 - 00:36:52:03

Um, and it wasn't Sterling, I think it was their expert who I think it was Sy Gillet, but I think that's right. Who then referenced 3.2.6 in respect to that, the concern I was raising, I do not dispute the NPS, and one applies to the best because it's associated development. I do not dispute, but the policy sets out positive, um, policy in favor of best coming forward with solar. And we obviously have a position separate to this about what should have been done in this circumstance because of what is around the, um, substation.

00:36:52:05 - 00:37:22:11

But that's a separate point. The pure point I was making was that our position is you can't rely on the NPS to establish need, per se. And what I mean by that is if someone would sit around this table today and say there isn't a need for PvP ground mounted, large scale PvP in the UK? The applicant would correctly direct you to section 104 and ask you to disregard those submissions, because ultimately the MPs can set need at the policy level.

00:37:22:13 - 00:37:56:23

We all know that. That's why you don't hear arguments about this in the large range of examinations that now go forwards and large scale server. The point I was making was in my submission that interpretation isn't applicable to bass because it's sitting there as associated development, which is within the scope of the MPs, but is not the actual primary development as identified under section 11 of the act. I think it's section 11. Um, that, um, is the focus of this scheme.

00:37:56:25 - 00:38:28:25

I think the reason why it's not dealt with in any, in any of the decisions is because this doesn't really come up. Um, Because, you know, it's just accepted they go forwards as associated development together. The specific point I was responding to, which I think has become a bit blown out of proportion, was this point about the MPs setting in principle at the policy level, the need position? Um, that that is what I submit is the correct interpretation of MPs, and one I think that's consistent with what Miss Sterling has just said.

00:38:28:27 - 00:38:31:19

It's just that specific, narrower point.

00:38:33:10 - 00:38:40:01

Thank you, Mr. Gazelka. That's helpful clarification. Miss Sterling does not have any further comments on that point.

00:38:40:08 - 00:39:12:26

Amy Sterling, on behalf of the applicant, um, I think we're then almost aligned. I would I would dispute that. Ian. One doesn't establish need for energy storage. There are multiple paragraphs within Ian one which do refer specifically to the need for energy storage. I've referred to some of them in my previous submissions. I take Mr. Glasgow's Point that the N1 was not directed at energy storage because it's not the primary development for which development consent can be sought under the Planning Act.

00:39:12:28 - 00:39:34:22

I think that much we can agree on. I think everything else almost becomes academic. Sorry, given the paragraph references have provided that the policy itself says N1 is the primary basis on which the associated development should be determined. And then there are many examples in N1 which set out the need for electricity storage.

00:39:38:02 - 00:39:38:22

Thank you,

00:39:40:11 - 00:39:41:06

Miss Hamilton.

00:39:43:20 - 00:40:19:12

Thank you sir. Helen Hamilton, on behalf of the Clayton Solar Action Group. It may be that you're coming on to this, but the the action group's concern really about the best is the is in relation to this development in particular and not what the Secretary of State has decided in other cases which may have different circumstances. So there is already a permitted stutterer development. And last week Buckinghamshire Council resolved to grant permission for the stacked croft and best development as well.

00:40:20:05 - 00:41:01:28

That's 500MW and I am aware, and can submit evidence at deadline five, that that is a 12 hour storage. So effectively six gigawatts of energy storage again immediately adjacent to this site. And so I think that the question of associated development is really what is the purpose of this, Bess? Does it support this development when there is a very large quantity of battery energy storage available at this particular substation, and extreme extremely close proximity to this proposed development.

00:41:02:06 - 00:41:02:28

Thank you sir.

00:41:04:02 - 00:41:13:03

Thank you. Um, could the council please submit further details around the draft proposal? Um, that is referred to

00:41:14:21 - 00:41:15:06
council.

00:41:15:08 - 00:41:15:23
Um, yes.

00:41:15:27 - 00:41:16:12
We can.

00:41:16:14 - 00:41:17:05
Thank you.

00:41:17:20 - 00:41:30:29
Um, it may assist. What do you have in mind? We can submit the officer's reports and the outcome of the, um, the, um, committee meeting and the underlying documentation, if that would be helpful or.

00:41:31:04 - 00:41:33:08
That would suffice. Thank you. Thank you.

00:41:37:12 - 00:41:40:27
Sorry. So just before you move on, could I. Could I contribute to this? Please?

00:41:40:29 - 00:41:42:03
Please do. Go ahead.

00:41:42:12 - 00:42:17:01
Thank you very much. Sir James Burton, on behalf of Preston Farms Limited and Biosciences. So firstly, we align ourselves with the Council and the action Group on this point. Could I just make this addition which may assist in terms of Conceptualizing this matter. Clearly the the NPS makes some references to storage, some general references. Equally clearly, it does not bind battery storage together with the urgent need, critical national priority and so on that it gives to solar generation.

00:42:17:03 - 00:42:50:06
The way that, respectfully, I suggest one has to approach these matters is ask oneself is the storage? Is it necessary to bring forward the generation or ask oneself about any ancillary development? Is it necessary to bring forward that which the NPS gives that critical national priority, urgent need, and so on? If the answer is no, it clearly sits in a different category and it can't ride on the coattails of the need that the policy statement gives to the generation itself.

00:42:50:08 - 00:43:07:03
We're not in the situation here, clearly, where the storage has that necessity for the generation. and you've obviously got to hear more evidence or get more evidence about the significant amount of storage that is already now consented in this area. Thank you sir.

00:43:09:03 - 00:43:12:22

Thank you. With the applicant, I'd like to respond, please.

00:43:13:18 - 00:43:45:18

Amy Stirling, on behalf of the applicant. Yes, sir. A few, uh, a few points that I would like to make. Um, first of all, there is no test of necessity for associated development. Um, we have provided multiple submissions on the associated development law and guidance and why we're confident the best meets that those requirements, as the Secretary of State has concluded on multiple solar and co-located based DCO applications up until now.

00:43:45:20 - 00:44:27:22

So I would suggest that that would be an incorrect application of policy, and certainly not how the Secretary of State applies the policy in his decision making in terms of whether or not it's the role of the planning system to determine if there is enough base already in. Zone one deals with this specifically, and is clear that it is not the role of the planning system to set limits on relevant capacity coming forward. For example, 3.2.5 states the government has other mechanisms to influence the delivery of its energy objectives, and imposing limits on the consenting of different types of energy infrastructure would reduce competition, increase costs, and disincentivize newer and more efficient technical solutions coming forward.

00:44:28:11 - 00:45:08:03

It also states at 3.2.3, it is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by the NPS. 3.20.4. It is not the government's intention in presenting any of the figures or targets in this NPS to propose limits on any new infrastructure that can be consented in accordance with the energy NPS. The thrust of it, sir, is that it is not a role of the planning system to dictate which projects come forward in the open. The open market. The role of the planning system is to consider each application on its merits, and to decide whether or not the planning balance weighs in favor of granting or withholding consent.

00:45:08:13 - 00:45:09:07

Thank you.

00:45:10:14 - 00:45:17:18

Thank you, Mr. Burton. Do you have any response to that, please? Yeah.

00:45:18:09 - 00:45:54:21

James Burton, on behalf of Preston Farms and Bioscience, is. So what I offer, and I repeat, it is the only sensible and pragmatic way that the applicant could, and it cannot tie it best to the policy support given in the NPS to solar generation, that that it must follow that if the Bess is not necessary to bring forward the solar generation, the best cannot benefit from the policy support given to solar generation by the M.P.s.

00:45:54:23 - 00:46:14:09

So whilst I hear Miss Stirling's answer, it doesn't actually answer. It doesn't actually answer the point. And you will look, of course, in vain in the MPs for any policy that gives battery storage the status of solar generation. The same would be true of other items. Ancillary development. Thank you sir.

00:46:17:12 - 00:46:19:13

Mr.. Do you have any further comment? If not for sure.

00:46:19:16 - 00:46:38:15

Amy Stirling, on behalf of the applicant, I think I'd be at risk of repeating myself for a third time. Um, not really. So I would just again refer you to paragraph 1.3.12 of M cm one, which confirms that CM one applies to associated development. And we've clearly made our case that the basis associated development and there is no test of necessity. Sir. Thank you.

00:46:38:28 - 00:46:39:22

Thank you.

00:46:41:16 - 00:46:47:29

We have further hands. Uh, didn't quite catch you. Was first there, perhaps, Mr. Zarco?

00:46:48:16 - 00:47:08:20

Thank you, sir. Danny. Because the council is it's, um. I'm sorry. Um, yeah. If I could just, um, just on this point of the discussion that's just been had about the specific best here, I just want to bring in, um, Councillor Collingwood, who you've not heard from before, but as I've said, is the chair of the strategic sites planning committee at the council. Who has something to say on this point?

00:47:08:24 - 00:47:09:16

Thank you.

00:47:10:04 - 00:47:43:20

Thank you. Chairman. Um, just a little bit of context. Uh, I'm chairman of the planning strategic site planning committee at Buckinghamshire Berkshire Council. We spent in excess of five hours looking at a stack of application last week. Um, looking into that, actually, the conclusion we came to was actually is adjacent to the existing and potentially proposed substation. And to us, in the end result was that you get a much better battery storage cluster now exists around the substation.

00:47:44:00 - 00:48:16:16

Um, whereas the Roseville piece, because we did a whole we took the whole site visits and we ran into Irving. We went to the whole wider context to look at seeing what the wider context look like. But this best proposal for Roseville is actually 2.2km southwest of the cluster, and therefore it geographically expands the footprint of the infrastructure rather than actually consolidating, which is my understanding from the government was actually looking to try and bring all those little clusters together where the primary node is, which is where the substation East Claydon is.

00:48:16:18 - 00:48:51:19

So we looked at this in great, great detail, and to us it was about trying to make sure that there should be sufficient weight with sensitive landscape areas such as this in the Aylesbury Vale, a very attractive

landscape. So to me it was like, that's lovely, but we've now got two lots of 500MW of battery storage located where the substation is, which is where it should be, because that's where it's going to be most effective. This application we looked at obviously looking at now is going well actually it's you've already done the job you've been asked to do.

00:48:51:21 - 00:49:25:03

We've got two lots of 500MW of battery storage at the substation. This seems irrelevant. You know, it's I guess there could be a solar farm, but actually, where's the battery storage? It doesn't make sense. So again, we looked at this for five hours and we looked at the merits and demerits of the previous application that's been approved and looked at this. I looked at the sackcloth. And actually it's a very clever technology piece to go with it, because it's got the compressor piece, which actually does a much better system and much cleverer way of doing it. Mr. chairman, so I submit this requirement from roads that is actually superfluous and actually not required.

00:49:25:05 - 00:49:25:27

Thank you.

00:49:29:07 - 00:49:32:19

Would you like to respond to that, please?

00:49:33:05 - 00:50:03:28

Amy Stirling, on behalf of the applicant, I believe that I've already addressed the point as to whether or not it's required. And as I've made the point, the planning system doesn't set limits on technology as to it has to be acceptable in planning terms, in terms of the location of the best. We have provided written and oral evidence at the last hearings as to why the best site selection has resulted in the best being place where it is and not co-located with a substation. I can invite my colleagues online to provide further to repeat the submissions made previously on that point.

00:50:04:00 - 00:50:06:16

Or I'm in your hands, sir.

00:50:06:21 - 00:50:17:28

Um, briefly, if that would be helpful. Thank you. I'm just conscious that the location the best wasn't on the agenda, per se, but, um, it might be useful just to explore this briefly. Thank you.

00:50:19:02 - 00:50:33:02

Thank you. I will then offer to Miss Ruth Knight, who's a master planning lead, or Miss Sarah Price. Um, who is the planning lead? Apologies, we're not in the same room, so it's difficult to know who's got the hand up.

00:50:39:12 - 00:50:40:11

Miss Knight.

00:50:52:09 - 00:50:56:08

Apologies that we may have to come back. I don't know what's happening.

00:50:56:23 - 00:50:59:27

It may be something that you perhaps pick up in in writing.

00:51:00:00 - 00:51:06:05

He was telling about the African. Yes. We provided multiple submissions on writing, which we can signpost in our submissions.

00:51:06:15 - 00:51:24:13

Thank you. Um, well, I'm just staying on the location, actually, I think from memory. The council did respond in terms of the possible constraints around, um, the substation site in terms of the national grid expansion and the offsets required. Is that correct?

00:51:25:18 - 00:52:00:04

Um, Danny Gazelka for Buckinghamshire Council. Um. Thank you. Yes, sir. So there was a dispute between the council and the applicant about whether it was feasible to put the best, um, to the East account, which is at E9 and E10 or E10, E10 and E11. Um, and you'll remember that was basically you're saying you want to see more information. Some information was forthcoming. More information was coming forthcoming at deadline three. Uh, and we've accepted that, um, based on the constraints that the applicant has identified, fitting the best of their would would not be possible.

00:52:00:10 - 00:52:19:28

Um, given I think the applicant's position was they had 15% of the space required. Um, it doesn't change our position that we think the best in its location in the fields is inappropriate. Um, but we accept that if it can't, if it literally can't fit within the red line area, then it can't fit. So that's what we got to. As a result of that.

00:52:20:14 - 00:52:21:08

Thank you.

00:52:21:18 - 00:52:52:02

So can I just pick up a point from the counselor on the necessity point just to avoid going out in circles? But it's an important point. There is a complete difference between the standalone best and the co-located best. As is pointed out in paragraph 3.3.6 of NPS, n1 and that storage can provide flexibility, meaning that less of the output of a plant is wasted, as it can either be stored or exported when there is excess production, which obviously depends on how much electricity is on the grid at that point.

00:52:52:04 - 00:53:24:26

A standard so for this co-locate is why the government supports co-location rather than co-location. Is that the best? And the solar farm will work in conjunction with each other. So if the solar farm is generating electricity and there is sufficient electricity on the grid, it can be put to that the co-located best. A standalone base doesn't provide that same benefit to this solar farm, so you'll be in danger of falling into a trap of looking at the necessity of the standalone base, and taking that and applying it to the co-located best for skilled solar farm.

00:53:24:28 - 00:53:29:17

It has a specific function, which is to help maximise the output of the solar farm to the grid.

00:53:30:05 - 00:53:33:14

Noted. Thank you, Miss Hamilton.

00:53:35:01 - 00:54:18:09

Thank you sir. Just a couple of quick points. One being Miss Stirling has told us that there's no test for associated development. But as you will be well aware that there is guidance on associated development, which the Secretary of State will take into account, including a number of core principles. I know you're familiar with this document, so I won't go through through all of those core principles, but there are questions about whether about cross subsidy and about the, um, you know, whether it's a, um, you know, it's a source of, um, a source of income in its own right.

00:54:18:11 - 00:54:53:19

We haven't had any information from the applicant about the relative, um, income streams from the best or as compared with the solar PV. And also there are, in response to the deadline, three submissions. Um, you know, there are various comments made about the, um, the best supplementing the storage, the grid by servicing the um storage requirements when the solar PV is not generating.

00:54:53:21 - 00:55:07:00

So there's quite clearly a large role for the best outside of the solar PV development. And we haven't had any detail about what those relative components and contributions are. Thank you.

00:55:07:02 - 00:55:10:04

Thank you. Um, with the applicant, respond, please.

00:55:10:13 - 00:55:43:14

Amy Stirling, on behalf of the applicant, um, just for the record. So I didn't suggest there wasn't any tests or guidance on associated development. I clearly stated that there was. I confirmed that the test was not one of necessity. The applicant has provided submissions on why it considers the best meets the tests of associated development. Within that guidance, I would direct your service and the Cleveland Solar Action Group to appendix one, um, of the applicant's response to the examining authorities first written questions, which sets out the applicant's position as to why it meets each of the tests and those guidelines.

00:55:43:16 - 00:55:47:12

But none of those tests are of one of necessity. Thank you.

00:55:48:03 - 00:55:48:26

Thank you.

00:55:49:25 - 00:56:23:06

Sorry, sorry also for me. We've also found the reference, um, to, uh, it was the applicant's response to action point seven from issue specific hearing one, which is, um, where the applicant set out. It's it's it's explanation of why the base is it wasn't located alongside the substation and why it is located in

the parcels that it is. And that was in direct response to the comments made from Buckinghamshire Council. I can put the examining library references in our oral submissions.

00:56:23:08 - 00:56:23:28

Thank you.

00:56:24:09 - 00:56:27:04

Thank you. That'd be helpful. Uh, Mr. Gazelka.

00:56:28:18 - 00:56:59:27

Danny Gazelka for, um, Buckinghamshire Council. Sorry. One very small point just to pick up as Mr. Griffiths raised para 3.3.6, which which is helpful to look at and is obviously addressing the situation where, um, primarily where a scheme experience is helping, which is the idea that you install more capacity than, um, than than there is export capacity for in a scheme and therefore use the best to capture that. Of course, we've been told by the applicant that there isn't over planting in this case. So in principle we shouldn't experience clipping.

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

Um, and we would suggest that in a scheme where that is the position, um, the co-location around the substation should be sufficient. Um, and, um, for the reasons that have already been described.

00:57:13:02 - 00:57:43:15

So, so I kind of come across it. Sorry to cut across, but my point was it depends. It depends on what is on the grid at the time. So I went to Griffith for the applicant. It depends what is on the national grid at the time, whether we have a grid capacity, we're generating 335MW. If the grid has capacity, has enough electricity on time to service the population, then the 15MW that go to the battery storage rather than going off to the grid. It depends on what is the capacity of the national grid at the time that the country needs it.

00:57:44:19 - 00:57:46:01

Sorry. Mr.. Guys, I'll give you back to.

00:57:46:03 - 00:57:58:19

No, no, no, that's quite okay. That's very helpful. I mean, our position would be that there is a best that is available locally. I take Mr. Griffith's point. You have our submissions on both sides on that.

00:58:00:04 - 00:58:15:10

Thank you. Unless there are any further comments on the need for the press. I shall move on with the agenda. Uh, I'll hand over to Doctor Morgan for agenda item. Oh, sorry, Mr. Burton.

00:58:16:28 - 00:58:48:03

Sorry, sir. I'm James Burton, on behalf of Preston Farms and TS Biosciences, sir. Um, obviously, I see what's on the agenda, and I'm never quite sure whether anything else might be under those rather broad headings. I've noted that, um, if you're moving on, you're not proposing today to explore the what might be called explanation? I'm not sure I would use that word in response to your question number.

00:58:48:15 - 00:59:05:17

X2 .2.7. The explanation for the drawing of the site boundary around the wintering birds and the bat survey reports I do. I do have something to say about that. I don't know if you want to hear that now or not.

00:59:05:23 - 00:59:12:16

I wasn't proposing to discuss that. No, but if there's something you can raise briefly now, I will. I will hear it.

00:59:12:18 - 00:59:46:03

Yeah, well, just briefly, sir, you'll have you'll have read and I'm referring here to the applicant's document. Um, rep 4082, which is, of course, its response to your questions. There are two other documents that also touch on this point, the first in chronological order as its rep 349, which is its summary of the last issue specific hearing, and the other is rep 4081, which is its response to deadline three submissions.

00:59:46:05 - 01:00:17:19

Um, the simple point is, we say unfortunately, you've not had an explanation of in any way addresses the evidence that you heard from Mr. Preston. And that's been repeated, of course, and expanded upon and explained in our deadline three submission as to how it is and why it is. He was told in 2022. This is going to be the scheme. And of course it's expanded since.

01:00:17:21 - 01:00:59:10

And you'll be aware, of course, of why this matters, both for the EIA regulations, which are hard edged, and also the compulsory acquisition guidance, which is almost as hard edged, both in relation to reasonable alternatives. Now, I've seen from the applicant's document rep 4081 the applicant says that the the current project team wasn't in place at the time, that these this boundary was being discussed with Preston Farms and indeed clearly reflected in those surveys.

01:00:59:12 - 01:01:33:24

But the short point is, well, that that's not an answer to the legislative requirements regarding reasonable alternatives, and that's not an answer to the compulsory purchase guidance. Um, if members of the team have changed, if it's a different team in place, it still doesn't mean that this isn't a reasonable alternative. That was considered and a reasonable alternative to be taken into account as regards compulsory purchase. And as we've explained in our deadline three submission, we explained it already to you, but we went through it in further detail in the deadline through submission.

01:01:34:02 - 01:01:54:13

The site boundary has shown as as evidenced in those survey maps, clearly meets all of the objectives on the applicant's own terms for the project. So I didn't I didn't want the agenda item to pass without at least having made that comment. Thank you.

01:01:54:15 - 01:02:08:25

No thank you. Perhaps if you could revisit the compulsory acquisition point on Thursday in Compulsory Execution two. Um, do you have any brief response to that point now, or is it something you like to respond to in writing?

01:02:09:02 - 01:02:44:10

So Richard Griffiths, on behalf of the applicant, I mean, there's nothing further for us to say in terms of the, uh, that the plan that was referred to at issue one has now been referred to. Again, we've given you a detailed explanation, both in all submissions in our or in our written. Some of our submissions are now in response to your question. 2.2.7. I'd also highlight that I think Irish one. It was raised that our project objectives referred to looking for a site that could deliver 250 to 500MW.

01:02:44:12 - 01:03:16:03

Of course, you must remember that project objectives are set at the very start of a project. As to what the aim of, of the scheme of the applicant is in terms of its scheme. That is done as done without the context of what it may find as a site. We then got a grid connection of 500MW. That was the from from the grid. And the scheme is then through its detailed design has come down two, three, three, five and may actually be lower than that.

01:03:16:05 - 01:03:54:05

A subject to negotiations with Natural England, as will come onto in the next agenda item. Simply saying that, well, a scheme of 250 that was your would meet the project objectives, which was said at the last ice age is not correct as of course, every scheme then has to look at the cost of the construction, the cost of the land acquisitions, the cost of specific mitigation that is then being applied as the scheme evolves from uh, through consultation, uh, such as constructing passing places, uh, the planting extent.

01:03:54:07 - 01:04:43:09

None of that is known when you set your project objectives of a parameter of 250 to 500. None of that is known until you start over a course of 2 or 3 years building up the project. And so the the threshold of 250 saying, oh, we, as we said at the last Irish, that we can easily come down. It's not true. The scheme has evolved. We're now at three, three, 5th May even be lower than that. A subject to the agreement. Built on top of that is the mitigation costs, the construction costs, everything else that the scheme has, and that is where we are now with the scheme, which is at the lower end of our original threshold, which demonstrates that the applicant has, through detailed design, through maximising the grid connection, through removing land where we consider it appropriate to do so.

01:04:43:11 - 01:04:58:15

The scheme has arrived, and we consider the scheme in front of you to be one that is proportionate and justifiable. We will respond further in writing to any further all submissions on that on that point. But in terms of the Bat survey, we've done that to death, I think.

01:04:59:12 - 01:05:16:03

Thank you, Mr. Bethell. I'm conscious of the time, the amount of rights you have to get from the agenda. Perhaps it's something briefly respond to now, or perhaps in writing that might be pertinent. Conscious. We also have CH2 as well on Thursday, where some of this does perhaps come into play as well.

01:05:16:08 - 01:05:56:16

So very briefly it, it's, it's not a point that applies only firstly, it's not a point that applies only to compulsory acquisition. As you know, the regs are not. There aside from that. Secondly, um, as regards Mr. Griffiths response, it doesn't address the question. It doesn't address the tests that have to be applied as a matter of law and policy as to what is a reasonable alternative. The reason that applicants are required to set objectives is to allow everyone to understand what it is, might be a reasonable alternative, or what has been considered by way of reasonable alternatives.

01:05:56:18 - 01:06:09:13

One cannot shift the goalposts now to say this is the scheme that we've got, and therefore those are the objectives. No, we've set the objectives out in our written. And I'll refer back to them later. Thank you sir.

01:06:10:11 - 01:06:23:19

Thank you, Mr. Burton. Okay. Um, unless you've no further hands and I can't see any. I shall move us on to agenda item three. Uh, ecology and biodiversity. Hand over to Doctor Morgan.

01:06:26:12 - 01:06:56:22

Thank you. So the first item, item three A is on Bex teens bats. And we sort of note from the submission as a deadline for there's still no agreement between the applicant Natural England, Buckinghamshire Council and Clayton. So actually bonds and key issues such as the magnitude of the effect of the proposed development on the vaccines, bats, the proposed mitigation and the extent of infrastructure proposed on existing grassland within the order limit.

01:06:57:08 - 01:07:09:03

However, we noted that the applicant is still in discussion with Natural England. So just on Natural England's position, could you update us where you are with Natural England, please?

01:07:10:01 - 01:07:49:04

Amy Sterling, on behalf of the applicant. Yes, sir. I will give a brief summary and then hand to Mr. Paolo Reason, who is a director. Ask for any further sort of technical detail. I am also conscious that Natural England are not present at this hearing today, so I don't want to speak on their behalf so I can give you the applicant's understanding of of the current position. So yes, the applicant has been engaged with all the parties. I understand there was an all parties call to discuss various issues, but also specifically has been engaging with Natural England as a statutory nature conservation body in relation to the ongoing concerns in relation to the mitigation being proposed for the vaccine bat species.

01:07:49:10 - 01:08:27:18

As a result of those ongoing discussions, the applicant has provided a further mitigation proposal to Natural England, which has would have the effect of increasing the foraging and commuting areas for bats within the bee fields mentioned specifically, it would result in the removal of panels from certain areas and the applicant has. This has been received positively by Natural England, and the applicant understands that the parties are expecting to be in a position for deadline five, where Natural England can confirm that they are also content that there would be no significant harm to the bat species.

01:08:27:20 - 01:08:44:15

So very, very positive movement. There's still some ongoing sort of technical work being done to support that, but the applicant and Natural England are in very regular dialogue and we are expecting a positive position at deadline five. So for more specific detail, I can hand to miss Miss Reason.

01:08:45:04 - 01:08:48:00

Okay. That'd be very helpful actually. Thank you.

01:08:48:24 - 01:09:19:19

Power of reason. On behalf of the applicant, um, I probably can't give a huge amount more specific detail because we are, um, as Miss Stirling says, we don't want to answer on behalf of Natural England. But the points of debate, and I wouldn't say they are dispute. Now, the points of debate are very small, and it's literally a matter of tweaking here and there what we are trying to do, what we had already done, which I think was a very, um, positive offering, is already doubling the amount of grassland that we were providing across the limit.

01:09:19:22 - 01:09:49:23

What Natural England is to do is to balance that so that there is grazing grassland, which hopefully will be raised in all of the three panels. We had focused our mitigation on the areas where we know that the closest bat colony is base, which is around five mil wood. They're looking for future resilience, so it's not so much mitigation for the situation as it is now. It's ensuring the future resilience of the science population.

01:09:49:25 - 01:10:12:28

And obviously, as I've said before in the previous hearings, I'm working on HS2, which has spent a lot of money on trying to make sure that population stays in that local area and is resilient. So we're coming to a really good conclusion, I think, and it's and it's been a really, really positive discussion. And I think we can get to the point where Natural England will be happy to say that there isn't going to be a significant effect on Brexit, which is great.

01:10:13:09 - 01:10:34:14

Okay, not not to pre-empt your submission and in more detail. But the fields that Natural England were concerned about were B6, B7, b8 and also potentially B3. So is the proposal, um, remove any potential infrastructure from some or all of those fields or parts of those fields?

01:10:34:16 - 01:11:05:01

I would definitely say some or all of those fields. I don't really want to be more, more specific until we've looked at the actual detailed calculations which we are in the process of doing, but we're looking to get pretty much very close to you and no net loss position just about in that area. I'd also point out that in doing those calculations, we have taken field B17 out, which is to the east, um, not taking them out, but to B17 is always going to it has always been part of our grassland mitigation.

01:11:05:03 - 01:11:38:24

And Natural England had expressed a concern that maybe that was a bit exposed. I would say that there may be some environmental conditions under which, because sounds. Bats might not choose to

feed in B17, but it would actually be there and adds another 12 hectares of grassland in that panel. One area which is in within 6 or 700m of shrubs wood. They were delineating a radius of um 1.5km around, uh, shrubs wood as their um, as their principal area.

01:11:38:26 - 01:12:11:20

So, uh, I think we're getting to a really, really good position, and it means Bex and Spatz have a grazing. Sorry, I should say grassland corridor all the way from Calvert Road, all the way down the western side of um, shrubs. Would linking up Decoy Pond with shrubs, wood sheep password and then going east, um, for a few more hundred meters into the B17 fields, which, as I said, will be available in most environmental conditions, maybe not used so much in the more exposed windy conditions, but it's still there and it's still a very fundamental part of our mitigation.

01:12:11:22 - 01:12:15:11

So we've had really, really positive discussions with Natural England.

01:12:16:04 - 01:12:27:09

Okay. Obviously it's hard to have a discussion around these new proposals, so we haven't got anything on the table yet. Which parties were parties to those discussions you mentioned was a buccaneer.

01:12:27:18 - 01:12:32:12

At this point we're talking to Natural England because they're the, um, the regulator.

01:12:33:00 - 01:12:36:19

Okay. Um, coming to Buckinghamshire Council, I mean.

01:12:36:21 - 01:13:17:27

Amy Sterling, on behalf of the applicant officer, just before the everyone has a chance to respond. So I've just been checking around the sensitivities of discussing where the mitigation. And I understand that we're comfortable based on discussions with Natural England. We don't have a plan to share, but we're happy to to confirm that the current proposal, which is being finalised, I would hope, with Natural England, is a removal of panels from the entirety of field B6, the entirety of field B8, and also also the western and southern edges of B7, where then the southern buffer would be increased, which but there would not be any panel removal from from B3.

01:13:17:29 - 01:13:40:00

So that's the current proposal. If that is accepted by Natural England, which as I said, we expect it will be for deadline five, the applicant will update the works plans for deadline five to remove work number one from these particular areas to ensure that it is clear that it can be bringing forth solar within that area. And we will go on to the construction comments under the separate agenda item. Thank you sir.

01:13:40:10 - 01:13:55:08

Okay. Um, going to Buckinghamshire. I mean, you weren't party to the discussions. You've heard roughly what they might entail. Um, it's probably unfair to ask you if I haven't seen them, but what's your your gut reaction or.

01:13:55:14 - 01:13:55:29

Um.

01:13:56:01 - 01:13:56:28

How do you respond?

01:13:57:00 - 01:14:29:12

Thank you, sir. Daniel Gazelka for the council. I'm, um, miss Hearn is just, um, checking with our expert now. Um, obviously, we're in a bit of a difficulty and can't really reply because we've not been included in these discussions, which I mean on instructions. I would say it's quite disappointing given we are ultimately the body that will discharge various plans under schedule two of the DCO. Um, and we would have hoped, but we would at least have some foresight before these hearings, something that was coming forwards.

01:14:29:17 - 01:15:02:03

Um, and so with that, with my sort of procedural moan about the fact that this examination is closing in about a month out of the way. Um, yeah. So I've got confirmation from our expert, but we're not in a position to comment until we've actually seen what is being proposed or even a draft. I mean, we've been told by Natural England they can't speak to us for commercial sensitivity reasons as well. Again, I refer to the problem with the fact that we are in the LPA, um, in these proceedings. Obviously we're not determining this, but we will discharge them, these obligations.

01:15:02:05 - 01:15:12:28

So we would welcome something coming forward before deadline five so we can actually express a view because I think there's only two deadlines left for us to make submissions. Thank you sir. Yeah.

01:15:14:01 - 01:15:27:03

Um, noting what you've just said and looking at your your previous position, I think you were maintaining that, uh, you didn't want infrastructure on fields B, B10 and B11.

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

Yeah.

01:15:28:03 - 01:15:38:19

Well, in the, in the parcel one area. But you're also advocating, um, no infrastructure at all on, on fields D8 and D 29.

01:15:39:12 - 01:16:11:10

Um, Danica Gazelka for the council. Um, yes, we were, sir. Um, I mean, it depends what is being proposed here now. I mean, you know, I can shoot from a hip and say it's likely that we will still have those concerns, but I've not spoken to my expert who's not seen the plans. Um, and as maybe we saw how fervent Natural England were in their original objection. Um, previously. And it would seem the applicant's not taking all panels out, so parties, positions, compromises, etc.

01:16:11:12 - 01:16:12:23

so we just need to say.

01:16:13:13 - 01:16:26:19

Okay thank you. Obviously, as Mr. Gazelka has pointed out, you know, we haven't got long of the examination left. So it's really important that other parties see these proposals ourselves as well as soon as soon as possible.

01:16:26:21 - 01:17:06:07

If you missed anything on behalf of the applicant that is on notice, I mean, these are discussions were happening with Natural England right up until Friday of last week. They are the statutory nature conservation body. However, I would also like to flag that. My instructions are that the applicant did have a call with Buckinghamshire Council ecologist Josh yesterday to advise them that ongoing discussions with Natural England were happening, and that a revised proposal was being put forward to Natural England. And they also have another call scheduled with Buckinghamshire Council ecologists next week. So the lines of communication are certainly intended to be open, but we will of course share plans as soon as we can, sir, um, in relation and conscious.

01:17:06:12 - 01:17:33:24

Deadline five is towards the end of this month. And then there is of course, deadline six, which is halfway through August. We do probably have fairly about eight weeks left of examination if the proposals were available earlier and finalised with Natural England before deadline five, the applicant would be willing to submit them into examination before that deadline if the examining authority would be willing to accept them.

01:17:34:03 - 01:17:36:08

I think we look favourably on that.

01:17:37:21 - 01:17:38:27

Noted. Thank you sir.

01:17:39:04 - 01:17:41:21

Um, played in solo action group.

01:17:42:19 - 01:17:43:07

Thank you sir.

01:17:43:09 - 01:18:15:09

Um. Dominic Woodfield for Claydon solo action group. I have to echo Mr. Costco's comments here in terms of. Whilst this is a welcome change in terms of reducing the impact and a long overdue change, we would say. Um, we can't really comment on whether it resolves the issues of concern to claim the solo action group without seeing the detail. We had a meeting with, with Buckinghamshire Council and the applicant and ourselves some weeks ago now where this was first mooted as, as is in the offing.

01:18:15:22 - 01:18:48:23

Um, I did think that we would see something before this hearing so that this hearing could be as productive as possible. Um, I failed to understand why Buckinghamshire in particular have been kept

out of the process of discussions, and I think it would be good to have a kind of fulsome explanation beyond just commercial sensitivity. I think it's been a bit of a running theme, uh, here to do with the Blackstone's issue, a kind of smoke and mirrors running scene. We've had references to HS2 studies, which are not before this examination we've had reference to the results of monitoring.

01:18:48:25 - 01:19:21:26

That's not before this examination. Um, and it's most unsatisfactory, I have to say, in order for kind of robust decision making and for your task and to actually sift through all of the various bits of evidence to be kind of told. Well, you'll get it when we're getting ready this late in the examination. So, um, just to express partial welcome that this change has been made. I think it could have been made a year ago. Um, and also just to express concern that it's been made so late in the day. But beyond that, we'll have to reserve our position until we've seen the detail.

01:19:22:07 - 01:19:25:05

Okay. Thank you. Sterling, would you like to respond?

01:19:25:09 - 01:20:00:19

Amy Sterling, on behalf of the applicant, I don't think of anything further to add. So, um, it wouldn't be. I would suggest, in the interest of examination, to sort of put submissions in on half foreign proposals. The, the Natural England, the SNCB, it is um, expected and welcomed normally for the applicant to engage with the SNCB outside of the examination process to seek to resolve residual concerns. That's what the applicant has continued to do. It's preparing the final information and consultation with Natural England, and will share it with the relevant parties as soon as they are able to, including with yourselves starting to examination.

01:20:00:21 - 01:20:01:13

Thank you.

01:20:01:15 - 01:20:03:26

Okay. Thank you, Mr. Gazelka.

01:20:04:28 - 01:20:37:17

Thank you, sir. Daniel Gazelka for the council. I don't want to sort of getting stuck into a, um, he he, you know, he said she said or whatever. Um, I just feel like I've got a bigger point to make. Just as a starting point on instructions we don't agree with. But that's what the meeting was about earlier this week. We understand it to have been about birds, among other things. Um, but I don't think it matters. Ultimately, we're in a position that we're in. Um, we would suggest. I mean, it's five weeks until the last deadline at which you are welcoming submissions.

01:20:37:20 - 01:21:15:25

Um, that's a very short period of time. It is eight weeks until the end of the examination. But at least looking at the examination timetable, the last two weeks are not proposed for anything else. It may be in light of this, but you know you want to change that position. But we will have to see. Um, I would say that that matter is being discussed with Natural England doesn't stop the applicant discussing it with other parties as well, and it doesn't have to be submitted to this examination for a discussion to

be had. We would say with all parties, we think all parties should know, but at least with the LPA as the body that will ultimately have discharging obligations under the DCO.

01:21:15:27 - 01:21:28:15

And so I would welcome I'm not suggesting I'd welcome you directing, but possibly we would see a draft of this beforehand just so we can actually get our ducks in a row and assist you with the limited time that is left.

01:21:29:27 - 01:21:38:11

Okay. Thank you. I think, Miss Stirling. I mean, you've come some way towards that, haven't you, by suggesting a submission before the next deadline.

01:21:39:02 - 01:22:03:11

Um, Amy Stirling, on behalf of the airport. Yes. Applicant. Yes, if it's possible to do so, I do understand Natural England are on leave this week, which is possibly why they're not here. So obviously we're somewhat in their hands as well. I can't commit now because I can't commit now. Whether the draft proposal could be shared with Buckinghamshire Council or the action Group. Um, we're continuing to work with the Natural England shaver as soon as possible. I think I've probably said what I can say.

01:22:04:26 - 01:22:17:03

Okay. And obviously we'd encourage ongoing dialogue with all the parties on this as well. Not not just on this proposal going forward as well. Um, okay. I think, Councillor Gomm.

01:22:21:26 - 01:23:05:07

Uh, thank you very much, sir. Um, I'd just like to add to the colleagues down here at the front. Um, so I'm the unitary councillor for that area, and I also chair the infrastructure group that looks after HS2, um, Network Rail, etc.. And the bats issue is a big issue over there. And I'm a little bit disappointed that the applicant hasn't already brought something to the table with information that's so easily available from HS2, etc.. I know Natural England are there, but it is. I'm glad to hear that it's now on the table and it will come forward in only five weeks time, which is a bit of a short distance to discuss all that sort of stuff, but, um, I'm glad that it is on the table, but not happy that it's taken this long just to get it there.

01:23:06:05 - 01:23:19:14

I think basically this is just the latest iteration of discussions. It's not the the initial information on bats. So there has been discussions for quite a while on that. Um, yeah. Leading civil action group.

01:23:20:11 - 01:23:59:16

Thank you, Sir Dominic Woodfield for leading solo action group. A more substantive point, if I may, a less procedural one. Um, again, we hear ambiguity about whether grazing is going to happen or not. Um, and in order for us to assess the the progress that's been made in relation to this proposed change, um, it would be very helpful to understand whether there's been progress on the applicant's part. Uh, in securing grazing is something that can be formalized and formally secured as part of the DCO, and the applicant seems to have backed away from a position of saying it will introduced grazing to now seem to be saying, well, grazing is not that important.

01:23:59:22 - 01:24:25:04

Um, uh, that's not a position that actually sits with the science. It's not a position. I don't believe it's supported by parties such as Natural England. Um, so it would be very helpful to understand if in the space that's created by removing panels from these fields, uh, the grassland that's created there is going to be grazed or otherwise, because that will have a significant bearing on how this should be received in terms of an improvement on the scheme.

01:24:26:00 - 01:24:48:20

Okay. Thank you. Yes. I mean, my reading of the documentation is that, um, though preferred management grass grassland would involve proportionate use of grazing. I think the applicant perhaps you can confirm this. You're suggesting that, um, mitigation could be provided just by mechanical mowing and collection alone. Could you please confirm that.

01:24:49:00 - 01:25:20:29

You mean standing on behalf of the applicant? Yes. I see this sort of overarching position. If we want to get into more detail as to the benefits of between grazing and cutting. Then okay. Just to be clear, this paragraph 3.3.3.27 of the Outline Landscape and Ecological Management Plan sets out that the management of grassland within the order limits will be undertaken by a combination of sheep under panels and cattle grazing in areas with no panels. If grazing for any reason is not possible, then a late summer cutting regime will be implemented.

01:25:21:01 - 01:26:06:00

The applicant has provided numerous submissions as to the circumstances, such as the outbreak of TB, where grazing may not be possible, but the primary position is that it will be undertaken by grazing. That is the commitment that is made in the outline landscape and ecological management plan. That is a commitment that presumably Buckinghamshire Council, as discharging authority, will hold the applicant to when it seeks to discharge its landscape and ecological management plan. But there has to be some recognition of the practicalities of grazing and that it may not, in every circumstance, at all times, be possible and thereafter the applicant will maintain the grassland by cutting, and it has also provided evidence as to why that is also ecological beneficial, and its entire management regime is not dependent on the grazing taking place in all locations at all times.

01:26:06:03 - 01:26:08:13

I don't think we've got much more to say on that, sir, to be honest.

01:26:08:15 - 01:26:11:22

Okay. Thank you. Just very quickly. Yes, very, very.

01:26:11:24 - 01:26:58:21

Briefly, sir. And Mr. Whitfield for, uh, Clayton Action Group. Um, that's not really answering the point that the the question was, has the applicant made any substantive progress towards trying to secure grazing? Um, the issues that Miss Stirling mentions about practicality in the event of a TB outbreak are what have you. They are all fully accepted. Um, but that's a very that's a very different that's a very different set of circumstances from just not really bothering to try at all. So I'm just I'll ask again, is the applicant making any substantive progress towards trying to secure grazing so that

users and everybody else around the table can have some confidence that when the applicant says it is an aspiration, it is a genuine aspiration and not just something to put into an environmental statement or a landscape management plan.

01:26:58:23 - 01:26:59:23

Okay. Thank you.

01:26:59:25 - 01:27:16:05

Amy Stirling, on behalf of the applicant, as I'm interpreting, the question is, do we have people signed up to grease the land? The answer is no. It's too early a stage in the development process. There isn't even a development consent order yet. There's no planning permission for this scheme. It would be premature.

01:27:16:07 - 01:27:18:25

Have you made any attempt? Not. Have you got anybody signed up.

01:27:19:18 - 01:27:34:23

Saying on behalf of the applicant. The answer is the same. It's too early to engage people to graze the land because we don't have planning permission for the scheme yet. We've already set out in response that this would be this. Yes. The answer is no for the reasons I've explained, sir.

01:27:35:04 - 01:28:05:16

Okay, I think we'll move on quickly, and then we'll just complete three a and then we'll have a short break. So three a two. Um, we know that a temporary construction compound, which will operate for a period of 12 to 18 months, He proposed to be located in one of four fields. B3, b6, b7 or b8, which Natural England's report in ser 508 suggests a key foraging fields of bats in response to the PSSAs.

01:28:05:18 - 01:28:46:04

Written question 2.5.6 of 402. On this issue, you maintain that the corps working hours 7 a.m. to 7 p.m., avoid night working and the majority of the bats active season. There have been no significant impact on the bats. So my question really, is this credible, given that you can see there will be some overlap at dawn and dusk in spring and autumn, even before taking into account the additional hour at the beginning and end of each day. You know, the mobilization hour, which itself could be noisy and disruptive to bats, and the fact that it is suspected the presence of even temporary infrastructure might have on the foraging behavior of bats.

01:28:46:06 - 01:28:52:16

So really, is that is it credible, ruling that there'll be no impact on bats from that temporary compound.

01:28:52:22 - 01:29:25:16

Amy Stirling, on behalf of The Advocate, Pasta mysteries. And just shortly, just to address that point specifically. So but also a guess by way of of update, the applicant is proposing a single temporary construction compound within one of those fields, not in all of those fields in one of those fields. But the applicant has, again, through the current further discussions with Natural England and refined the location of this temporary construction compound within parcel one. And at the next deadline, at

deadline five or before, if we're able to, will remove the flexibility for this to be located within B6 or B7.

01:29:25:18 - 01:29:48:25

So it would only be located within field B3 or B10. Again, that is subject to ongoing. Um, that was further to ongoing discussions with Natural England. And then I can pass them as reason to address more specifically the point as to why within those remaining fields, B3 and B10, by the other mitigations we've got in place, including working hours, are sufficient to ensure there are no significant effects.

01:29:52:23 - 01:30:22:29

On behalf of the applicant. Yes. I think it is credible that the compound will not cause disturbance to bats. As I said, I've been working on HS2 for a long time. We have a massive construction site going along and we have not yet been able to pick up any direct or indirect effects of disturbance of that huge construction site on bats. We've caught more bats this year in the HS2 radio tracking than we have in previous years. The natural bat population, which as I've said previously, is a proxy, but it's still a woodland back.

01:30:23:01 - 01:30:56:23

A passive listening back to some extent relatively similar in some respects about stones bats is going from strength to thanks over the last years, dating back from a low point in the early 2000. So I think a small construction compound, which isn't going to be used like a massive construction compound with lots of vehicles and lots of noise and lots of people and no lighting is really I'm very happy to be confident that that will not cause an impact on the backsides backs in that area. And we don't actually have maternity risks that we've identified in that parcel one area anyway.

01:30:57:17 - 01:31:02:21

Okay. Thank you. I would like to just comment briefly on that, please. Thank you.

01:31:03:12 - 01:31:34:08

Thank you sir. Dominic Whitfield for Clayton Solar Action Group. Um, again, I welcome the direction of travel and the progress towards particular arising. A location for the construct of temporary construction compound. Um, we just heard, I think that it's possibly now going to be in just fields B3 and B10. Does this mean that the very, very broad kind of flexibility that's allowed for in the operational plans for the siting of that compound can now be can now be narrowed down and that there can be an amendment to those plans.

01:31:34:14 - 01:32:04:24

Um, and also if it can be in either B3 or B10. Well, B3 is a grassland field and we know how important the grassland fields are to the to the local bat population. If, if if we've already seen some movement on this, could we not now particularized the location of this construction compound? In fact, you could even specify a particular site for it so that you are sufficiently removed from field boundaries and what have you to give as reasons, assurances, some some additional credibility. Okay.

01:32:04:26 - 01:32:06:07

Thank you, Miss Stirling.

01:32:07:09 - 01:32:32:07

Amy Stirling, on behalf of the applicant, yes, we will be updating the works plans to remove the flexibility for including that in temporary construction compound within fields B6 and B7. I understand that we're also making or have made a commitment in the outline that the compound will be placed in a part of the field that is not grassland or will be grazed. But perhaps Miss Reason can confirm that.

01:32:34:07 - 01:32:39:09

Uh, reason for the applicant. Yes, I believe it's going to be in an area which is not going to be subject to grazing.

01:32:40:01 - 01:32:42:01

Okay. Thank you. And I think Councillor Gomm.

01:32:44:27 - 01:33:10:09

Thank you very much. Glad to hear that. We're trying to sort out where we'll be the best spot for a compound with noise, but the lady just there made a statement and said that there was evidence that noise next to a compound, etc. wouldn't affect them. Um, I haven't seen no data that says that, and I'd like to see that data to back up where one of these compounds will eventually go. Please.

01:33:10:20 - 01:33:13:05

Okay. Thank you. Would you like to comment?

01:33:15:28 - 01:33:58:21

Uh, reason on behalf of the applicant, the data that I was referring to has been shared with the um Ecology Review Group for Burntwood, which includes Buckinghamshire Council, Natural England and other parties. We have had, uh, piling going across the front of, um, cheap house word for several months over the winter of 2022 and into 2023. We have not been able to see a response of bats that indicated that that degree of piling bother them. I have spent quite a lot of time in the last few years looking at, um, noise disturbance and bats, and I believe we can put the compound in a place where disturbance back issues will not arise.

01:33:59:19 - 01:34:03:12

Okay. Thank you very, very briefly. Yes. Last one.

01:34:04:11 - 01:34:39:18

Thanks. Thank you sir. Um, we just had another example, as I said, of the smoke and mirrors. Um, I agree with the councillor. I think this would be very, very useful information for you to have in front of you. And I think I've asked for this sort of information rather than just being sort of delivered into the inquiry on an to the examination on a, on an ad hoc basis. Um, and you being asked to accept it on, on the basis of assurance and the experience of the person delivering it, I think it would be much more useful to have some concrete evidence that you could you could put some weight Whitehall.

01:34:40:12 - 01:34:42:12

Okay. Thank you, Mr. Kosaka.

01:34:44:07 - 01:34:52:02

It's not actually me. It's our, um. It's our ecology expert who I hope is online there, who may want to come in and he. Ottaway.

01:34:53:08 - 01:35:28:28

Hello? Yeah. Anna Ottaway from Buckinghamshire Council. Um, I think I'm just going to reiterate. I suppose we have discussed the placement of the compound. Um, we did raise concerns that perhaps the flexibility could be reduced a little bit to move it away from particular key areas that have been identified, such as the hedgerows the bats will be following. Um, but in the absence of the understanding of where the panels are going to be removed, because we've not seen any of that information, um, it was quite hard to have a discussion about what, what the flexibility might be as to where that compound could be placed.

01:35:29:02 - 01:35:39:06

Um, so I think from our perspective, it sounds like it's hopefully going in the right direction, but we don't have anything concrete yet on which to provide an opinion.

01:35:40:01 - 01:35:46:07

Okay. Thank you. I'll just go to Sterling. Very, very brief response that you want to make. Then we'll go to a break.

01:35:46:10 - 01:35:49:03

Amy Sterling, on behalf of the applicant. But nothing further to say, sir.

01:35:49:05 - 01:35:53:00

Okay. Okay. We'll break there till 1120.

01:35:53:19 - 01:35:57:01

Sorry, sorry. I think she's had. Sorry. Apologies.

01:35:57:11 - 01:36:23:23

I was just going to add power of reason on behalf of the applicant that we did put in a draft noise risk assessment in the back of the bat technical study, which was submitted as a document to examination. And the applicant has committed to undertaking noise measurements of the specific equipment which will be used. This is for the installation of panels, which is a broader issue than the compound. But we are providing as much data as we can in relation to noise disturbance and bats.

01:36:24:06 - 01:36:28:19

Okay. Thank you. Okay. We'll break there till 11:20. Thank you.