



Planning Inspectorate  
Arolygiaeth Gynllunio

## Hearing Transcript

<b>Project:</b>	EN010159 - One Earth Solar Farm
<b>Hearing:</b>	Issue Specific Hearing 3 – Part 3
<b>Date:</b>	06 November 2025

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#### **FULL TRANSCRIPT (with timecode)**

00:00:05:12 - 00:00:22:27

I think it's just coming up to 22. Three. Can I just check with the applicant before we resume that, you're able to unmute yourself? Um, if that's not the case, you may well need to leave and rejoin. So can we just check that that's working, please?

00:00:23:17 - 00:00:27:23

Amy Stirling, on behalf of the applicant, I believe so. If you can hear me.

00:00:28:02 - 00:00:29:21

Uh, we can. Thank you. That's good.

00:00:31:15 - 00:00:47:10

Fine. So, um, it's now 20 to 3, and, uh, just confirm that the hearing now resumes. Uh, pass back to Mr. Jack to recommence on the hydrology section. Thank you. So

00:00:49:02 - 00:00:49:17

after a bit.

00:00:49:19 - 00:00:55:22

Of jumping around, I think we are now on the flood risk section.

00:00:57:12 - 00:01:15:27

So First and foremost. Couldn't the EA and the LFA please explain? If they consider that the applicant has sufficiently demonstrated that its mitigation hierarchy has been implemented effectively.

00:01:27:09 - 00:01:49:08

Hi Ross Marshall, Nottinghamshire County Council lead local flood authority. I'll jump in first if that's okay. Um, our position as far as surface water runoff is, is considered. We are happy that the applicant has, has, has mitigated any, any detrimental impacts of their proposals on, on surface water across the site. Thank you.

00:01:50:06 - 00:01:54:24

Thank you. Okay. Lincolnshire. Next.

00:01:57:26 - 00:02:11:18

Yes, we are happy that the the proposals mitigate the surface water impact um on from their site on neighboring sites as well. So we're happy that the surface water flood risk is made no worse by these proposals.

00:02:13:14 - 00:02:17:13

Okay. And the Environment Agency, please.

00:02:18:11 - 00:02:50:15

Hi. Sean Holland for the specialist for the Environment Agency. Um, in terms of the hierarchy, we agree that the applicant has locally placed the most vulnerable elements of their, um, development in the lowest risk areas. So this is the best. So the battery storage systems, they are both placed outside of the design flood event. Um, additionally, we feel that the applicant has undertaken, um, many different evidence practices to, um, review the, um, impact.

00:02:50:17 - 00:03:05:00

The development we have. This is specifically on flooding compensation and, um, modeling exercises and things like that currently. We have one outstanding item looking at undertaking some additional modeling, which I'm just going to bring in my colleague Phil to explain.

00:03:06:13 - 00:03:07:12

Okay. Thank you.

00:03:10:18 - 00:03:44:10

Hi there, Philip Sale, on behalf of the Environment Agency. Um, just following on from my colleague Sharon's point. So the applicant has done a volumetric assessment looking at the potential impact of the solar panel support frames on flood risk elsewhere. And they presented some calculations in their latest flood risk assessment regarding increases. Um, we did have discussions earlier with the applicant regarding tolerances, and we did, uh, agree on uh, five mil tolerance as a starting point for looking at increases.

00:03:44:17 - 00:04:19:22

And came to that view really because we thought that would be a threshold where there would be no real perceptible increase in flood risk. But we do recognize the uncertainties, particularly in terms of the solar panel support frames themselves. So that's the applicant to undertake some further testing within the tidal Trent hydraulic model, to provide further spatial clarity on any areas where there might be increases in flood risk. And we'll take a view once that modelling has been undertaken, as to whether the second part of the exception test has been there with regards to increases in flood risk elsewhere.

00:04:19:24 - 00:04:24:23

You can see my colleague Shaun's ground up as well. So I'll just pass it back to Sean.

00:04:25:00 - 00:04:26:00

Okay. Thank you.

00:04:27:14 - 00:04:43:12

I just wanted to check with the inspector. This question. Would you like us to, um, give commentary? Because I know at the last issue specific hearing, we brought four different areas where we were working with the applicant to try and resolve problems. Do you want commentary on how we've now resolved those? If we have?

00:04:43:24 - 00:05:05:20

Yeah. Yes, please. I mean, what I'm trying to establish is, um, that where you are as authorities in terms of happy or not, what what work needs to be carried out? Um, and what is a policy compliant, that sort of thing. I've got a few other questions, but, um, I'll let you. Let's carry on.

00:05:06:15 - 00:05:41:12

Yeah. So at the last hearing, the kind of four major areas that we were had concern over and were kind of discussion points specifically looked at the submerged panels, voided structures, construction phase and interactions with defences. Um, in terms of the submerged panels, we also included the kind of volumetric loss of floodplain within this and the impact that may then have on depth. Um, so since the last hearing, we have now confirmed with the applicant that they will be raising or tilting panels where necessary to have all of panels be above the design flood event.

00:05:41:24 - 00:06:23:27

Um, this has then led to drops in the kind of impact this will have on loss of floodplain. So this is taken the, um, depth differences down to 2.2mm on the west side of the river and then 3.5 on the east side of the river. Um, this is below how what we perceive to be a tolerance of, as I just said, perceivable flood risk. Um, additionally, um, we are still holding, uh, in talks about modeling to understand how this is going to impact flood flow routes and the conveyance of flow, which my colleague Phil just mentioned, um, in terms of lidar structures.

00:06:23:29 - 00:06:56:16

The applicant in their most recent Fra, which I think is going to be submitted at deadline five, has now included additional commentary around the use of voids and why this is appropriate for the site. This majorly looks at kind of the varsity of the floodplain, and how compensation for an inverter station that is in the middle of this floodplain. If the compensation is provided at the edge of the per plane, which is what we would look to do and may not have impact. And it may mean that there needs to be additional alterations to flow routes, which we're looking to do that as minimal as possible.

00:06:56:21 - 00:07:28:17

Additionally, um, they have committed to doing this assessment where they go through and they assess individual stations at the design stage to reduce the use of these void structures. Um, as I said earlier, we're looking to secure this within requirement 22 specifically. And how the specifically worded section of that requirement that secures this. Furthermore, the construction phase, the applicant has added additional mitigation into their Osmf and also mimicked this in their Fra, which looks at kind of the placement of stockpiles.

00:07:28:19 - 00:08:03:21

The, um, necessity to have compounds outside of design events. Additionally, there has been additional information added in about surveying and monitoring of defenses, um, when constructing near them and underneath them. This kind of follows into that last point about interactions with

defenses where the applicant has, um, proposed more, uh, additional commentary around how they're going to mitigate, um, impacts on those defenses about the foundations of these embankments and how they'll monitor and survey them in the detailed design stage to secure those things.

00:08:03:23 - 00:08:18:10

Additionally, as I mentioned earlier, we're looking to, um, secure approval of any detailed designs for those crossings and, um, specifically how they'll interact with the foundations once the surveying has been undertaken under requirement 22.

00:08:20:02 - 00:08:22:02

Okay. Thank you. Um.

00:08:24:14 - 00:08:29:26

So just to be clear, you already have the updated Fra. Is that so?

00:08:30:00 - 00:08:43:06

So we have reviewed the Fra and the current statement of Common Grounds, which has got updated a couple of days ago. Um, is our view of that Fra is based off that Fra that should be submitted at deadline Line five.

00:08:43:08 - 00:08:55:27

Yeah. So will you. So are you in a position to be able to provide, um, commentary at deadline five already on that? Because you've got it. Because you've got it in advance.

00:08:56:12 - 00:09:22:27

Um, we can if we can provide commentary on any changes that we have seen. Um, I think we need to get confirmation from the applicant that they'll do no more alterations, and that the last record that we have seen will be what is submitted. Um, I think from a discussion we had on Monday. So a meeting that we had about the statement of common ground, that was the discussion that was kind of the output of what I heard was we will submit what you have most recently seen.

00:09:22:29 - 00:09:24:00

What you've got. Okay.

00:09:24:02 - 00:09:26:21

Yeah. Um, but we can give a couple more comment.

00:09:26:27 - 00:09:57:06

Yeah. I just think it would help because of, you know, two thirds of the way through the examination and there's still a lot of outstanding issues. I appreciate that. There's, you know, from the examinations perspective, there's lots of outstanding issues because we haven't got this in. Let it go. It's not an examination yet, so I think it would help speed up that process. If you're able to provide commentary, um, saying what you're satisfied with, if there's anything else that's outstanding as well.

00:09:57:08 - 00:09:57:24

Potentially.

00:09:57:26 - 00:10:17:09

Yeah. Um, the statement of common ground that got submitted into examination a couple of days ago does hold commentary of the points that now have been agreed, and also points that are still outstanding in reference to that newest Fra. Um, however, we are happy to provide additional commentary, um, if that is necessary.

00:10:17:18 - 00:10:36:17

Yes, please. Yeah. That's good. Um, and one other question, though, is the point made that further modelling is being undertaken to do. Is that modelling? Do they or is the applicant undertaking that themselves? Is that or is that something you do on behalf of the.

00:10:37:06 - 00:10:59:07

Applicant is on this modelling. Um, from sorry. You can ask them if you want, but from my understanding, this is still being undertaken. Um, and we are awaiting results from them, which, depending on those results, they may need to be more discussions had about if there is more mitigation necessary. Um, however, that will all depend on what the outputs are.

00:11:01:03 - 00:11:07:23

Great. Okay. Thank you. Um, Mr. Fox, you have your hand raised.

00:11:10:29 - 00:11:15:19

I do, I've got four distinct points. Do you want them all together or one at a time?

00:11:16:03 - 00:11:18:03

All together? I think please.

00:11:18:05 - 00:12:02:11

Okay. Firstly, um, I, I find the response of the Nottinghamshire, um, County Council confusing because, um, Acorn. Yes. Acorn on their behalf actually um demanded much further moderate on surface water and surface flooding. Have they discounted that or forgotten it? Secondly, the two measures on the east and west. And they both the applicant and the Environment Agency seem to have forgotten that the water limits are dissected by a river and therefore the two figures need to be added together, giving you an actual floodplain loss of 5.7.

00:12:04:20 - 00:12:24:08

And and third, and fourthly, why are other people saying this other Fra when why the preference to the um, Environment Agency? I think the legal aid to flood authorities should certainly have advanced coverage. And I think I should thank you.

00:12:25:09 - 00:12:38:04

Thank you, Mr. Fox. Um, does anybody want to come back on the points that have just been raised there by Mr. Fox. Nottinghamshire County Council. Perhaps I could start with you.

00:12:40:19 - 00:12:58:08

Thank you sir. Ross Marshall, Nottinghamshire County Council lead local flood authority. My understanding is that any additional modelling that had been asked for has been carried out and that we've reviewed that and we're okay with the outputs from that. I will take that away for clarification, sir, and provide it in writing afterwards if that's okay.

00:12:58:18 - 00:13:02:00

That is fine. Thank you very much for that occasion.

00:13:06:26 - 00:13:10:16

Uh, Miss Holland, would you like to come back?

00:13:11:09 - 00:13:43:09

Yeah. So this was in reference to the 2.2 and 3.5mm increases. Um, so the reason for this, these two numbers not being added together and not equalling the 5.7 is Mr. Fox has just referenced is because this is to look directly at the increases in depth on both sides of the river. It's not an increase overall as, um. There will be different impacts on the two dissected sections of the river. So on the west and east side there will be different impacts depending on the loss of floodplain on those sites.

00:13:43:20 - 00:14:09:02

Um, this is specifically looking at the number of panels that are in those sections of floodplain on either bank of those rivers. Um, and they do not need to be added together to give an overall, um, difference. They should be kept separate as they are looking at the specific depths on either side, not as an overall, um, calculation. I know my colleague Phil has just put his hand up. He might be able to explain it a little bit better than I have there.

00:14:09:19 - 00:14:12:02

Mr. Sayle, would you like to carry on that?

00:14:16:26 - 00:14:46:27

So for the environment, you can see. Yeah. So we've got the applicant to do a volumetric assessment which is presented in there for a um, the reason it's split up is because whilst. Yeah, the, the two sites are bisected by the River Trent, they didn't come in and dated at the same time. So we thought it best to undertake the calculations based on those separated flood cells for the eastern and western floodplains to give an indication of level increase. But having said that, as I say, such calculations do carry some uncertainty.

00:14:46:29 - 00:15:19:07

So we have asked the applicant to do some further testing within the tidal Trent model, which will hopefully provide a bit more spatial clarity on where any increases might be with respect to the order limits and also more widely up and down the Trent. Um, so should help to be able to provide a bit more clarity on things like cumulative impacts and the like. So yeah, we're just waiting on the outputs of that modelling that the applicant, um, said that they're undertaking. As I say, we've not seen anything yet, but we hope that will be presented in forthcoming flood risk assessments.

00:15:19:17 - 00:15:55:08

Um, in terms of the volumetric assessment that the applicant has undertaken. They've assumed conservative parameters in terms of, some of the in terms of the calculation. So just as an example, they've assumed all panels slid to a depth of 1.8m and that the solar panel support frames themselves occupy of sort of size 250 mil by 250 mil. The reality is, the actual depths across the eastern and western flood plains in the design flood event, and also the credible maximum scenario are lower than that.

00:15:55:16 - 00:16:27:24

Um, so exactly. So just by way of example, these are average depths on the eastern flood plain, the average depth in the design flood event for the River Trent, which is the 1 in 100 year plus 39% climate change allowance, which reflects climate change uplift for the 2018 epoch, which is a period from 2017 to 2125, uh, the average depth across inundated panel areas is around 0.5m in the design event and then in the in the western floodplain.

00:16:28:08 - 00:17:01:14

Oh, sorry. That's the eastern floodplain. Sorry. It's 0.7. And the western floodplain is around 0.5m in terms of average. And I appreciate there's variance in that. And you'll get higher and lower levels, but that just gives a bit of a flavour. The applicant has taken a simplistic approach to the calculation on the basis of conservatism, but also in terms of understanding depths fully in volumetric displacement, because the final detailed design isn't known. It's not possible to sample the depth to the panel support legs because their exact placement isn't known.

00:17:01:16 - 00:17:35:01

So I think that's one of the reasons why the applicant has taken that conservative approach in terms of their volumetric assessment. But as I say, we're not in a position yet to say whether we agree, whether the risk off site is, uh, not increased. Um, and the second part of the acceptance test is met or not, because we're just waiting on the outputs of this modelling assessment, just more widely in terms of other solar farm developments, we don't anticipate large significant increases from the solar panel support frames themselves as water can move freely below them.

00:17:35:20 - 00:18:11:00

Um, so we anticipate no real impact. But as I say, we're just waiting on that modelling to provide some further spatial clarity and reduce any uncertainties that that might be. If it is that we sort of anticipate that there'll be any notable changes in flood level beyond the site order limits. Um, we can of course, look at mitigation, but we don't anticipate that that would be a technically challenging, uh, given the nature of the displacement by these sort of solar panel support structures themselves. So things like basin scrapes within the site would potentially be able to offset any impact.

00:18:11:02 - 00:18:22:14

But as I say, at this present point in time, we don't anticipate large increases upstream and downstream of the site, um, or impacts to third parties. But as I say, we're just waiting on that modelling clarity.

00:18:22:25 - 00:18:27:09

Yeah. Thank you, Mr. Fox. You have another point to make.

00:18:38:25 - 00:18:44:04

Mr. Fox. Do you have a point to make on, uh, on this topic?

00:18:47:06 - 00:19:24:00

I'm doing the microphone thing again. Um, sorry. What about the additional items such as fencing, fence posts and other items that the, um, Mr. Maude mentioned earlier? When are these going to be taken into the calculation? And having allowed the applicant to move up when they miss things out last time, are we going to move the, um, tolerance up again if they if they've missed things out this time and we missed the point on why the EA are getting an advance copy up in nobody else's fray.

00:19:24:03 - 00:19:28:00

I think that breaches every rule. Rule that you work against.

00:19:30:02 - 00:19:35:29

Thank you. Thank you. Does the applicant want to come back on any of the points made there by Mr. Fox?

00:19:38:03 - 00:20:13:24

Uh, Craig fights on behalf of the applicant. Um, with regards to the fencing point, um, I think it's useful to refer back to, um, Mr. Sales, um, comments from the EA. Um, in the assessment, the volumetric assessment undertaken to date is conservative in its nature. Um, you know, we've taken extremely conservative, uh, assumptions with regards to flood depth and, uh, column sizing. Um, the fencing that's proposed across the site is deer fencing. Um, so is very is highly likely to have a, you know, extremely negligible, um, impact on any flood volume assessment.

00:20:13:26 - 00:20:17:28

Um, so that's the basis of, um, of why the fencing isn't included.

00:20:20:13 - 00:20:21:06

Thank you.

00:20:24:20 - 00:20:55:20

If I may, sir, if I can respond to some of the earlier points made. Amy Stirling, on behalf of the applicant. A couple of confirmations, as it were. Um, just to confirm, yes, that modeling work is ongoing and we're continuing to engage with the Environment Agency, and we will, of course, report into examination on the conclusions of those discussions with the Environment Agency as soon as we can. Uh, we can also confirm that, yes, we are submitting the update of flood risk assessment at deadline five.

00:20:55:22 - 00:21:40:17

It will be assumed, by the Environment Agency and that they've commented on in their statement of common ground. There are likely to be some minor additions following this hearing. We've made some comments about reviewing the wording in the flood risk assessment and ensuring it's fit for purpose. And I also understand there has been a request for an additional sort of sentence or paragraph to be added by Nottinghamshire County Council that we will add, but it shouldn't be. It will not be materially different from what the Environment Agency have already reviewed and commented upon. And then finally, at just to confirm that, yes, we are waiting to hear on the Environment Agency's

preferred wording for requirement pointed to, and we will engage with them proactively and quickly to seek to agree that wording as soon as possible in the examination.

00:21:41:08 - 00:21:44:19

Thank you. Can I just clarify on the modelling?

00:21:46:25 - 00:22:16:13

Is that is there a chance that that could be in at deadline five? It's just it's quite important I think for the examination. Um, because there's a lot of issues that could either be resolved or still remaining. Um, once we know about the modelling, um, you know, and I think, as I said, we just a short time ago, we're two thirds of the way through examination. So it would be good to get that in as soon as possible.

00:22:18:01 - 00:22:43:24

Amy Stirling, on behalf of the applicant and I wouldn't want to give you false hope. So I understand that, no, it's not possible for the modeling to be completed and checked and discussed with the Environment Agency in advance of Wednesday next week. Um, but we are conscious of the remaining time left and examination. So our intention is that as soon as it is ready after next Wednesday, that we would submit it to the examiner authority sort of directly. We wouldn't wait till deadline six.

00:22:44:09 - 00:22:46:17

Okay. Thank you for that, I appreciate that.

00:22:50:10 - 00:22:55:03

Uh, Mr. Fox, is your hand still up or is it still up?

00:22:55:06 - 00:23:03:09

Um, sorry, but I struggle with the definition of conservatives. We're putting this thing on a floodplain. Is that conservative?

00:23:07:17 - 00:23:08:10

Thank you.

00:23:20:12 - 00:23:24:12

A question for the Environment Agency. Um.

00:23:26:08 - 00:23:29:23

Um. Oh, sorry, Heather. Mrs. Fox.

00:23:37:06 - 00:23:38:27

Oh. Sorry, sir.

00:23:40:21 - 00:23:42:10

My camera doesn't seem to me. Oh.

00:23:46:21 - 00:24:30:16

Thank you, sir. Heather Fox, resident of North Clifton. Just to refer to the hydraulic modeling back in the virtual meetings between the EA and one Earth, hydraulic modeling was dismissed because it was considered too coarse to reflect any, uh, influence that the solar panels would have on direction of flow. So I'm interested to know, after we decided on the quantifiable effects, why hydraulic modeling has suddenly become acceptable, and who's going to be doing it, and why would it be different now than it should have been back in 2024? And also, they assert that they have been conservative in their calculations.

00:24:30:24 - 00:24:53:25

When the EA asked initially it was for a 600mm freeboard, they let that slide to 300mm. Now, this confusion over inverters and PCs, as far as I'm concerned. Inverters are sensitive electric equipment and surely they deserve the 600 millimeter freeboard.

00:24:55:12 - 00:25:08:01

So I don't really understand how across the site it went down to 300. And given the sheer volume of inverters in the floodplain, I'm surprised. Thank you sir.

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

Thank you. Um, does the applicant want to respond to the points raised there by Mrs. Fox?

00:25:30:11 - 00:26:05:17

On behalf of the applicant. Um, just to cover off, um, the first point, I think, on the on the modeling. Um, yes, there is, uh, in initial discussions, there was reference to it being a course model. Um, however, through discussions with the Environment Agency more recently and they have asked us to do that. Um, so we're acting sort of on, on behalf of the request from the Environment Agency to, to undertake that modeling. Um, however, I'd like to refer back to what Mr.. Well, Mr. Salle was suggesting in that it's not anticipated that there will be a significant effect as a result of, um, the updates to the hydraulic modelling.

00:26:05:19 - 00:26:08:03

Um. Thank you.

00:26:09:07 - 00:26:13:17

Thank you. Um, Mr. Fox?

00:26:16:07 - 00:26:17:26

Have you got an additional point?

00:26:18:00 - 00:26:31:02

Yeah. Just one final wonder. Aren't that the. There are plenty of models around that, uh, that, um, would capture the relative water flows, etc., if they were prepared to use them.

00:26:33:17 - 00:26:34:11

Thank you.

00:26:47:15 - 00:26:50:25

Now, question for Mr. Sale.

00:26:52:11 - 00:26:53:11

Is your hands up?

00:26:55:26 - 00:27:29:25

For sale on behalf of the environment. Um, just in reference to the title Trent hydraulic model, uh, would probably be useful just to give a bit of background as to what that model sort of looks like. I guess so it's, um. It's a one. What's called a 1D 2D link title like model. It extends from just downstream of Newark Linthorpe Bridge to the confluence with the Humber Estuary, uh, incorporating the entire stretch of the tidal River Trent and some portion of the fluvial River Trent. It also incorporates the Foss Dyke through to Lincoln.

00:27:30:11 - 00:28:00:28

Um, the floodplains represented using a series of regular cells, um, the elevation of which are represented using an aerial surveying technique called um, which is based on light detection and ranging data. LiDAR. Um. Mrs. Fox is writing that the model is fairly coarse, in that each cell has a 25 meter by 25 meter grid resolution, so it's not possible to explicitly represent the solar panel. Support frames themselves within that grid.

00:28:01:00 - 00:28:38:26

Given the coarse nature of the grid, um, but that's the case for many, many models across the country that represent flood risk. Even if you go down to, say, one metre resolution, you still wouldn't be able to explicitly represent solar panel support frames. But there is there are approaches that you can use to represent the blockage of solar panels, support frames within the cell. So we've asked the applicant to undertake what's called a user flow construction approach essentially. And what that does is it blocks a portion of the cell side to reflect the, the, um, blockage of that, um, solar panel support structure with respect to the cell size.

00:28:38:28 - 00:29:15:14

And that's a commonly used approach in terms of establishing any loss of conveyance in the floodplain. But we will, of course, review the hydrologic model and the results once submitted by the applicant. And part of that review will look at any sensitivities associated with the representation. And what that mean might mean for model results in terms of increases in level more widely, what the results from that model will give you is a baseline picture of the dress. So say for example, the design event which is 100 year plus essential climate change and also with development scenario for the hundred year plus central climate change.

00:29:15:19 - 00:29:53:10

And you can do a comparison between those and produce a water level difference map, which will show any increases in depth, and also any areas which might have been dry in the baseline but become wet in the proposed scenario. So hopefully that will give us the spatial clarity we need to understand if there are any increases and where they are located. But of course, role modelling in any assessment with these sorts of things, there are uncertainties. And yes, you're absolutely right, it's not

possible to explicitly represent things. However, we're mindful of those uncertainties and sensitivities and will bear that in mind when we undertake the review and take into account any sensitivities, essentially.

00:29:54:28 - 00:29:55:24

Thank you.

00:30:09:09 - 00:30:20:23

So as we're talking about, um, tolerances and modeling and the level of potential, uh, increase in flood waters. Um,

00:30:22:13 - 00:30:26:03

oh, this is box. It's got your hand up. Sorry.

00:30:29:05 - 00:31:01:07

Thank you. Sir. Heather Fox, resident in North Clifton. I did actually asked why was it considered all right now to be doing the hydraulic hydraulic modeling when it was dismissed back in 2024? And we went to the quantifiable amount that quantifiable route. And also this business of slipping from the 600 to the 300 millimeter, that was 300 millimeter for trap debris. And yet now we're saying Insignificant. I'd like to know how that has come about.

00:31:01:09 - 00:31:02:03

Please, sir.

00:31:05:17 - 00:31:10:23

Thank you. Who is best placed to respond to that query?

00:31:13:10 - 00:31:17:19

Thanked the applicant. Let's start with the applicant.

00:31:21:00 - 00:31:52:01

Craig Bates, on behalf of the applicant. Um, just to address the, um, model being sufficient point. Um, so the yes, the in initial discussions with the Environment Agency, um, it was agreed that the, uh, volumetric assessment would be sufficient. And that's still something that is, um, considered appropriate, um, and applicable. Um, however, as a sort of referred to previously, the Environment Agency's request, um, is now to incorporate the hydraulic modelling. Um, and Mr..

00:31:52:03 - 00:32:23:27

Mr. Steyer has obviously covered, uh, the reasoning behind that and how what the sort of high level approach is, um, on the free board point. Um, in this very initial discussions with the Environment Agency regarding 300mm freeboard, um, a discussion around 600mm was um had um however, the ultimately the agreement with the Environment Agency and I will let them comment. Um however I understand that they are comfortable they are comfortable with that 300mm, um being provided across the site.

00:32:23:29 - 00:32:24:20

Thanks.

00:32:26:11 - 00:32:27:04

Thank you.

00:32:30:10 - 00:32:34:08

Uh, Miss Holland, do you want to add to that?

00:32:34:10 - 00:33:08:13

I will add to you the 300 millimeter and 600 millimeter issue. So originally, the 600 millimeter is what we start with when we go across on all projects to start as a starting basis line for freeboard, as this is the standard. Um, it mitigates a lot of issues when you have that freeboard in place, as I think it was stated earlier, this normally looks at 300ml consideration debris and 300ml to take into modelling and tolerances, modelling inaccuracies, tolerances, things like that. However, once extra work can be done and once design parameters are taken into place.

00:33:08:15 - 00:33:43:20

So specifically here we have the open structures of the voids and the size and shaping of them. So they are big open voids. Um, commitments to maintenance and clearing of them. Additionally, the amount of um modelling that has been undertaken and the review of that modelling can then contribute to us feeling we can allow a lower freeboard to be included. Um, it's a combination of all of these things, which is why we're now working with the applicant on a 300 mil freeboard.

00:33:43:25 - 00:33:46:25

Um, I hope that kind of clears it up a bit.

00:33:48:12 - 00:33:52:01

Okay. Thank you. Uh, Mrs. Fox.

00:33:58:19 - 00:34:29:26

Thank you sir. Heather Fox, resident of Clifton. So I asked the applicant again, why is hydraulic modeling considered acceptable now when it could have been done in September 2024? And they were asked so disingenuously at issue two when the request for the flood flow routes went in. They said, we'll get back to the EA and see what the requirements are, that the request for flood flow routes has been going on since the pier. Thank you sir.

00:34:30:25 - 00:34:31:18

Thank you.

00:34:34:19 - 00:34:53:18

So on the topic of, um, the modeling and the assessment, the flood risk assessment, uh, the five millimeter Metre tolerance that has been used. Um.

00:34:55:04 - 00:35:30:04

We would just like a bit of clarity on how. Um, any increase in flood levels in flood zones two and three is acceptable in relation to the policy test set out in Mbps M1. That's the first. So that'll be for

the EA first please. And then secondly, how will why is a five millimetres five millimeter model tolerance appropriate for development located in flood zones two and three? Thank you.

00:35:35:24 - 00:35:36:24

Mr. Salle.

00:35:44:22 - 00:36:15:12

Philips health and environment. Um, as a sort of described previously. We did have discussions with the applicant, um, regarding calculation tolerance and also, uh, what might constitute a negligible increase in flood risk. And we did agree a five mill threshold. What I should say, though, is that is not a threshold to that is not a headroom that you can increase flood risk to. It was associated with any calculation error. Um, and any sort of volumetric assessment that the applicant has undertaken.

00:36:15:18 - 00:37:01:12

Uh, the calculated values are that the applicant has pulled together based on the volumetric assessment or lower than that. But as a just to reiterate, we're not saying that that is what the applicant can increase the risk to. Uh, and indeed, I think in terms of the requirement wording, it will not focus on that five metre threshold. It will be very much that, yeah, it shouldn't increase the risk beyond the what's been calculated already. And also we'll wait to see the outputs of the hydraulic modelling. Um, there is no prescribed tolerance threshold that the Environment Agency has historically, there has been sort of a rule of thumb value of around ten mil prescribed, which relates to the water level tolerance parameter within, with many different types of hydraulic modeling software.

00:37:01:21 - 00:37:38:16

What is the environment? We don't have a prescribed threshold. Um, the rationale for that is that every site is different, presents different, uh, constraints. Uh, the information available in terms of modeling is different. So we assess things on a case by case basis. Um, the only organization that does have a prescribed tolerance threshold, I believe, is Natural Resources Wales, which is to two decimal places when quoting displacement or changes in values to a meter. So in essence a five mil threshold. Um, but yeah, as I say, we're just waiting on the the modelling really to understand the impacts more widely.

00:37:38:26 - 00:38:14:21

Um, just on Mrs. Box's earlier point around sort of modeling, we did discuss modeling early on in the application, and some initial volumetric assessment with the applicant showed lower and much lower increases in the level. But more recent Fras have shown sort of the 2.2 and 3.5m that we've seen now, um, with solar arrays. Um, it's not like sort of ground level raising where there's sort of concentrated volumetric displacement and large, uh, areas of volume in the floodplain that would deflect flow.

00:38:15:12 - 00:38:51:16

Um, so there are uncertainties. And we felt that, um, given the uncertainties and the placement of the solar panels within flood zones two and three, it would be prudent to explore the impact within the hydraulic modeling. As I say, they're still going to be, um, uncertainties with the outputs of that. It's not perfect, given that you can't represent the panel support frames explicitly in the model, but it will help us understand any variance in water level, upstream, downstream and within the development itself and provide us that depth difference mapping, which will give that that clarity.

00:38:52:18 - 00:39:19:13

Okay. Thank you. That's helpful. So I just trying to understand the fact that this proposed development is in flood zone two and three. The five millimeter tolerance is acceptable despite does it vary for different flood zones? Yeah, I'm just trying to understand how that would work. I think probably, Mr. Sayles probably the best place to answer that. Or Miss Holland? Yeah.

00:39:20:29 - 00:39:49:11

And so just in this case, this tolerance is specifically in reference to the volumetric calculations that they have undertaken. So it's not necessarily prescribed to a certain flood zone or a certain type of development. It is prescribed to that calculation that they have undertaken. So the work they have done to look at the loss of floodplain due to the solar panel legs and Um, the stills from the inverter station. Uh, voids. And then the calculations that they've done, done to, um, convert this into a depth difference.

00:39:50:18 - 00:39:55:17

Okay. Thank you. Um, Mr.. So I've got another point to add to that.

00:39:58:21 - 00:40:00:15

No apologies. That was a legacy end.

00:40:00:17 - 00:40:04:10

Okay. Thank you. Um, Mr. Morden, you got a question?

00:40:04:22 - 00:40:05:20

Yeah. There's a there's just.

00:40:05:22 - 00:40:06:07

A couple.

00:40:06:09 - 00:40:21:24

Of points that raised from the conversations that have just been taking place. Um, Mister Sally, you made a reference to, uh, land raising. And now that's briefly referred to in the Environment Agency statement of Common Ground. Um,

00:40:23:11 - 00:40:25:15

that the.

00:40:25:21 - 00:40:26:09

In dealing.

00:40:26:11 - 00:40:27:24

With some of the inverter stations.

00:40:27:26 - 00:40:28:27

Potentially.

00:40:29:11 - 00:40:33:26

Um, how is that being considered in the consequential effects.

00:40:33:28 - 00:40:34:14

For.

00:40:34:20 - 00:40:35:22

Either flood.

00:40:35:24 - 00:40:36:24

Storage or.

00:40:37:09 - 00:40:40:27

Other effects on on surface water or flood.

00:40:47:07 - 00:41:21:01

On behalf of the Environment Agency. So in terms of the invert stations, my understanding is that land raising isn't proposed at the moment. The invert stations would be raised on voided structures, um, which are accounted for in the volumetric assessment within the latest version of the flood risk assessment. Um, I do understand, however, that it potentially may move away from voided structures to land raising, in which case we would be looking for cost associated compensatory flood storage for that. But, um, I can see my colleague Sean Holland has got a hand up as well.

00:41:21:03 - 00:41:25:13

So I'll just defer to Sean just to see if he's got any additional points to raise.

00:41:25:26 - 00:42:13:05

Yeah. Just to add on to this one. So within the current fray, they have assessed all inverse stations needing to be stored in voids as seen as the worst case scenario. Um, obviously we view it as being the last option for flipping a coin, for compensating for loss of pain. Um, through discussions with the applicant. It is sounding like when we get to the design stage, if there are options to, um, use different forms of mitigation. So i.e. land raising, this would be those inverter stations that are available closer to the edges of floodplain and um, where level for level, volume for volume, floodplain compensation can be provided on the edge of the existing floodplain and will have the necessary impacts and will be provided to have the necessary compensation.

00:42:13:09 - 00:42:40:06

And this is what we'd look for them to do. If there is those design changes where instead of going for the worst case scenario avoidance structures across all inverter stations, they find actually they can use the land raising instead. Um, this is something that I think the applicant is looking to explore at the detailed design stage, and something that we're going to going to look to secure under requirement 22 two. And they'll be quite specific requirements in that.

00:42:42:05 - 00:42:42:20

Okay.

00:42:42:22 - 00:42:43:10

Thank you.

00:42:43:16 - 00:42:59:24

Can I just then revert back to the applicant in terms of your description of development? Um, the issue of land raising. Where is that, um, set out? Is it just an associated development section or is it somewhere else?

00:43:17:19 - 00:43:27:29

Amy Stirling, on behalf of the applicant. Yes. I would suggest that this is covered by associated development bracket M, which includes earthworks.

00:43:30:03 - 00:43:34:06

That's something we could take away and confirm to you. Obviously no hitting note. In any case.

00:43:35:26 - 00:43:37:26

I think that would be helpful. But also.

00:43:41:28 - 00:43:49:26

Again, understanding the parameters where this could occur would be helpful. So it might be also.

00:43:49:28 - 00:43:50:16

Worth.

00:43:50:18 - 00:43:51:23

Thinking about how.

00:43:51:25 - 00:43:52:27

You would address.

00:43:52:29 - 00:44:07:15

That. It could only take place in the areas that the Environment Agency have indicated, so that we have the clarity as to what it is that we're understanding is taking place within the areas of flood risk.

00:44:14:16 - 00:44:43:07

Amy Stirling, on behalf of the applicant. I'm not sure we'll be able to commit to identifying where this mitigation might be delivered, because that is a detailed design element, of course, that the detailed design will be signed off by the relevant local planning authorities and in consultation with the Environment Agency. In reviewing the updates to the AfD, which were submitting at deadline five, we will consider whether there is any clarity that we can provide on this point.

00:44:44:21 - 00:44:45:25

Okay. Thank you.

00:44:49:07 - 00:44:50:24

I'll revert back to you, Mr. Jack.

00:44:50:26 - 00:44:51:19

Thank you.

00:44:55:18 - 00:45:00:07

Thank you. Um, Mr. Fox, do you have additional points?

00:45:02:01 - 00:45:25:08

Yes. Two, actually. Um, firstly, the I'd like to know under Water act. Uh, what? Where under the act does it give the Environment Agency any permission to give any tolerance in these circumstances? I thought zero meant zero. Secondly, I think the Environment Agency's own guidance make clear that that this

00:45:26:27 - 00:45:40:09

Um, millimeters tolerance is purely for, um, working with a model. But once you come down to the final frame, there has to. There has to be zero. There should be no allowance.

00:45:42:02 - 00:45:42:24

Thank you.

00:45:45:00 - 00:45:47:15

Thank you, Mr. Walker. Have you got any

00:45:49:05 - 00:45:50:17

point to make on this?

00:45:51:25 - 00:45:53:15

Oh, yes. It's, uh, Mrs. Walker.

00:45:54:11 - 00:45:54:26

Sorry.

00:45:54:29 - 00:45:57:06

That's all right. They're both here. So.

00:45:57:08 - 00:45:57:25

Yeah.

00:45:58:24 - 00:46:31:01

I mean, obviously I'm not an expert on water, but I think nobody's mentioned about the two metre deep concrete plinths that the units are going to sit on, which are below ground and obviously flood waters. Water goes into the ground. So if we've got a large number of the units within the flood zones,

which has been stated, then surely the two metre concrete bases that are down into the ground Aground. The size of the pieces. Units that will also have an impact on the floodwaters.

00:46:32:10 - 00:46:34:21

Have they been taken into account in the modeling?

00:46:36:12 - 00:46:45:24

Okay. Thank you. So if I can ask the applicant response to Mrs. Walker's point. First, please.

00:47:09:27 - 00:47:45:16

And on behalf of the applicant. Um, yeah. With regards to any sort of pad foundations for the pieces, um, they will be localized to those areas where, where, where we have the pieces. Um, and the reality, I think in the or the reality in a flood event of this, um, nature as in within the design flood event. Um, water isn't really infiltrating or water wouldn't fully infiltrate to the ground. And the reality is, it will drain back naturally towards the watercourses and be that the ordinary watercourses within the order limits, um, or the River Trent.

00:47:45:20 - 00:47:51:05

Um, yeah. So I think the, the view on that is that they will have a negligible impact.

00:47:52:11 - 00:48:01:26

Thank you. Um, I can now turn to the EA. I'm not sure who would be best placed to respond to Mr. Fox's points.

00:48:02:05 - 00:48:08:16

So I think this will probably be best for us to take away and put into writing a response for specific policies.

00:48:09:10 - 00:48:10:04

Thank you.

00:48:36:22 - 00:49:00:21

Question for the Environment Agency first and then the the local flood authorities. Can you please explain that you consider that the applicant has demonstrated. Nope. Sorry. That's fine. Can you just the EA. Sorry. Can you please explain your current position on whether you consider the reduction in flood storage capacity as a result of the proposed development is acceptable?

00:49:04:22 - 00:49:34:25

Hi, Sean Holland for the Environment Agency. Um, I think we've kind of highlighted in previous discussions how we see that the increases at the, uh, have been presented are within tolerances for calculations. Additionally, with the mitigation, the applicant has looked to present. So this will be, um, raising all panels above the design flood event and placing all battery storage system units outside of the design event. Additionally, with the um.

00:49:36:27 - 00:50:05:23

Mitigation they're putting in place when it comes towards designing around defences and stuff and the works near there, we feel that the mitigation is presented and the calculation and evidence of the impact their um, development may have has been appropriately mitigated and the specific compensation that may be necessary or not necessary in this case, as it's shown, that the increases in depth are below what we see as being a negligible impact.

00:50:08:06 - 00:50:10:12

Okay. Thank you. Um.

00:50:17:21 - 00:50:35:15

I'd just like to query your use of the word negligible, if I could. Miss Holland. Um, how does that relate to the policy test in MPs, and how so? Yeah. Go on.

00:50:35:18 - 00:51:20:16

Uh, currently, at the moment, we are not saying that we fully agree the applicant has passed the exception test. We are still waiting for modelling to provide additional evidence and to clarify where these increases may sit and specifically what impact they may have. Um, currently, on the information that we have, we feel that the evidence provided in these calculations, the differences that are shown are within the tolerances that would be presumed by doing these calculations. So they will have negligible impacts because they are within the tolerances of doing calculations. Additionally, we feel that the applicant has taken a conservative approach when calculating these differences and evidencing the changes in depth on their site, specifically, as referenced earlier, about the looking at the worst case scenario for all the panels.

00:51:20:18 - 00:51:31:06

So having that 1.8 um, height instead of, as my colleague Mr. Salle said, um, an average of 0.5 and 0.7.

00:51:32:26 - 00:51:38:27

That's the evidence that we feel goes into looking at this measurable impact.

00:51:39:20 - 00:52:11:16

Okay. Thank you. So if I could just read you a paragraph 5.8.12 or NPS, m1, it states development should not be should be designed to ensure that there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage, and any deflection or constriction of flood flow routes should be safely managed within the site.

00:52:11:27 - 00:52:27:16

Mitigation measures should make up as much use of possible natural flood management techniques. That has that does your. In your opinion is that um policy requirement being met.

00:52:27:28 - 00:53:03:21

So currently, as we're still awaiting more information from this modeling that will directly relate to flow routes, it will also directly look at impacts off site and give even more detail about if more mitigation is necessary. I don't think we can say we are fully accepting that that has been met because

we are still awaiting that information and still awaiting outputs from that. Depending on the information we then get from that, I think we can see a solution where necessary mitigation can be provided. However, we will need to wait for those outputs to decide if the applicant has already provided it or if they need to do additional work to provide it.

00:53:04:12 - 00:53:38:01

Okay, sorry, and I'm going to read another bit of policy out for you. Sorry. That's good. Um, so The paragraph 5.8.41 uh states that energy projects should not normally be consented within flood zone three B or C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding, for example surface water.

00:53:38:08 - 00:54:03:12

However, where a central energy infrastructure has to be located in such areas for operational reasons, they should only be consented if the development not result in a net loss of bloodstained flood plain storage and will not impede water flows. I know that you're going to say you need to know the outcome of the of the modeling and the assessment.

00:54:03:17 - 00:54:28:12

So, yeah. Um, so all development is being outside of the flood zone. Three B there is no development being proposed within flood zone three, so it kind of negates that conversation as all development is being paced outside of it. Um, I don't know if that then answers the rest of the policy. Um, or if there needs to be more detail given because again, I know I've said we need to wait for that modeling to come through.

00:54:28:21 - 00:54:59:04

Yeah, okay. That's fine. I think what I would ask is that when this modeling has been submitted to the examination, if we can have some sort of assessment from you in terms of what your views are on, on that, on the impacts of it within and without the outside of the site, but also the, uh, policy test, I think need to be whether they have been, in your opinion, they have been met.

00:54:59:21 - 00:55:15:21

Yeah. I think our plan is for as soon as the modeling comes through, depending on the outputs, we will give a full opinion on whether we think mitigation is required or not. And then this then relates directly to whether we think they have passed the second part of the exception test. And we will give comment on all of that.

00:55:15:26 - 00:55:20:00

Okay. Thank you, Mr. Fox.

00:55:20:09 - 00:55:41:02

Just before you go to Mr. Fox. Uh, Miss Holland, I think you need to think beyond the exception test. The NPS policies that Mr. Jaques quoted to aren't just talking about the exception test. Uh, I think if you go back to the NPS and look at those relative paragraphs, they're looking more broadly. The exception test.

00:55:41:04 - 00:55:41:19

Is.

00:55:41:21 - 00:55:48:17

Is another element that again, we'll we'll talk about in due course when we're reviewing the sequential test elements.

00:55:49:05 - 00:56:04:09

Yeah I understand that. And we will respond to all bits of the policy in national policy statements. Um, in addition to specifically talking about whether we think they have passed the exceptional test as well. It was more just to add on that single reference as well as the policy itself.

00:56:04:14 - 00:56:04:29

Okay.

00:56:05:01 - 00:56:05:16

Thank you.

00:56:08:03 - 00:56:09:24

Thank you, Mr. Fox.

00:56:09:27 - 00:56:38:27

Yeah. Two things. Um, firstly, um, we now have three negligibly. Um. 5 million in it's own 5 million. It's own right is negligible. We've got the fences that now are going to be excluded. And what was the point that Mrs. Walker brought up? So it's adding up. Okay, the third thing is the second thing rather is the it's. I'd be very interested to see the written comments by the Environment Agency on, um.

00:56:41:01 - 00:56:56:09

How they get how a model tolerance and zero tolerance overall is thing because they're just intellectually, um, not compatible and they're certainly contrary to their own guidance. Thank you.

00:56:56:16 - 00:56:57:12

Thank you.

00:57:00:25 - 00:57:02:06

Okay. So.

00:57:24:05 - 00:58:10:17

Amy Stirling on behalf of the applicant. Sorry, sorry. I wasn't sure if you were going to come to us next. I just thought it was important to note that the applicant simply agrees with the submissions by the Environment Agency on this point in relation to the levels of tolerance and them being negligible. Our view is that negligible is the covenant of none and the policy statement given, it would, as I understand it, as a non-technical expert, be almost impossible to have none. And if you're putting anything in the ground. And I also just want to reiterate the point that the Environment Agency made, that there are no solar panels or inverter or PCCs in there, other name being located within the functional floodplain and flood DB, and therefore paragraph five 841 of NPS M1 is irrelevant.

00:58:10:21 - 00:58:11:13

Thank you.

00:58:12:12 - 00:58:15:15

Thank you for that, Mr. Fox.

00:58:16:04 - 00:58:21:12

The whole point is that you shouldn't be putting anything in the ground in in a flood plain. Thank you.

00:58:23:00 - 00:58:26:18

That's the whole point of the act and the tolerance and the.

00:58:29:00 - 00:58:30:18

Guidance. Thank you.

00:58:50:12 - 00:59:01:12

Amy Stirling, on behalf of the applicant. I guess I would just make the point that there is nothing in policy which states that you cannot locate a solar farm within the flood zones. It's important to note that as a matter of record.

00:59:02:03 - 00:59:02:27

Thank you.

00:59:11:05 - 00:59:19:23

Okay, so has anybody got any further points on this that they would like to raise? Or shall I move on?

00:59:21:26 - 00:59:23:04

Mrs. Fox?

00:59:26:06 - 00:59:27:03

Thank you sir.

00:59:32:02 - 01:00:28:10

Oh, gosh. Sir, I'm just not accustomed to this virtual business. I can, I can speak. Oh, thank you sir. I'd just like to go to the EA responses to examiner's questions too. And they referred to capacity in square meters. And if they could explain that. Because as far as I'm concerned, capacity is cubic. And in the other, another answer from the um, in regard to the defenses. I just wonder how. Doing a detailed, um, survey equates to mitigation because it says specifically, the applicant has committed to understand undertaking surveys at the detailed design phase, which will provide additional detail to the to the condition and composition of the embankments, which in conjunction with the proposed construction practice, will mitigate for any impacts.

01:00:28:12 - 01:00:53:16

How does the survey mitigate mitigate for impacts? And additionally, the applicant is committed to monitoring the condition of the embankments for the construction phase to ensure any impacts may be

identified ASAP and additional additional mitigation required. So I would like to know why is it any monitoring for the construction phase as well? Please. Thank you sir.

01:00:55:23 - 01:01:04:24

So I start with the EA. Um, start to respond to the points made about meters squared.

01:01:05:14 - 01:01:30:06

Yeah. For the Environment Agency, um, meter squared is a typo. It should be meters cubed. Um, apologies, that is my fault. I put the title in. It should be meters cubed. Capacity is meters cubed. Um, in specific remarks that is looking at the capacity that will be lost, um, or the capacity of floodplain that will be taken up by the solar panels. Um, was that everything for the first part of the question? Before we talk about the.

01:01:30:18 - 01:01:34:23

I think I talked about I think we can move on to that now.

01:01:34:29 - 01:02:07:04

Okay, cool. Um, in terms of the construction phase, um, when we reference the surveying here, it's specifically so they know the structure of the embankment. So this was specifically looking at the foundations, how deep they go, where they're specifically placed, so that when they do their designs for going underneath them and the crossing underneath, they know specifically where they need to avoid. and they can give the necessary distance between the base of those embankments and where they're going to put their cable crossing to ensure they do not have impact. Um, to go on to this, then to go into the monitoring situation.

01:02:07:06 - 01:02:52:05

Um, this is talking about, um, both um, above ground construction phase. So this will be looking at kind of all roads that may need to go near and movement of things above ground. Additionally, it will be to do with the drilling underneath. And this is to look at the vibrations that may be caused by those and to monitor if it has any impact on the stability of these embankments, so that if there are any, they see any instability, instabilities at all. They can as soon as possible stop all construction, and they can put the necessary mitigation in place to a repair, whatever damage it may have done, and also change practices to ensure that any continue construction going forward does not have any, um, impact and does not hinder the, um, stability of these embankments.

01:02:52:22 - 01:03:19:04

Specifically, we have had, um, commitment of this in the Fra to doing these surveys and to this monitoring. More detail of this will be included in the Construction Environmental Environment Plan. Once they have confirmed exactly where this crossing will be. And again, with the detailed design stage, doing these surveys will give more information about how they may interact with the underground aspects of these flood defences.

01:03:20:08 - 01:03:21:00

Thank you.

01:03:28:29 - 01:03:37:10

Amy Stirling, on behalf of the applicant, um, just in the interest of time, um, I just to confirm that. Yes, thank you to the Environment Agency and we agree.

01:03:38:10 - 01:03:39:03

Thank you,

01:03:40:20 - 01:03:41:21

Mr. Fox.

01:03:44:20 - 01:03:47:16

Still under the. We're still in the flood risk, I presume?

01:03:48:12 - 01:03:49:03

Yes.

01:03:49:06 - 01:04:09:25

Okay. How exactly is the amount of mitigation, um, decided for the, um, to stop surface water flooding? How do you actually decide how much is needed? I'd like to ask the applicant to say exactly how they calculated it.

01:04:11:09 - 01:04:14:03

Okay. Thank you. Uh, the applicant would

01:04:15:28 - 01:04:17:19

respond to that, please.

01:04:19:04 - 01:04:41:02

Amy Stirling, on behalf of the applicant. I'm not sure we entirely understand the question. So. So it's we're now talking about surface water. Uh, but perhaps you could explain, elaborate. Or perhaps we could put the response in writing, and we can respond, because, again, you're just conscious of timing. The number of environmental topics will start to get through.

01:04:41:04 - 01:05:04:20

We need to address these issues properly. The, um, you don't just sell a bit of seed and inside. It'll stop the water surface water. We need to know that the mitigation is going to work. Now, it's not a question of ticking a box. It's a knowing of no question of knowing how much water is coming off and determining exactly how much mitigation you need. So how do you calculate it?

01:05:08:06 - 01:05:08:26

Thank you.

01:05:11:27 - 01:05:16:24

That is an action point for the applicant to respond in writing to that point. Thank you.

01:05:25:18 - 01:05:37:20

I think I've got one last question on flood risk, which was in the deadline for submission, uh, from the environmental agency.

01:05:39:24 - 01:06:19:22

The response to execute 12 .0.1 and states The applicant has stated that the area of floodplain, which is to be lost due to the footprint of the converter stations, may be difficult to compensate, but on a level for level basis due to the topography of the land and the vast floodplain, may mean compensation is not provided within the vicinity of the floodplain lost. So, can the applicant. Um, just expand on this, please, and provide some details on where compensation will be located.

01:06:19:29 - 01:06:20:15

Thank you.

01:06:29:05 - 01:06:46:04

On behalf of the applicant, um, I think that, um, question has largely been answered by the Environment Agency already. Um, we would have to be it would have to be confirmed that detailed design, but it's anticipated that any compensation that can be provided and would likely be sort of along the fringes of the design. Flood risk. Extent.

01:06:48:08 - 01:06:50:28

Okay. Thank you. Um.

01:06:53:24 - 01:06:55:26

So I think that's.

01:06:58:23 - 01:07:18:18

There's the issue on flood risk. If there's nobody else, uh, with anything they want to raise. Okay, well, we'll move on to water resources. You know, we went because we've done water resources. We move on to the sequential test. Um.

01:07:22:22 - 01:07:23:29

This is Walker.

01:07:26:22 - 01:07:27:23

A hands raised.

01:07:32:12 - 01:07:32:27

Hello?

01:07:33:02 - 01:07:38:16

It's Mr. Walker. I've just got a point to raise on the flood risk, if that's okay.

01:07:38:22 - 01:07:40:06

Yes. It is. Uh.

01:07:40:20 - 01:07:43:07

Just in regard to what the applicant said. Uh.

01:07:45:10 - 01:08:16:16

When they said there were, uh, there were, uh, nothing stopping them, uh, doing a development on, uh, floodplain, uh, just in the guidance for the, uh, NSP, uh, solar farms. It does say that they should. Uh, sure that there is no, uh, alternative, uh, sites in, uh, lower flood zones.

01:08:17:06 - 01:08:24:20

Uh, uh, they have to we have to look back to when the examining authority asked, uh.

01:08:26:28 - 01:08:30:10

The, uh, applicant to, uh.

01:08:32:20 - 01:09:14:08

Provide, uh, information on how they, uh, ruled out the other possible areas, uh, around the their ten mile exclusion zone, uh, around the, uh, uh, substation. Uh, and they've chosen not to respond to that. Uh, it is that is that going to stay as it is? Are they going to be are they are they going to not respond to it, or are there going to be pressed further?

01:09:18:02 - 01:09:19:09

That's it. Thank you.

01:09:21:04 - 01:09:26:04

Thank you, Mister Walker. Um, the applicant. I'd like to respond, please.

01:09:27:19 - 01:10:11:23

Amy Stirling, on behalf of the applicant. Yes, sir. I think this is, um, actually is the correct agenda item to speak to. This is in relation to the, uh, sequential test. The applicants position it is has appropriately applied the sequential test in accordance with the policy and MPs in one the NPF and the Planning Practice guidance. As we have evidence in the documents already submitted into examination, including the planning statement, the Sequential Exception test Assessment, the Sequential and Exception test assessment as explained orally at the last issue of specific hearing as input in writing and the applicant's summary of issue specific hearing to and as most recently responded at deadline for and the applicant responds to the second written questions.

01:10:12:13 - 01:10:51:02

We have provided a lot of detail, so I will summarize briefly as evidence in those documents. The applicant did consider flood risk as part of its site selection process. It also considered other environmental and technical factors as it is required to do, to identify the site location disclosed at initially ten kilometre distance from the point of connection. In accordance with standard practice, it was then increased through the documents that I've already referred to to 15km to widen the search area in the search for alternative sites.

01:10:51:10 - 01:11:30:09

We then carried out a sequential approach to the scheme design, as has already been referred to specifically by the Environment Agency, to ensure that we have located sensitive infrastructure in the lowest areas of flooding. We then, in this sequential and exception test, assessment and addendum, carried out an assessment of alternative sites and whether or not they could deliver the scheme in areas of lower flood risk, and concluded there were no alternative sites. That is our position, and our position is that we have complied with this sequential test and that we have evidence, deaths and the examination to date.

01:11:31:15 - 01:11:34:00

Thank you for that. Um,

01:11:35:24 - 01:11:45:01

so I'm conscious of time and the fact that there have been extensive discussions on the sequential test. Oh, um.

01:11:48:19 - 01:12:24:22

So I think instead of going through lots of questions, I think what I would ask is that each party. So the councils. Um, can you provide a just a clear statement on the latest position on the sequential test following the submissions made, um, at the deadline up to deadline for. Has anything changed your position? Essentially. So if I start with, uh, West Lindsey, please.

01:12:31:09 - 01:12:38:06

Uh, yes. Thank you. Russell Clarkson, West Lindsey district council. Um, we we still do have.

01:12:38:08 - 01:12:38:23

Concerns.

01:12:38:25 - 01:12:42:12

Around the sequential test, really. And it's really a.

01:12:43:29 - 01:12:44:14

Lack.

01:12:44:16 - 01:12:45:01

Of detail.

01:12:45:03 - 01:12:47:23

It's something we raised at issue two, and that's and that's.

01:12:47:25 - 01:13:20:26

Sort of the language around how that has been approached. Given the example the, the since published addendum. Um, we look at a site Apr 16 and it tells you within the report that this is predominantly within flood zones two and flood zones three. As such, it's not assessed as, as it's not sequentially preferable to the application site. When you then look at the drawing and images at the rear to the eye, it looks like it's not predominantly within zones two and three.

01:13:20:28 - 01:13:55:15

Uh, it looks like two thirds of it at least are in flood zone one. And one of the things we think would help a lot more is if we had a clear comparison between the sites. We had raised this in our deadline three response, and I have seen the the applicants response to that. But the importance of the test and this is what it says in the N1 and what it says in the planning practice guidance updated is it is to steer new development to areas with the lowest risk of flooding. When you're looking at sites at what the sequential test originally begins with over 980 hectares.

01:13:55:23 - 01:14:28:15

You're not going to find a site 980 hectares in lowland Lincolnshire that doesn't involve some element of flood zones two and three. It really does become the extended proportion of that. And the applicant does set out that 46% of the site is influenced by one, but that means more than half of it, 54% in zones two and three. And it therefore needs to be clearer when we're looking within that sequential test assessment, what some of these sites do. And they're going to pick out AP 16. We don't have a detailed assessment of that.

01:14:28:23 - 01:14:58:02

They've dismissed it as being predominantly within zones two and three. It looks to the eye within the drawings. It's predominantly one extending westward into zones two and three. Again, it's not overly clear on the map alone. To the north and south are areas of flood zone one, and there may be very good reasons that that's not reasonably available, but that's not clear. Within that sequential assessment, it looks that there is areas at lower risk of flooding around there that needs to be transparent because

01:14:59:20 - 01:15:25:09

we are concerned that seems to be being applied retrospectively, and this is a genuine prime policy approach to ensure that we only build in the flood zones if we need to, before we get into the flood risk elements and the exceptions test. First and foremost, we are seeking to avoid and build in those areas of lower risk, having gone through both the sequential tests and its later addendum. We're still not satisfied and comfortable that that's been demonstrated. Thank you sir.

01:15:26:06 - 01:15:32:27

Thank you for that. Very clear. Thank you. And move on to Newark and Sherwood District Council, please.

01:15:39:10 - 01:15:41:01

Newark and Sherwood district council.

01:15:41:04 - 01:15:42:00

Sir, we.

01:15:42:02 - 01:15:42:27

Provided.

01:15:42:29 - 01:15:43:24

A written response.

01:15:43:26 - 01:15:50:07

At deadline for on this matter. I suppose the questions are similar to to what was posed.

01:15:50:12 - 01:15:51:02

In the second set.

01:15:51:04 - 01:15:52:10

Of written questions.

01:15:52:12 - 01:15:53:12

I don't think.

01:15:53:14 - 01:15:54:02

We'd wish to.

01:15:54:04 - 01:15:54:19

Add.

01:15:54:21 - 01:15:57:27

Anything materially new now to that written submission. The only.

01:15:57:29 - 01:15:58:14

Thing I would.

01:15:58:16 - 01:16:03:01

Say is that we'll perhaps go away and review.

01:16:03:03 - 01:16:03:21

The applicants.

01:16:03:23 - 01:16:19:15

Deadline for submission, and see if we have anything further to add as a result of that. For for deadline five, because we haven't had the opportunity to review the applicant's submission at deadline for as of yet. So that's the only thing I'd like to add at this stage.

01:16:19:17 - 01:16:25:18

Thank you. Okay. Thank you. And I appreciate that. Thank you. Uh, Lincolnshire County Council. Please.

01:16:27:08 - 01:17:14:16

No, thank you. Stephanie Hall, Lincolnshire County Council. So you had, um, our updated position in answer to your examining authority's question two. Um, the only point I would add to that is you asked the question. I think about the interrelationship between CNP infrastructure and flood risk, uh, sequential testing. And, um, I'm sure you'll be well aware. Um, but obviously the answer to that point

lies in paragraph 4.1.7 of the N-1, um, which essentially says that, um, you know, for projects that qualify as critical national priority infrastructure, whilst there is a sort of amended balance in that it's likely that residual, um, harms will be outweighed that that balance is supplied.

01:17:14:27 - 01:17:49:26

Um, where the harm relates to um, there's a list of, of, of points but public safety, defence defense, etc.. And at the end of that paragraph, it says that the same exception applies to this presumption for residual impacts, which present an unacceptable risk to or unacceptable interference with offshore navigation or onshore to flood and coastal erosion risk. So onshore flood risk is kind of exempted from that CNP policy. So we would say that if there's a failure of the sequential test and or exceptions test that um, being CNP doesn't benefit the applicant.

01:17:51:09 - 01:17:52:00

Thank you.

01:17:52:08 - 01:18:24:09

And Amy Stirling, on behalf of the applicant. Can I please just one to that point. So because I think we're conflating perhaps the sequential test and the risk of flooding, which is are not the same thing. I referring specifically to paragraph 4.1.7. What is Miss Hall refers to? Um, I agree with her description, but the description is not relevant to the discussion on the sequential test. We have had the discussion on flood risk, the applicant's applicants position, the lead local flood authorities position and subject to modeling.

01:18:24:11 - 01:18:38:00

We anticipate the EA's position is that the scheme does not result in an unacceptable flood risk. Therefore, that presumption in favour of the scheme and its classification of CNP development CMP infrastructure is not is not affected.

01:18:39:11 - 01:18:58:29

Thank you for that clarification. While you're responding to points which I had to respond to, the point raised by West Lindsey District Council on, um, the languages and the presentation of the criteria to, uh, reject sites.

01:19:00:11 - 01:19:41:14

Amy Stirling, on behalf of the applicant. Yes. So briefly, I would, uh, refer to the planning practice guidance and specifically where it says the sequential test should be applied proportionately, focusing on realistic alternatives in areas of lower flood risk that could meet the same development. Need. We also have not sought just a single site that could accommodate the entire development. We have taken a flexible and realistic approach as set out in the sequential test and the addendum, including looking at smaller sites that could be combined to deliver the same development needs, and also excluding areas of, for example, green infrastructure that are an applicant.

01:19:41:16 - 01:19:57:05

So they're not integral to the scheme design. So we have entirely complied with the policy and the planning practice guidance. We can provide more commentary on EPC 16 specifically and our response to hearing's summary.

01:19:58:20 - 01:19:59:11

Thank you.

01:19:59:26 - 01:20:00:20

Thanks.

01:20:00:27 - 01:20:05:06

So Nottinghamshire County Council, I think the last authority that I need to go to.

01:20:07:17 - 01:20:43:15

Wheeler and Nottinghamshire County Council. Yeah. Likewise with the other local authorities. We responded with our position on this in response to the examining authority questions to, uh, I haven't much to elaborate on here. I think my colleagues at the district councils and at Lincolnshire County Council have articulated many of the same issues that we've raised. So I don't need to repeat those. Uh, in relation to the small sites issue that's just been raised by the applicant. That was one point we picked up upon on our response to the essay questions to and the extent to which, you know, that assessment has been properly carried out to look at a number of alternative sites in accordance with the PPG.

01:20:44:00 - 01:21:01:06

Uh, there is reference to two smaller sites being considered in the, uh, in the addendum that the applicant produced, but, um, not much more than that. And I think that's a question that could be explored further, but I don't have anything much to add beyond what's been said in our submitted response.

01:21:01:24 - 01:21:06:01

Thank you for that, Mister Rogers. Uh, Mr. Box?

01:21:06:10 - 01:21:23:01

Yeah, and there's simply not enough detail to to judge whether or not the, uh, smaller sites have been properly assessed. For any for anybody to assist other than the applicant. We need the information to judge that properly. Thank you.

01:21:23:18 - 01:21:25:17

Thank you. Um.

01:21:27:23 - 01:21:32:09

Anybody else have anything they wish to raise on sequential tests?

01:21:38:12 - 01:21:40:23

Thank you. Okay, so.

01:21:45:15 - 01:21:49:17

Moving on to the exception test.

01:22:10:12 - 01:22:39:27

So again, trying to, you know, bear in mind the conversations that have already taken place on sequential test, um, following submissions at deadline four and all the other documentation up to that. What is the opinion of councils and the EA on the applicants approach to the exception test? Let's start with the EA.

01:22:46:15 - 01:22:48:05

For the Environment Agency.

01:22:48:10 - 01:22:50:10

Yeah, I've just realized what you're going to say because.

01:22:51:22 - 01:23:20:26

Yeah, I think I really kind of referenced this. Um, we will only comment on the second part of the exception test. And as we said earlier, we're still waiting on that modeling to then say if we feel they have passed it or not. Um, the evidence that they've provided and, um, the mitigation they're looking to put into the construction phase for the defences, Answers. We feel it is satisfactory for what's been provided so far, and again, we cannot give full comment on whether we think it has sufficiently been passed or not and fully complies with policy until we have that modelling.

01:23:21:12 - 01:23:22:22

Okay. Thank you.

01:23:24:21 - 01:23:30:05

So, Lincolnshire County Council. You know, any comments on the exception test?

01:23:58:23 - 01:24:03:11

Perhaps if Lincolnshire aren't responding, if we move on to Nottinghamshire County Council.

01:24:06:28 - 01:24:11:02

Will answer Nottinghamshire County Council, and now said nothing further to add from us on the exception test.

01:24:12:13 - 01:24:13:03

Thank you.

01:24:15:13 - 01:24:18:16

And do West Lindsey have anything further to add?

01:24:24:08 - 01:25:01:09

Good afternoon, Sir Russell Clarkson, West Lindsey District Council I think the only thing from our position is when it comes to the exception to test, it's only engaged once we're satisfied. The sequential test has been met. Certainly on what we've seen, where we're not there yet. If we were to give the benefit of the doubt that that's that's a reach and agreed of the two elements, we would really defer to, to the advice in terms of the first bit, the wider sustainability benefits. But the second bit, you

know, we heed the comments of the Environment Agency and local authorities about not being satisfied yet that it demonstrates demonstrably met that second part of the test.

01:25:01:11 - 01:25:04:22

So we would defer to them in that regard. Thank you sir.

01:25:06:09 - 01:25:07:02

Thank you.

01:25:11:26 - 01:25:14:03

And then Newark and Sherwood.

01:25:19:06 - 01:25:20:02

And you can. Sherwood.

01:25:20:15 - 01:25:33:00

Nothing further to add a similar to what I presented in relation to the second sequential test. So we've already made written comments. Um, we'll take a further look at it, um, for the next deadline.

01:25:34:27 - 01:25:35:21

Thank you.

01:25:42:13 - 01:25:42:28

Okay.

01:25:43:00 - 01:25:50:20

So I can't see any other hands raised. Did anyone else have any issue on the exception test? Mrs. Fox?

01:25:53:29 - 01:26:25:28

Thank you sir. Heather Fox, resident of North Clifton. This is a question I've put in deadline for to the applicant. According to point 16 630 of chapter 16 Human Health AWP stroke 6.6.1. The is volume two, chapter seven. Hydrology and hydrogeology. AWP stroke 6.7 considers flood risk and ensures there will be no increase of site considering this statement.

01:26:26:00 - 01:26:46:17

How does the applicant to propose to ensure that the increase remains on site? That we've already established there is an increase, irrespective of the tolerance that they've been assigned. There is an increase and it has to go somewhere. So how are they ensuring that the increase remains on site?

Thank you sir.

01:26:48:01 - 01:26:48:23

Thank you.

01:26:49:00 - 01:26:50:19

And Mr. Fox.

01:27:06:26 - 01:27:08:16

Is there anything further you want to.

01:27:08:18 - 01:27:20:22

Sorry. Yeah. Sorry. Microphone again. Um, I just want to I won't have an add to this. If I can get an assurance at this time, I'm going to get a proper response to my deadline for submissions.

01:27:22:11 - 01:27:22:29

Thank you.

01:27:25:03 - 01:27:33:02

Um, I'll come back to the applicant then. I'm on the point that Mrs. Fox has raised. And also, um, how are you proposed.

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

To.

01:27:33:21 - 01:27:37:15

Respond to Mr. Fox's deadline for submissions, please? Thank you.

01:27:38:22 - 01:28:09:14

Amy Sterling, on behalf of the applicant, I would suggest that we respond to both points in writing, and we will, of course, be responding to Mr. Fox's submissions as we do all other deadline responses where relevant, and we can respond to Mrs. Fox this point in writing, I don't think there's any suggestion that, um, all water would remain on site. I think that that is the tolerances we've been discussing to date. But as general pointed out, the applicant has any more submissions to make on the topic of of flooding or hydrology, I should say.

01:28:10:03 - 01:28:10:18

Okay.

01:28:10:20 - 01:28:11:10

Thank you.

01:28:11:14 - 01:28:25:22

Now it's obviously just coming up to 4:10. And we still have transport landscape and cumulative matters to go. But I'm told my colleague Mr. Jack's teams has crushed.

01:28:25:24 - 01:28:27:16

So. Um.

01:28:28:02 - 01:28:35:13

Just can I clarify with parties present uh, weather uh, taking a break.

01:28:35:15 - 01:28:36:00

Now.

01:28:36:03 - 01:28:36:18

For.

01:28:36:20 - 01:28:52:00

Say, ten minutes and then concluding the relevant, uh, other elements of the agenda is going to be convenient for you, or would you rather seek to, uh, press on? So I just just seek views quickly.

01:28:52:18 - 01:28:54:06

Sir Richard Rivers on the applicant.

01:28:54:08 - 01:28:55:12

The applicant is happy to press on.

01:28:55:14 - 01:28:57:27

We do have a deadline of 6:00 for one of our consultants.

01:28:57:29 - 01:28:58:14

On.

01:28:58:16 - 01:29:00:14

Cumulative. So if you envisage.

01:29:00:21 - 01:29:01:06

Doing.

01:29:01:08 - 01:29:01:23

Cumulative.

01:29:01:25 - 01:29:02:10

Past.

01:29:02:12 - 01:29:02:27

6:00.

01:29:02:29 - 01:29:04:24

We ask respectfully if you could pull that forward.

01:29:04:26 - 01:29:05:17

Please.

01:29:06:14 - 01:29:07:07

Okay.

01:29:07:29 - 01:29:39:20

All right. Well Mr. Jack was going to lead on transport. So, um, because he's currently not, uh, able to do so, I'll move on to landscape and we'll come back to transport, um, the landscape and visual, uh, section. Now, obviously, um, we have discussed this in some detail previously, but I'm just mindful that there still appears to be some quite, uh.

01:29:42:00 - 01:30:21:11

Big differences between how the applicant has approached the assessment and those that, uh, some of the councils have presented and how it should be done. Um, and so really, what I want to try and understand is whether, um, the positions that have currently been taken are. Is there any likelihood that things are going to be, uh, brought forward and resolved, or, uh, do we take it that the positions are now set? Is there any further discussions on the landscape assessments being undertaken? Now I just come to the applicant first in on in that regard.

01:30:22:19 - 01:30:23:06

Thank you sir.

01:30:23:09 - 01:30:24:22

Sam Griffiths, on behalf of the.

01:30:24:24 - 01:30:25:16

Applicant.

01:30:25:19 - 01:30:29:06

Um, things have progressed quite substantially in recent weeks, probably since the last.

01:30:29:08 - 01:30:29:28

Hearing.

01:30:30:04 - 01:31:15:03

Uh, such that now you'll see in the most recent statements of common ground with Lincolnshire County Council, Nottinghamshire, um, you know, you can share with them Bassetlaw. Um, the majority of items are now now marked as agreed, with the exception of two, which we do have a definitive, uh, position on, which are both marked is not agreed. Um, and that's detail within the. So there are more points outstanding with West Lindsey. However, following a productive meeting last week and another one scheduled for Monday, I think it's fair to say we are all anticipating reaching a firmer conclusion in the very near future, and that may actually be influenced by some of the discussion that we anticipate having this afternoon, based on the agenda that was published.

01:31:15:23 - 01:31:16:16

Thank you.

01:31:17:04 - 01:31:19:29

Okay. That's helpful. Thank you. Um.

01:31:22:16 - 01:31:23:03

The.

01:31:27:28 - 01:31:37:05

So in in terms of the distinction between the parties on the assessment of, uh, the broader character.

01:31:37:07 - 01:31:38:03

Areas.

01:31:38:05 - 01:32:01:02

Um, and the possible effect on regional character areas, which I think was the concern previously set out in the, uh, addendum to the Lincolnshire County Council local impact report by the um. Landscape consultants. Uh. Has that matter now been resolved?

01:32:02:16 - 01:32:15:10

So I've got this, uh, on behalf of the applicant. Um, yeah. The impacts on both all landscape receptors and all visual receptors is now marked as agreed between the four authorities that I just mentioned. The exception being West Lindsey to date.

01:32:16:18 - 01:32:22:27

Okay. So if I'm then come back to West Lindsey particularly, um,

01:32:24:22 - 01:32:36:21

to your concerns then on the broader cumulative and uh, character assessment remain, and are you able to give us any further detail as to why that is the case?

01:32:43:12 - 01:33:21:25

Russell Claussen, on behalf of West Lindsey, um, I would say our conversation we have been in a lot of discussion with the applicant on these matters, is probably more focused, less on the sort of wider regional and national character assessment areas and impacts, but is probably a bit more focused on the specifics of the development within our site, particularly around, uh, best location and substation location and things like that. So I would say our ongoing discussions with the applicant are probably a bit more focused than the broader issues with the landscape assessment.

01:33:21:27 - 01:33:22:17

Thank you sir.

01:33:23:27 - 01:33:24:20

Okay.

01:33:25:18 - 01:33:26:03

Um.

01:33:28:08 - 01:33:52:04

I'll move on and to try and understand from, uh, West Lindsey then, because the second point on the agenda is the suitability of the siting of the eastern substation and the drafting of current parameters.

Have you managed to progress your, uh, outstanding concern in that respect or does Just like that again. That remain a point of contention for you?

01:34:01:07 - 01:34:05:04

I can ask the Mr. Clarkson whether that's the situation.

01:34:05:25 - 01:34:39:13

Thank you, Sarah Clarkson, West Lindsey District Council, uh, we are in discussions about that. And the applicant has been providing further information we're reviewing, and we are looking to progress within the the statement of common ground. Uh, whether we're able to resolve that is, uh, is it a matter we're very much of the view that we think there are benefits in at this point, narrowing down the positioning of the substation to the most easterly position within its area. Uh, that is something we think would go a long way to to reducing our concerns.

01:34:39:15 - 01:35:06:11

We think dropping it down because of the topography would, would benefit. Um, So I mean, I think that's that's predominantly where we are. We, we have been having some discussions with the applicant with that. I know they, they have been sharing some information which we've been asking for, for instance, cross-sectional drawings, which we're hoping, you know, the applicant may be in a position once they've developed to, to to share with the wider examination. Thank you sir.

01:35:07:21 - 01:35:13:18

And so Sam Griffiths for the applicant just on that. We'll be happy to do that. Now if that would be of use to you sir.

01:35:14:09 - 01:35:17:04

Yes. That would be helpful. Thank you. To understand the position.

01:35:17:06 - 01:35:48:13

Thank you. So that would just be brought onto screen. But just as they are. Um, to to echo what Wesleyan's you've just described there this matter this question relates to the siting of the eastern substation specifically which will not go through not go over all ground. But for your reference. Um, our approach to the siting of substations was set out in the submission of the design approach document, which is rep wrapped to hyphen. 021. Pages 43 and 44.

01:35:48:20 - 01:36:21:09

Taking account of the Horlock rules, and then also several project specific parameters which this plan speaks to. Um, the first of which is, of course, siting the substation outside of the design flood event. Um, but then also we set ourselves project specific distances to position the substations at least 300m from residential dwellings. Um, and then also 100m from public rights of way. Um, and so on the eastern side that we're looking at here of the of the order limits.

01:36:21:14 - 01:36:45:27

Um, just to help you get your, your eye and you'll see that the diagonal blue lines. Um, that shows the extent of the designed flood event. Um, and then you've got the blue circles, which are the 300 meter

offsets from residential dwellings. And the thicker black outline, um, shows the extent of work. Number three on the eastern side, which my colleague is just tracing on the screen for us. There.

01:36:46:09 - 01:36:47:21

You see that? Thank you.

01:36:47:23 - 01:37:19:18

Now, I think everyone's familiar with the fact that work number three, then, um, currently seeks the flexibility to site the substation anywhere within that footprint. And the green box shows the footprint of the substation, which could go anywhere within that black outline. And that footprint is secured by the outline design parameters. Now, the conversation with West Lindsey that's just been referred to to date has been focused on where in that black area should the green box be sited essentially.

01:37:19:21 - 01:37:51:16

Um, it's worth noting that you'll see quite quickly from this plan. There's actually relatively few areas on the eastern side of the site that that substation could be located. It could go further north, but then it starts to stray closer to an existing dwelling. It could go further west. But then we start to go to the A123 and more elevated ground, which goes against the the principle of trying to reduce that visual impact, which is now the subject of the discussion. So my colleague might just switch to the cross section on the screen that was just referenced.

01:37:51:18 - 01:38:23:04

And this is taken from it illustrates the view from the A1. 133 you see with the the two cars and the and the person stood there, uh, as if they were looking eastward towards this area. And you'll see, the little spotlights on here in red shows that the land gradually falls away from the A1. 133 hence way uh works area three is not located in that first field. And then just what's emerging on screen now shows the existing water treatment works that you may be familiar with on the eastern side of the A1.

01:38:23:06 - 01:38:54:10

133 that's currently there, there's a proposed and emerging development just behind them, the proposed nitrate treatment building that we can see on screen. And as we continue across, um, we will find, um, two versions of the substation, one if it were shown as it was on that plan a moment ago in the West, and this one here, as if it were shown on the East, which we are seeking flexibility for and have indeed assessed. And that green line that we can see running across consistently shows that eye level.

01:38:54:17 - 01:39:29:05

And we feel that this section demonstrates that whilst of course the the substation would be located slightly further down the hill, if it were on that eastern side, the difference is negligible, and it certainly wouldn't change a threshold of whether it would be a difference between a level of visual impact. In Elvia terms, um, and we are, um, currently proposing and have had this discussion with West Lindsey, that the project would continue seeking that flexibility to site the substation within the footprint of Works area three.

01:39:29:08 - 01:39:59:15

Um, because you may recall that within this area, we're also proposing. Yes. Um, and that's quite a detailed design piece that needs to be taken forwards, so we would see it as unduly restricting that flexibility at this stage. Um, it should also just be noted, finally, um, that the um, requirement five of the draft DCO, um, is specifically there to inform the council's and seek their agreement and contribution to detailed design. And so I think this is a very good discussion to be had.

01:39:59:17 - 01:40:08:24

Um, I think it's one that should be picked up post consent, um, through detailed design, and all authorities would have their chance to contribute in this way at that point of the process.

01:40:10:24 - 01:40:11:09

Thank you.

01:40:11:11 - 01:40:21:18

Okay. Thank you. That that that that information presumably is going to come in at deadline five. Is it that section plan and the other plan you've just displayed?

01:40:21:21 - 01:40:28:08

That's right. I suspect it'll be appended to the written summary, but we'll make sure it's in the examination deadline. Uh, library at deadline five. Yes.

01:40:28:27 - 01:40:30:25

Okay. That's helpful. Thank you.

01:40:35:11 - 01:41:06:21

Okay. So that really deals with that, that second point on the landscape in terms of the suitability of the siting of the substation and the drafting of the current parameters. Um, I understand, uh, West Lindsay's point and I understand the response that you're making. So we'll see where those additional submissions take us. So if I can then move on to exploring the mitigation proposed along the A11 33 and a 57. Um, and what, um.

01:41:09:18 - 01:41:45:03

The information we got at deadline for you made a revised or an appendix to the glint and glare assessment, which gave us greater clarity on the proposed boundary treatment that might be necessary, um, for, uh, shielding users of those two roads. Um, and if I've understood that correctly, you're now proposing a ten meter setback from the highway for solar panels.

01:41:45:17 - 01:41:48:10

Is that for both roads? Can you clarify?

01:41:50:01 - 01:42:13:10

Sam Griffith, on behalf of the applicant, it is for both. It's for all roads, but for clarity. Sir, it's the the fences, are we the quote actually from the outline design parameters that was added, which says that fences installed to mitigate glint and or glare impacts will not be located within the first ten meters of a highway boundary, so that specifically fences rather than solar panels in this instance.

01:42:14:25 - 01:42:16:21

Okay, so go on sir.

01:42:16:23 - 01:42:25:13

Sorry. Yeah. So so effectively all the solar panels obviously be behind the fencing, but that fencing is still potentially up to four meters high.

01:42:27:11 - 01:42:30:00

That's correct. So up to four meters high. Yes.

01:42:30:02 - 01:42:43:29

Yeah. And, um, that fencing is then intended to stay until such time as the planting in front of it has matured sufficiently that the fencing is no longer required.

01:42:46:03 - 01:43:19:17

And you may be about to come onto it in your summary, but the key change to flag is the one that. Whereas before there was 5585m of fencing proposed, there is now it's been reduced to 1037. Importantly, of which 240m is proposed along the A1 33 and 315m is proposed along the A57, and the remainder is along the disused railway line, occasionally used for training and which is not so visible.

01:43:19:24 - 01:43:28:04

And so there has been a substantial reduction. There's one instance of a fence along the A1 133 and one instance along the 57.

01:43:28:21 - 01:43:29:12

Yeah.

01:43:29:18 - 01:43:58:00

And the assumption of the glitz and glamour assessment is that a 15 degree tilt is, um, been used in terms of that assessment. Now, obviously the actual DCO has a variance that you can use between 15 and uh, so either 20 or 25 degrees. I'm not remembering off the top of my head. Can you clarify for me that that 15 degrees is the worst case scenario for the lens and glare?

01:44:05:19 - 01:44:14:24

So I would just introduce, um, Ian, um, who is our glinting glare specialist who's, uh, dialing in remotely, who's probably better placed to answer this question.

01:44:15:00 - 01:44:15:21

Thank you.

01:44:20:12 - 01:44:28:23

Hello, sir. Ian from BB seven, above of the applicant. Um, I, to be honest with you, we've.

01:44:28:25 - 01:44:39:02

Run the assessment based upon a tilt angle of 15 degrees, as you've noted. Um, I wouldn't be able to tell you at this point what the implications of 25 degree tilt would be.

01:44:40:25 - 01:44:44:09

Um, we would have to run additional tests to, uh, to establish that.

01:44:45:03 - 01:44:45:18

Okay.

01:44:45:20 - 01:44:46:05

Well, I.

01:44:46:07 - 01:45:10:08

Think we probably need to ask you to do that because there's two implications. Um, that may come about because you have included within the DCO that, uh, capacity for variation of angle. Um, and so we need to know, um, what the consequential effects would be for glint and glare if, uh.

01:45:12:15 - 01:45:30:12

The alternative was used as opposed to 15 degrees, but also whether the landscape treatment and the fence boundary treatment would be equally suitable in those circumstances. So is that something you'll be able to do for us for the next deadline?

01:45:30:23 - 01:45:31:13

Yes.

01:45:34:13 - 01:45:35:00

Okay.

01:45:35:02 - 01:45:42:19

Helpful. Thank you. So I'll add that as an action point. Um, for deadline five. Thank you.

01:45:50:01 - 01:46:13:09

Can I just come to, uh, West Lindsey in the first instance? Now that you've seen the revised submission, um, at deadline for with the revised glinton glare assessment and the setback that is now being proposed for the fencing. Does that give you confidence to say that you're now content that the.

01:46:15:10 - 01:46:20:15

Uh, effects have been minimized, or do you still have concerns in that respect?

01:46:28:05 - 01:47:02:23

Thank you Russell Clarkson, West Lindsey district Council. We welcome the reduction in that. I mean, we've still got I think there's about 250m strip along the A11 33, which we still think is going to be quite a prominent, obtrusive, if not discordant feature even with a ten metre setback. Um, albeit it's not the extent that it was before we. But again, we're looking for a bit more clarity, a with the angle and whether that changes things. And we also couldn't quite understand and we'd have to defer to to the applicants.

01:47:02:25 - 01:47:34:22

Click into expert glinting layer expert as to the location of the section on the A11 33, which seems to be in a sort of north east facing direction. And, you know, we don't have that in-house expertise, and I presume the model demonstrates and explains it, but it just seemed a sort of strange location where the section of fence is being proposed. So we just wanted to build clarity around that. And also, again, which is something you've picked up. So what the variation and the angle could, could you know whether that changes the requirement or not.

01:47:34:27 - 01:47:35:22

Thank you sir.

01:47:36:10 - 01:47:58:13

Thank you. Well thank you. I can ask the applicant when they're doing their review to also consider that point that West Lindsey have made. Um, I think it would be helpful to us, as you know, as an examining authority, to understand the detail and the location of the fencing that's proposed. But I would also like to just clarify, um,

01:48:00:01 - 01:48:15:24

how the removal of the fencing will be secured at the earliest opportunity. So can you explain to me how that is intended to be monitored and delivered through the DCO as it as it currently stands?

01:48:18:07 - 01:48:51:18

Sam Griffith on behalf of the applicant. Yeah. So that is, uh, secure via the Olymp. Um, that I would have to check the wording, but for all intents and purposes, says that once that's providing effective, uh, screening, that would be removed. Um, you'll know that for Elvia, that time horizon is typically 15 years. Um, and that's the assumption. Um, not just because we have sufficient height growth, but then vegetation is typically sufficiently thick to perform that, uh, function. And the locations of the screening we can bring on screen.

01:48:51:20 - 01:49:18:15

But it may not be necessary now, but they are shown within the supplementary glinting glare report. And, um, it's quite right. There's a 250m along the A1. 133. We did some quick maths, and I mean that that would be visible for about nine seconds driving along that stretch of road. Um, so it's important to remember the only people experiencing this are those travelling along that highway. And therefore the visual, um, susceptibility and sensitivity is also reduced in that respect as well. Thank you.

01:49:19:01 - 01:49:22:12

But bit a bit longer for cyclists won't it.

01:49:23:17 - 01:49:26:27

I yes, I haven't seen a bike go 60 miles an hour recently.

01:49:29:07 - 01:49:35:18

Yeah. Okay. Well I look forward to those additional submissions at the next deadline.

01:49:35:25 - 01:49:38:10

Um, sorry. Sorry. Richard Griffiths on the applicant.

01:49:38:12 - 01:49:39:05

Just, um.

01:49:39:15 - 01:49:42:27

I think not to, um, be too downbeat.

01:49:42:29 - 01:49:43:14

But we'll.

01:49:43:16 - 01:49:48:24

Do our best for deadline for, um, deadline five. But there's quite a lot of work still on that, so.

01:49:48:29 - 01:49:49:14

Um.

01:49:49:16 - 01:49:59:27

If we can have a deadline five we will. But just to, uh, manage expectations. If we can't get in for deadline five, we'll put it in, um, shortly afterwards, uh, and before deadline.

01:49:59:29 - 01:50:00:15

Six.

01:50:00:17 - 01:50:09:15

Uh, depending on the results of that report and what needs to be shown. And your actions just don't want to overpromise, uh, things.

01:50:09:17 - 01:50:10:02

At.

01:50:10:04 - 01:50:10:19

This stage.

01:50:11:13 - 01:50:15:14

Okay. No. That's helpful clarity. Thank you, Mr. Lawrence.

01:50:18:02 - 01:50:57:00

Well, Lawrence, Nottinghamshire County Council, I just wanted before we move on from landscape and visual impact. So I just wanted to make sure the position of the county council on these issues is clear. We haven't got our consultant with us today who's participated in the previous hearing sessions. Um, which is why we've I don't think we've we've commented so far on this item. Uh, but I just wanted to clarify that whilst a number of the matters are agreed in stone of common ground, and that's been explained by the applicant, including the Olymp, which is obviously a positive step, I just want to make clear that the the approach to assessing cumulative and landscape, cumulative landscape and

visual impacts is not a matter that we've agreed, and that is made clear within the statement of common ground.

01:50:57:02 - 01:51:28:06

We perhaps come on to that under the next item. But, you know, we do have to still have concerns regarding the effect on landscape and the wider district and regional scale. And uh, our, our consultant is, was and still is promoting alternative approach to sort of assessing those those landscape impacts based on common landscape attributes across the wider area. So this that'll be clear within the within the submitted set of common ground. But I didn't want us to move on and not be clear that there is that still that area of disagreement with the authority.

01:51:29:22 - 01:51:40:13

Okay. Now that's understood. Um, obviously, in the absence of your landscape consultant who's representing you and a number of the other authorities, um.

01:51:42:18 - 01:52:00:28

I was going to put to him a question because in the original, uh, assessment that was submitted in conjunction with the local impact report, the language he uses is I don't know whether it's deliberately diplomatic. Um, but he's not saying that the harm is so, uh,

01:52:02:21 - 01:52:32:00

uh, terrible. He's saying it's he's also saying it's it's probable. I think he's the phrase he used. So I think it would be helpful to understand how strongly the view is held about the the impacts on those larger areas and the character areas, but also if he's promoting a different approach, which obviously has been referenced. What you see the outcome would be, would it? Would it be any different?

01:52:35:05 - 01:53:08:06

So Richard is on the applicant. I totally agree with that statement. And I think we're coming onto cumulative. And I think, um, perhaps we could hold that thought for item eight whilst you finish off landscape. But we would agree with that is besides that point. And Mr. Griffiths, uh, can, um, just, um, uh, comment on his position. I'm not sure we are going to reach agreement on that point. Um, but we can certainly set out very clearly shortly, um, the applicant's position on the cumulative and landscape and whether there would actually be any difference. Uh, then there's currently set out in the environmental Statement.

01:53:09:00 - 01:53:14:03

Okay. Thank you, Mr. Lawrence. Is there anything you wish to come back on?

01:53:14:11 - 01:53:27:27

Well, Lawrence County Council. No, just to acknowledge what you've said there. So I'm quite happy to take that away with our consultant and discuss that further and come back at a later point on that issue of whether it would make a material difference to the to the scheme and the outcome.

01:53:28:23 - 01:53:29:08

Okay.

01:53:29:10 - 01:53:29:25

Thank you.

01:53:30:17 - 01:53:33:05

Um, Mr. Fox, I know your hand is raised.

01:53:34:01 - 01:53:54:06

Yes. Um, I think the the ownership process is supposed to be front loaded with information, isn't it? And isn't it a constant problem throughout this? That information is tardy from the applicant. Should he not be looking for an extension? Thank you. So we can so people can consider things properly.

01:53:54:24 - 01:54:00:18

I can't ask for an extension. I've got a duty to conclude the examination by the 8th of January.

01:54:00:28 - 01:54:02:10

So I'm talking about the applicant, sir.

01:54:05:23 - 01:54:11:17

Uh, Well, I'll let the applicant respond, but I'm not sure they've got an option either.

01:54:13:02 - 01:54:19:20

Richard Griffiths on the applicant. Well, short answer is no. We're not going to request an extension, um, under the act.

01:54:21:02 - 01:54:22:14

Okay. Thank you.

01:54:22:24 - 01:54:26:24

Um, okay. So I think I'm.

01:54:28:08 - 01:54:32:24

So I can just make one final point on landscape if you're about to move on to cumulative.

01:54:32:26 - 01:54:33:11

Um, yeah.

01:54:33:13 - 01:54:34:04

I'm not. I've still.

01:54:34:06 - 01:54:34:24

Got one.

01:54:34:26 - 01:54:36:22

One item on the on the landscape, so.

01:54:36:24 - 01:54:39:02

I'll hold my thought until you come.

01:54:39:17 - 01:55:11:16

Yeah. Um, it's just the final point where we have discussed this before, and West Lindsey quite rightly pointed out a concern that they had about the access to, I think it's gate G adjacent to the reservoir. And, um, you gave us a response, uh, following the previous hearings. Um, but what we now have in the statement of common ground with Anglian Water appears to be a contradiction to what you said to us.

01:55:11:18 - 01:55:47:10

I want clarity as to exactly what's happening, because in the statement of Common Ground with Anglian Water, it says the access proposal prepared at the location designators as gate G, is proposed to be widened to accommodate construction vehicle movements and ensure that access and egress movements can be undertaken safely. Now that seems to contradict what was said at deadline applicant response at deadline three, which was page 71, a response. Um, sorry, I'm mixing up points, but it does seem to contradict what was said previously where

01:55:48:28 - 01:56:02:13

you appeared to be indicating it was just going to be crushed, stone laid, and the visibility created. So can you clarify that position, please? Is the access going to be. Is the track going to be widened.

01:56:08:14 - 01:56:17:21

Because fundamentally, we need to know whether the foliage which is shown to be kept on other documents is actually going to remain.

01:56:23:09 - 01:56:53:25

Thank you, Sir Sam Griffiths, on behalf of the applicant. We'll certainly review those, both of those SDGs to make sure that they are consistent. But following the most recent discussion with West Lindsey District Council, which was just last week, to provide clarity. And what we've proposed is to add a commitment to the Olympics and to state that the hedgerow in question will be retained to provide that absolute clarity. And that would be a securing mechanism to to retain the hedgerow in question.

01:56:53:27 - 01:57:07:03

So we'll make sure that is reflected across both socks. And it is clear that there is a coherent and individual response from the applicant, but that is a clarity that we've reached with West Lindsey and that will be reflected in deadline five.

01:57:08:03 - 01:57:38:06

Okay. That's helpful. Thank you. Um, and then just a final point on landscape. Um, and it's a little bit of an irritation, actually. Um, applicants response at deadline three, page 71 to Mrs. Walker's written representation. You state, um, in each of these images, the peaks units are partly obscured by intervening proposed PV panels and are colored green in accordance with the parameters secured by the outline design parameters.

01:57:38:25 - 01:58:18:09

That's not right. Um, there's nowhere in the outline design parameters that I can see that you actually say that they're going to be colored green. It says, I think in most documents they will be done in muted colors. So, um, unless I've completely misread your documents, the response you've given is isn't an accurate reflection of the documents, and it's not responding correctly to Mrs. Walker's representation. So can you clarify for me whether I've misunderstood something and if I haven't, who is overseeing the documents when you're responding to make sure they're accurate?

01:58:25:14 - 01:59:01:10

Sam Griffiths, on behalf of the applicant. You're right. The PCs are secured to be a muted colour, sympathetic with the surroundings. And within the design approach document, there is a page that sets out colors that may be sympathetic with the surroundings and that is taken, um, reference from the local area and includes the green that is selected for the pics in the photo montages, so there's no confusion meant there. So it was in line with the parameters and the the color study within the design approach document.

01:59:05:19 - 01:59:06:04

But.

01:59:08:20 - 01:59:26:04

The answer that's given isn't correct. Is it that you don't know at this stage they're going to be colored green unless you stipulated that somewhere you're the only stipulation is that they're going to be muted. And then presumably there will be a review relative to the locations to which of the muted colors.

01:59:26:06 - 01:59:26:26

That.

01:59:27:01 - 01:59:33:02

Are available are going to be most appropriate. And green may be one of them, but equally may not.

01:59:38:08 - 01:59:48:24

It's a minor point. I just, um, I would like, uh, consistency of information across the document.

02:00:00:00 - 02:00:40:27

Richard Griffiths. On behalf of the applicants. So I think the the securing wording is as the wording that you've read out on or we read out sorry on the muted colour palette is what is being secured. Um, that would mean that the Pixies could be green in certain locations, but equally could be some other colour. The key point. So having a firm commitment saying they will be green is obviously incorrect. And I apologize for that misunderstanding. Um, but the key point is that surely is the beneficial point is that the, um, colour will be a muted palette color, muted color to merge into the background.

02:00:40:29 - 02:00:43:00

And that is the fundamental point.

02:00:43:18 - 02:00:47:27

I fully agree, but that's what you should have said in the written response.

02:00:47:29 - 02:00:49:27

And I apologize, sir, for that mistake.

02:00:50:08 - 02:00:54:23

Yeah. No that's fine, thank you. Um, okay. Um.

02:00:57:06 - 02:01:13:24

20 to 5. We've got a number of issues on cumulative. Uh, and we also missed out on the transport section. Um, but before I just move on, I noticed Mr. Barker's hand is raised. Is there something you wish to raise on landscape, Mr. Barker?

02:01:19:01 - 02:01:21:06

I think you're muted. Um.

02:01:28:25 - 02:01:31:00

I still can't hear you, I'm afraid.

02:01:41:03 - 02:01:44:01

Can anyone else here, Mr. Barker? Is it just me?

02:01:47:22 - 02:01:49:03

Sorry. Can you hear me now?

02:01:49:10 - 02:01:50:27

Uh, yes, I can, Thank you.

02:01:50:29 - 02:02:26:10

Apologies. Um. Uh. Well, uh. Sorry. John Bach, on behalf of West Lindsey District Council. Um, whilst we we welcome the, uh, the commitment of the, uh, the retention of the hedgerow. Um, our understanding was that that was on the basis that there wasn't any work happening to the the access track itself. Um, uh, which is, um, uh, if there is work happening, uh, that would contradict what's set out in the, in the construction environmental management plan, which says there'll be a five metre offset from retained vegetation.

02:02:26:12 - 02:02:28:29

So just need a bit more clarity on that.

02:02:31:08 - 02:02:32:18

Thank you, Mr. Barker.

02:02:35:28 - 02:03:02:27

Sir Sam Griffiths, on behalf of the applicant, we'll certainly just check the consistency between the two. So, but, um, as per recent conversations with West Lindsey, uh, the position is very much that

access track will be used in its current condition. There will be no works to it other than at the junction with the A1 133, and indeed that's why the hedgerow will be retained. There will be no works, but we will confirm that continuity across the two SoCs for the next deadline.

02:03:03:25 - 02:03:04:18

Thank you.

02:03:09:16 - 02:03:17:02

Okay, so, um, I just, uh, revert back to Mr. Jack and we'll go back to transport.

02:03:20:18 - 02:03:21:12

Thank you.

02:03:23:22 - 02:03:28:08

So moving on to transport the item one. Um.

02:03:30:26 - 02:03:54:18

In the deadline for submission, National Highways referred to an agreement in principle for April routes that has not yet been secured by the applicant. So first, it can, uh, National Highways provide an update of any progress that has been made since the deadline for submission was made. Please.

02:04:00:19 - 02:04:32:12

Go ahead, National highways. Apologies, my camera still isn't working, so I'll continue without it. Um, we have, um, set up a statement of common ground with the applicant. Um, we are ready to engage with the applicant on our water preferred policy, which is mentioned in the statement of common Ground. Um, National highways would like the applicant to fully investigate and report on the options for using cotton, birth or ale deliveries. Once we have that detail, we will work with the applicant to agree the air routing.

02:04:34:00 - 02:04:36:09

Okay. Thank you. Um.

02:04:38:26 - 02:04:43:18

What is the timescale for completing the ale

02:04:45:13 - 02:04:59:01

Agreement in principle. Um, you know, again, we're a long way through this, uh, examination. I guess it ought to make sure that it's an issue that's going to get resolved by the end of the examination.

02:05:04:12 - 02:05:07:07

Yeah. So National highways that we're sorry.

02:05:20:09 - 02:05:28:16

So, uh, if I'm happy to respond on part of that. Okay. National highways. Um, the

02:05:30:01 - 02:05:45:17

my understanding is that, um, uh, that the statement of common ground that we have agreed, um, with National Highways, uh, allows for this to be, uh, which has been signed allows for this to be dealt with post consent.

02:05:47:28 - 02:05:48:17

Okay.

02:05:49:00 - 02:06:24:09

It does. It might be worth just having a quick revisit of that statement. A common ground cause as previously referenced on page two, paragraph 1.2.2, you are referring to Springvale Solar Farm Development Scheme rather than this one. So that one, on the face of it, appear to need correcting in any event. Um, but I do understand that the position between the applicant and the National Highways has been agreed, subject to the, um, clarification that the representative National Highways has just made.

02:06:25:24 - 02:06:28:27

Okay. Um, back to National Highways, please.

02:06:30:11 - 02:06:47:08

Apologies. I was looking for the detail. Um, there is a process in place that National Highways has communicated to the applicant for securing permits for ale movements. Um, they shouldn't be onerous, but, um, the timescales for those permits have been communicated.

02:06:48:15 - 02:06:49:10

Thank you.

02:06:53:22 - 02:07:00:00

Any there's anybody else want to raise any issues on the AR airport routes?

02:07:02:26 - 02:07:09:01

No. Okay. So I will move on then to item two on the transport. Um.

02:07:14:12 - 02:07:41:14

Could I have an update, please, from our start with the applicant, uh, on the A57 access strategy review. Um, when that's going to be entered into the examination. And has there been any progress since the deadline for submission on, um, agreeing the main access point with Nottinghamshire County Council. Thank you.

02:07:42:12 - 02:07:51:21

Thank you sir. Richard Griffiths, on behalf, the applicant is going to bring in our transport consultant who is on line, uh, Gordon Buchan from Pearl fisherman.

02:07:52:25 - 02:07:54:25

Thank you. Thank you, Mr..

02:07:54:27 - 02:07:55:12

Griffiths.

02:07:55:14 - 02:07:55:29

And.

02:07:56:01 - 02:07:56:16

Good.

02:07:56:18 - 02:07:57:03

Afternoon, sir.

02:07:57:05 - 02:08:01:00

Gordon Buchan, on behalf of the applicant. Um, so I'm very grateful to.

02:08:01:02 - 02:08:01:17

Miss.

02:08:01:19 - 02:08:03:06

Hancock from Nottinghamshire.

02:08:03:08 - 02:08:08:04

County Council. We've had a number of discussions on this. Um, I think it would be.

02:08:08:06 - 02:08:10:00

Fair to summarize that.

02:08:10:02 - 02:08:12:20

The council is now in agreement with the applicant.

02:08:12:22 - 02:08:14:20

That construction traffic would not.

02:08:14:22 - 02:08:16:04

Be passing through.

02:08:16:06 - 02:08:19:13

The village of Bracknell. Um, and that.

02:08:19:20 - 02:08:22:02

We are still in discussions and have a further.

02:08:22:04 - 02:08:24:04

Call tomorrow, uh, to try.

02:08:24:06 - 02:08:24:21

And.

02:08:24:24 - 02:08:27:15

Agree just the final elements with regards to.

02:08:27:17 - 02:08:29:22

These um, A57.

02:08:29:24 - 02:08:34:13

Access study. I don't think we're particularly far off agreement now.

02:08:34:26 - 02:08:37:03

Um, but we will have.

02:08:37:05 - 02:08:40:17

That meeting tomorrow and with any luck. So we shall.

02:08:40:19 - 02:08:42:07

Have it finalized position.

02:08:42:14 - 02:08:44:07

Um, later this.

02:08:44:09 - 02:08:46:14

Week. And then we can forward you the.

02:08:46:17 - 02:08:48:00

A57.

02:08:48:02 - 02:08:49:05

Uh, access study.

02:08:49:07 - 02:08:49:25

Review.

02:08:49:27 - 02:08:51:02

That document itself.

02:08:51:04 - 02:08:51:19

Includes.

02:08:51:21 - 02:08:52:23

An updated.

02:08:52:25 - 02:08:53:10

Review.

02:08:53:12 - 02:08:55:07

Of road accidents in the.

02:08:55:09 - 02:08:55:24

Area to.

02:08:55:26 - 02:08:56:11

Bring.

02:08:56:13 - 02:08:56:28

That all up.

02:08:57:00 - 02:08:57:15

To date.

02:08:57:17 - 02:08:58:17

Uh, it includes the.

02:08:58:19 - 02:09:01:02

Results of the road safety. Sorry, the.

02:09:01:04 - 02:09:07:03

Road safety audit and the designers response to that which did not flag any significant.

02:09:07:05 - 02:09:07:29

Issues.

02:09:08:06 - 02:09:08:21

Uh, it.

02:09:08:23 - 02:09:09:08

Also.

02:09:09:10 - 02:09:14:02

Includes further, um, traffic data. It provides.

02:09:14:04 - 02:09:14:25

A capacity.

02:09:14:27 - 02:09:16:15

Review. Uh, and.

02:09:16:17 - 02:09:17:02

You know.

02:09:17:04 - 02:09:17:19

A considerable.

02:09:17:21 - 02:09:18:12

Amount of.

02:09:18:23 - 02:09:21:07

Data and information, which I'm very grateful.

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

For, the assistance.

02:09:22:11 - 02:09:23:02

From the county.

02:09:23:04 - 02:09:23:19

Council to.

02:09:23:21 - 02:09:27:01

Try and reach this position, which hopefully.

02:09:27:03 - 02:09:29:24

By tomorrow we should be.

02:09:29:29 - 02:09:30:14

Agreed.

02:09:30:16 - 02:09:31:01

On.

02:09:31:08 - 02:09:45:04

Okay. Thank you for that. So can I just ask when you said the final elements will be agreed, you're hoping that they will be agreed. What are the final elements that are outstanding? It would be the the form of.

02:09:45:06 - 02:09:45:21

The.

02:09:45:23 - 02:09:47:15

Access into the western portion.

02:09:47:19 - 02:09:48:07

Of the site.

02:09:48:09 - 02:09:58:27

So that's why it's a simple priority junction or a ghost island or anything else. Yeah. The council has raised a further option as well.

02:09:58:29 - 02:10:01:05

Which we will be.

02:10:01:07 - 02:10:02:00

Just finalising.

02:10:02:02 - 02:10:02:17

With them.

02:10:02:19 - 02:10:10:04

Tomorrow. Okay. Thank you. Um, and if that gets finalised and it's.

02:10:12:05 - 02:10:29:28

Is it going? Is it going to be submitted at the next deadline? Deadline five. Is is the first question. And if it's not, could it be submitted as soon as it's ready so that there is time to to look at it. So it is my intention is as soon as we've.

02:10:30:00 - 02:10:31:00

Got, um.

02:10:31:02 - 02:10:31:17

Approval.

02:10:31:19 - 02:10:33:22

From the county council that.

02:10:33:24 - 02:10:40:14

That would be submitted ASAP. It will be my preference to have that info. Deadline. Five to remove.

02:10:40:16 - 02:10:41:01

This item.

02:10:41:03 - 02:10:42:10

From your.

02:10:42:12 - 02:10:43:11

Considerations.

02:10:43:13 - 02:11:00:02

And I'm very grateful to Miss Hancock. We actually brought that meeting further forward to try and meet that deadline. Thank you. Thank you for that. If I could now go to Miss Hancock, please. Um,

02:11:01:20 - 02:11:04:16

just for your comments on what's just been said. Please.

02:11:05:22 - 02:11:08:03

Sarah Hancock, Nottinghamshire county council. Good afternoon.

02:11:08:05 - 02:11:08:20

Sir.

02:11:08:27 - 02:11:09:29

Um, yes.

02:11:10:01 - 02:11:10:16

Uh, that.

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

Is the correct.

02:11:11:12 - 02:11:11:29

Um.

02:11:12:01 - 02:11:13:23

Situation. The position.

02:11:13:25 - 02:11:14:12

Where we are.

02:11:14:16 - 02:11:15:14

Um, there's.

02:11:15:16 - 02:11:16:01

Very.

02:11:16:03 - 02:11:16:18

Few.

02:11:16:20 - 02:11:19:21

Final details, I believe. Um, that we need to just bottom out.

02:11:20:23 - 02:11:37:24

Okay. Thank you. So, in your deadline for responses to the questions. Um, there's a lot of you raised a number of issues that have all of those issues, people. Most of those issues, it sounds like, are being addressed at the moment.

02:11:37:27 - 02:11:40:04

Yes. Yes they are. Yeah.

02:11:40:06 - 02:11:50:00

And are there any that are. So are there any showstoppers that you think are likely to be gone or is it relatively minor? What's left to be sorted out?

02:11:50:02 - 02:11:51:15

Relatively minor sir.

02:11:51:26 - 02:12:09:27

Okay. Thank you. That is good to know. Look forward to, um, seeing the agreed access strategy when that gets submitted. Thank you. Um, anybody else have any transport related questions that they would like to raise?

02:12:15:12 - 02:12:16:13

Miss Hancock?

02:12:17:27 - 02:12:51:17

Sarah Hancock county council. Um, I in response, I know. Oh. Well, sorry. I note that the applicant has submitted a document, uh, response to D3 submissions. Um, and I just wanted to, um, if I can raise a couple of issues, um, that are ongoing that we still need to, um, bottom out with the applicant. Um, so, uh, we still haven't had, um, and I don't believe the applicant is intending to submit any road safety audits.

02:12:52:06 - 02:13:24:07

Um, there are I do have some concerns with that. Um, one of the things that was raised, uh, that I set out was that we didn't have any stopping site distance, um, measurements. There was a response to that, but that wasn't correct, that it was, um, that they had submitted junction visibility rather than stopping site distance on the approach to junctions. But, uh, speaking to the applicant's transport consultant earlier that I believe is now going to be addressed. But there are other issues with then visibility.

02:13:25:21 - 02:13:26:22

Excuse me.

02:13:29:06 - 02:14:04:13

There are a number of junctions where the visibility falls within the DCO area, but outside of highway. And whilst the DCO, the response is that the DCO allows the applicant to carry out works, there doesn't appear to be a requirement to maintain this, maintain visibility displays. And that is something that we're just a normal planning application process we would have a condition for. Um,

because whilst you know, so with all good intentions, it may be that that splay isn't maintained and I'm not sure how the applicant, um, intent would intend to address that.

02:14:06:05 - 02:14:13:21

Um, there is also, excuse me, LR 25.

02:14:18:01 - 02:14:18:25

Give me.

02:14:20:19 - 02:14:41:18

Oh, yeah. Um, the access nine identifies a visibility display that crosses land outside of the DCO boundary. The response is that the applicant is not proposing to carry out works outside the order limits, but visibility displays are fundamental to the safety of accesses, so that visibility display as shown, cannot currently be secured.

02:14:43:28 - 02:14:53:22

And the land that's outside the order limits, just so I am clear outside the order limits and not on the public highway. Is that what you're saying?

02:14:53:24 - 02:14:54:18

Correct.

02:14:56:23 - 02:14:59:11

Okay. Thank you. Carry on. Sorry.

02:15:00:12 - 02:15:37:08

And the other issue related to visibility. There are other minor issues that we will, you know, discuss with the applicant. But, um, one of one in particular, um, when I was considering, uh, the response in terms of where I, where we believe that, uh, road safety audits will be carried out, there's only one access that falls outside of our policy and that, and unfortunately, I'm afraid I can't remember which access specifically it is at the moment. Um, but when you look at the visibility displays that are drawn, they fall over the solar arrays.

02:15:38:09 - 02:16:08:24

Now, I so that's instantly blocked. Now, appreciate that the solar arrays are subject to further detailed design, but that isn't something that the highway Authority would be consulted on or um, because it's outside of our normal area of interest. And so I if the applicant is showing visibility displays that cross over the solar arrays, I believe that the solar arrays should be removed from that area rather than kept in, because we we will not be consulted.

02:16:08:26 - 02:16:16:12

And I don't believe the visibility displays will be shown or considered, um, as part of the solar array design.

02:16:17:27 - 02:16:21:14

Okay. Thank you. Yeah. Appreciate those points. Um.

02:16:24:20 - 02:16:33:26

We've obviously had lots of conversations about your that safety audit policy. Is that something that is being submitted to the examination?

02:16:35:14 - 02:16:38:06

The actual documents are not the policy.

02:16:38:08 - 02:16:44:19

Yeah. The safety audit policy. Is that part of the examination?

02:16:45:08 - 02:16:49:19

It has the the actual document. So no, that has not been submitted.

02:16:50:17 - 02:16:51:06

Um,

02:16:53:01 - 02:16:53:29

could it be.

02:16:54:06 - 02:16:54:21

It could.

02:16:54:23 - 02:17:12:02

Be. Yeah, I think that'd be. I think it'd be useful to understand that the context of, you know, the policy and, uh, what's being asked for. Thank you. Thank you. All right. So if I go back to the applicants, then to respond to those points that have just been raised.

02:17:14:19 - 02:17:16:11

Thank you. I'm going to button on behalf.

02:17:16:13 - 02:17:18:16

Of the applicant. So, uh, Of.

02:17:18:18 - 02:17:21:05

The kind of comments raised there.

02:17:21:07 - 02:17:23:03

The with regard to the feasibility.

02:17:23:05 - 02:17:26:06

Spline maintenance commitment, we can make.

02:17:26:08 - 02:17:27:00

That commitment.

02:17:27:02 - 02:17:27:28

Within the

02:17:29:16 - 02:17:35:16

construction traffic management plan if that would help reassure the council of that position there.  
And I.

02:17:35:18 - 02:17:36:07

Will discuss that.

02:17:36:09 - 02:17:39:18

Matter with Mr. Hancock tomorrow, if that would help.

02:17:39:21 - 02:17:41:22

Um, on that matter.

02:17:42:05 - 02:17:46:27

Um, the commentary about the design of the junctions.

02:17:46:29 - 02:17:47:14

The.

02:17:47:16 - 02:17:49:10

TMP already provides.

02:17:49:12 - 02:17:51:19

Allowance within the, um.

02:17:52:27 - 02:17:53:18

Um,

02:17:55:13 - 02:17:59:24

the final design of all of the access points includes.

02:17:59:26 - 02:18:04:29

The full design review. Um, we would obviously.

02:18:05:01 - 02:18:05:16

Provide.

02:18:05:18 - 02:18:06:28

Within those detailed design.

02:18:07:00 - 02:18:09:21

Any element, um, or.

02:18:10:05 - 02:18:10:20  
Item.

02:18:10:22 - 02:18:11:07  
Of.

02:18:11:09 - 02:18:11:29  
Infrastructure that would be.

02:18:12:01 - 02:18:12:28  
Within the limits.

02:18:13:00 - 02:18:13:15  
Of.

02:18:13:18 - 02:18:14:05  
Visibility.

02:18:14:07 - 02:18:14:22  
Space.

02:18:14:24 - 02:18:16:04  
And we have made a commitment.

02:18:16:06 - 02:18:16:21  
I.

02:18:16:23 - 02:18:17:08  
Think.

02:18:17:10 - 02:18:17:25  
In.

02:18:17:27 - 02:18:18:12  
The.

02:18:18:14 - 02:18:19:00  
Last set of questions that.

02:18:19:03 - 02:18:19:18  
A.

02:18:19:20 - 02:18:21:10

Full, detailed design package would be undertaken.

02:18:21:12 - 02:18:21:28

Including.

02:18:22:00 - 02:18:24:00

Further speed survey information.

02:18:24:03 - 02:18:24:18

To help.

02:18:25:00 - 02:18:25:26

Inform.

02:18:26:08 - 02:18:27:05

The, um.

02:18:27:16 - 02:18:28:15

Civil engineering.

02:18:29:14 - 02:18:34:27

Designers, their their consultants. Um access Junction.

02:18:34:29 - 02:18:35:23

Plans to.

02:18:35:25 - 02:18:36:12

Help.

02:18:36:14 - 02:18:36:29

Um.

02:18:37:02 - 02:18:37:17

Provide.

02:18:37:19 - 02:18:41:07

An alternative um visibility uh.

02:18:41:09 - 02:18:43:00

Displays based upon.

02:18:43:05 - 02:18:44:00

Measured, um.

02:18:44:03 - 02:18:44:18

Vehicle.

02:18:44:20 - 02:18:51:17

Speeds of those locations. So I think that would helpfully address those aspects. Um, I believe.

02:18:51:19 - 02:18:52:24

In terms of.

02:18:52:27 - 02:18:56:20

Display moving outside of the, um.

02:18:57:23 - 02:18:59:09

The limits of the.

02:18:59:11 - 02:18:59:26

The.

02:18:59:28 - 02:19:02:28

TCO. I think miss, uh, Mr.. Um, Stirling is probably.

02:19:03:00 - 02:19:03:16

Best.

02:19:03:18 - 02:19:05:03

To comment on some of the.

02:19:05:05 - 02:19:05:20

Uh.

02:19:05:22 - 02:19:06:07

Legal matters.

02:19:06:09 - 02:19:07:11

Relating to that. So I.

02:19:07:13 - 02:19:08:17

If with respect.

02:19:08:19 - 02:19:11:23

I'd defer to her if that's okay on on that might that.

02:19:11:25 - 02:19:16:08

Matter? Yes, that is fine. Thank you.

02:19:16:27 - 02:19:47:28

Thank you very much. Amy Stirling for the applicant and apologies. I will go back to the top. It just to flag that paragraph 3.1.3 of the TMP as currently submitted already states that vegetation within the visibility displays will be trimmed to ensure sufficient sightlines for a vehicle using the access junctions. These are not limited to vegetation within visibility in the public highway. So to the extent that there are visibility displays outside of the public highway, the TMP already secures their maintenance.

02:19:48:00 - 02:20:21:01

Of course, I'm sure Mr. Buchan can discuss this further tomorrow, and if any further updates to the TMP are required. We can of course do that in terms of the visibility displays and the apparent conflict with the solar panels, and in one case, a small section of visibility protruding outside of the order limits. We have responded in detail to this at deadline. Before, as Mr. Buchan noted, the visibility displays have been designed based on the maximum road speed.

02:20:21:03 - 02:21:00:19

So, for example, in a given area of 60mph rather than measured or speeds i.e. the speed that vehicles are actually passing through that area. Um, it is a commitment that we will revisit the the measured road speeds, i.e. the actual ones at detailed design, which will inform the final design of the visibility space to ensure there is no conflict, and that, as stated at deadline four, there is no proposal to carry out works outside of the redline boundary, and there is a mechanism within the requirement for detailed design approval to ensure that the.

02:21:00:25 - 02:21:21:29

There is a holistic overview, essentially of the design of the solar panels and these visibilities please again to remove that conflict and the relevant planning authority and will of course, consult with the relevant county authority as highways authority in relation to those displays as secured by five F

02:21:23:18 - 02:21:24:18

requirement.

02:21:24:28 - 02:21:47:13

Okay. Thank you. I've got a couple of questions on the the, uh, well, the responses you've just given, um, where you said that the speed survey we use at the detailed design stage to determine the, um, visibility displays. Where's that secured, please? First question.

02:21:47:25 - 02:22:16:00

Amy Stirling, on behalf of the applicant, and I will have to check that. I think it's at this point it is worth noting that the, um, because it wasn't on the agenda, the person who is involved in designing the visibility isn't was we have a cast of thousands and that's not one of them. Um, so I would just have to I'm repeating to you our answers at deadline four. Um, and I can just follow up in more detail in their summary of case, if that's acceptable.

02:22:16:04 - 02:22:39:05

Okay. Yeah. No, that's fine, thank you. Um, and the other point was where you mentioned the visibility displays vegetation is the the control for that is under the construction traffic management

plan for maintaining those visibility displays. What about during the operation and decommissioning of the, uh, proposed development?

02:22:40:26 - 02:22:52:17

Amy Stirling, on behalf of the applicant, we will check. And if it is not there, we will add it either to the Olymp, um, or to the or AMP or dump the relevant management plans. Thank you.

02:22:54:24 - 02:22:56:08

Uh, miss Hancock.

02:22:58:20 - 02:23:29:03

Hancock County council, thank you. So that was my going to be my point about the operational, um, and decommissioning point. Um. my concern about the, um, displays falling outside of the DCO. Um, and detailed design allowing, um, you know, secure securing of this. Um, uh, I can't think of the word um, uh, so long as the split, the speed surveys are secured.

02:23:29:22 - 02:24:01:22

It's an assumption that then those speeds are going to be lower. Um, but if you look at the A57, for example, as part of the work that has been done to, um, justify that access there, the 85th percentile speeds actually measure more than the posted speed limit and are coming in nearer 60 miles an hour than 50. So that is, um, a, you know, sort of a concern that we have that they may not actually come in lower than the posted speed limit.

02:24:02:03 - 02:24:22:26

Yeah, I understand that point. And, you know, that's always a risk, I guess. I think, um, are any of the other access points located in similar situation to that A57 access point where they're on a very straight road? Um, and vehicle speeds are likely to be higher. Higher?

02:24:24:11 - 02:24:37:15

Um, I'm not to be honest, sir, I'm not entirely sure. But also if they are lower, um, we don't know if they're going to be low enough to accommodate the visibility displays that are available.

02:24:39:00 - 02:24:46:08

Yeah. Okay. Thank you, thank you. Uh, Mr.. Sorry.

02:24:49:29 - 02:24:54:11

I can ask the applicant to come back on that, please. That point raised by Miss Hancock.

02:24:56:15 - 02:24:57:23

Thank you. Uh, Gordon Buchan.

02:24:57:25 - 02:24:58:10

On.

02:24:58:12 - 02:24:58:27

Behalf.

02:24:58:29 - 02:24:59:14

Of the applicant.

02:24:59:16 - 02:25:03:00

So, um, with regards to the point you made there, uh, none of the None of the.

02:25:03:02 - 02:25:04:10

Other access points are.

02:25:04:12 - 02:25:07:25

In a similar situation. They all have the maximum visibility.

02:25:07:27 - 02:25:08:24

Splay and.

02:25:08:26 - 02:25:11:19

As a result we would expect, um, for.

02:25:11:21 - 02:25:12:07

Example, on.

02:25:12:09 - 02:25:12:24

The ones.

02:25:12:26 - 02:25:13:25

On um.

02:25:15:03 - 02:25:16:12

Some minor road.

02:25:16:14 - 02:25:27:09

Networks where we have some considerable bends nearby, that those vehicle speeds would be far lower than the worst case assumption that's been provided on those drawings.

02:25:30:06 - 02:25:34:13

Also, to just preempt Miss Hancocks comment there about.

02:25:34:15 - 02:25:35:11

The A57.

02:25:35:13 - 02:25:36:03

We have.

02:25:36:09 - 02:25:37:04

Also provided an.

02:25:37:06 - 02:25:40:19

Alternative drawing in the A57 um.

02:25:40:23 - 02:25:41:08

Access.

02:25:41:10 - 02:25:45:07

Study, showing the full 215m of about 4.5 visibility.

02:25:45:09 - 02:25:45:29

Splay.

02:25:46:06 - 02:25:48:21

That can be accommodated within the.

02:25:48:23 - 02:25:49:28

Area there, as well.

02:25:50:09 - 02:25:50:24

As well as.

02:25:50:26 - 02:25:51:11

The.

02:25:51:13 - 02:26:14:08

Existing 160. Okay. Thank you. So can I ask that when you have your meeting tomorrow with Nottinghamshire. Can you try and, uh, what about these issues as well and include it in a response at deadline five, please? Yes. Thank you.

02:26:19:00 - 02:26:20:16

Thank you. Um.

02:26:22:23 - 02:26:29:14

Does anyone else have any issues that they'd like to raise under transport, please?

02:26:34:05 - 02:26:43:15

Okay. Thank you. So move on to item number eight. Cumulative effects that I'll hand over to Mr. Maund.

02:26:44:08 - 02:27:00:13

Thank you. Um, so if we go on to the cumulative, cumulative effects, um, can I clarify with, uh, the local councils and the applicant? Is there now finally an agreed list on the projects that should be included within the cumulative assessment.

02:27:03:10 - 02:27:08:07

I say to the applicant in the first instance you can confirm the position.

02:27:10:07 - 02:27:28:28

Greater for the applicant. Um, my understanding is that has been agreed. The ES presents a comprehensive list of existing approved projects. After following at issue one, we did go back out to the host authorities and no additional schemes were requested for inclusion.

02:27:31:03 - 02:27:37:21

Okay. I'm sure the councils will tell me if they disagree. Mr. Betts.

02:27:42:20 - 02:28:20:26

You can show a district council. I think that's a fair summary. So the Inter I think it's the into project assessment report that was submitted a deadline for and also sent um to the authorities direct. That includes all of the onsite projects for assessment. So I think in terms of projects being captured for assessment, I think that is now, um, that's now been done. There is one small query in relation to a town and country planning scheme that we perhaps just need to talk, uh, continue to talk to the applicant, direct on.

02:28:21:05 - 02:28:49:11

Um, I would suggest that might be picked up in the meeting early next week on the status of common ground that I referred to earlier on. Um, yeah. So I think in terms of projects being captured and assessed, yes, I think that is now an agreed matter. Um, it's a different proposition when we talk about the sort of nature of the, um, the outcome of our cumulative assessment. But I think that leads on to the next part of the question.

02:28:49:24 - 02:28:52:19

Yes. Thank you. Uh, Miss Hall.

02:28:54:22 - 02:29:20:17

Thank you, sir. Stephanie Hall, Lancashire County Council just to say that we, um, have reviewed the uh Inter Project Effects report that was submitted at deadline for and we're grateful to the applicant for including the Gainsborough cluster within that now. So I think we agree the project. But in common with Mr. Betts, we don't agree the, um, the discussion of effects. We agree the project list.

02:29:21:09 - 02:29:25:25

Okay. Well, that's that's helpful. That's one step forward.

02:29:25:28 - 02:29:26:13

Yes.

02:29:26:15 - 02:29:32:11

Thank you, thank you. So, um, Mr. White, you have your hand raised.

02:29:35:11 - 02:29:38:28

Yes, sir. Thank you. David White, on behalf of Senator Warner solar.

02:29:39:00 - 02:29:40:11

Farm and.

02:29:40:13 - 02:29:41:12

Uh, 99%.

02:29:41:14 - 02:29:42:13

Of the communities.

02:29:42:15 - 02:29:43:03

Of North and South.

02:29:43:05 - 02:29:43:22

Britain.

02:29:43:28 - 02:29:48:25

Um, I'm surprised by this. And, uh, excuse.

02:29:48:27 - 02:29:49:13

Me for not.

02:29:49:15 - 02:29:50:22

Bringing this up.

02:29:51:01 - 02:29:51:16

To.

02:29:51:18 - 02:29:52:03

An early date.

02:29:52:05 - 02:29:53:20

Because we only came across this.

02:29:53:22 - 02:29:54:21

Information.

02:29:55:09 - 02:29:56:03

Two days ago.

02:29:56:05 - 02:29:57:21

And we did it by accident.

02:29:57:24 - 02:29:59:23

And it's within reference to.

02:30:00:09 - 02:30:02:08

Um, the new planned.

02:30:02:10 - 02:30:02:25

Links.

02:30:02:27 - 02:30:33:11

Reservoir, which is, um, uh, planned to hold 55,000,000m<sup>3</sup> of water supplying up to 500,000 homes. Although the reservoir itself is 15km more than 15km away, its water supply intake is only 2.5km downstream, creating a direct direct hydrological pathway. The applicant is considered as a large project within 15 communities kilometers in their cumulative effects assessment.

02:30:34:04 - 02:31:05:16

Reporting lists 54 schemes meeting this criteria. But Link's reservoir appears to be excluded completely from any considerations. Despite being passed its phase two consultation and moving on to pre-application stage Age again, considering a direct hydrological pathway between these two applications and not considering this obviously connected NC, but seems at odds with the infrastructure planning, environmental impacts, regulations and planning.

02:31:05:18 - 02:31:37:25

Inspectorate Advice Note 17 cumulative effects assessment. Could we please ask the planning inspector to confirm whether they might believe this exclusion complies with density guidance and EIA regulations, which require consideration of other developments where there is a credible likelihood of combined effects. And I wondered if we could ask also a response from the EPA and whether this affects anything that the councils are considering. This should be being considered in our community's standard.

02:31:37:27 - 02:31:43:12

It's not after we've tried to catch up with them quite quickly, because this is all late news to us.

02:31:45:02 - 02:31:47:08

Okay. Thank you, Mr. White. Mr. Fox.

02:31:54:23 - 02:31:57:00

So I will get an answer to that. Yes.

02:31:58:01 - 02:32:04:21

I shall be giving you an answer today. But, um, I will ask the applicant and the Environment Agency to respond.

02:32:04:29 - 02:32:06:00

Okay. Thank you.

02:32:07:27 - 02:32:39:15

Yes. Thank you. Um, I submitted a paper on the cumulative effects at the end of deadline three and didn't give it exactly a positive response. However, I did submit it to both, um, Great North Roads and, uh, till Bridge. Um, the result on that was, um, that Great North Road had invited me to join as a, um, interested party, and the British were kind enough to send the report directly to the Secretary of State.

02:32:39:17 - 02:32:44:29

And I've had a very positive response from them. I just wondered whether it's going to get serious consideration by you, sir.

02:32:48:23 - 02:33:07:09

I will certainly consider anything you submitted seriously, and I will also ask the applicant to do the same, and I'm sure they will. Um, but if I can then just come back to the applicant, uh, to respond to, uh, the points that Mr. Wise and Mr. Fox have raised, please.

02:33:08:23 - 02:33:42:10

Read a Pulitzer for the applicant. Um, I think we mentioned this earlier by my colleague, Mr. Griffiths. The reservoir is outside of the zone influence, where there could be climate effects and has not been featured in the long list. This project still is at consultation stage, and changes to watercourses or abstraction points are located beyond ten K on the site. So that's where the outside of the zone of influence. The reservoir itself is about 35 kms south of the site. I think what Mr. White is referring to is the existing watercourses. Um, they have been considered in the relevant technical assessments we had earlier.

02:33:42:12 - 02:33:54:26

Just the comment from LXI and NCC confirming about the surface water and the appropriateness of the mitigation measures that are proposed as part of the development. Other than that to the of um cumulative.

02:33:54:28 - 02:33:55:13

Effects.

02:33:55:15 - 02:33:58:21

Is beyond one K.M. as well for other flood risk assessment.

02:34:02:18 - 02:34:03:27

Okay. Thank you.

02:34:06:27 - 02:34:37:28

If I can then move on, um, to the broader issue and then in terms of the understanding of people's or party's positions with regard to the outcome of the cumulative assessment, I can come first to Newark and Sherwood. Now, the statement of common ground is still identifying concerns with regard to the cumulative effect on landscape character areas. Um, so is that still the situation?

02:34:42:08 - 02:35:13:01

When you new Consumer District Council. Sir, I think on this issue, um, led by our consultant, who's obviously representing some of the other authorities, we've raised, uh, a number of points, both in issue specific hearing to and in written submissions about the, the wider, uh, landscape effects. And I don't think the outcome of the cumulative assessment in terms of projects being added to that changes. So obviously the applicant changes that position.

02:35:13:03 - 02:35:43:17

The applicant is is considered those inset projects, and they're satisfied that there isn't a suitable, uh, connection, uh, in very sort of general terms. But I don't think it changes our position in simple terms. So, um, we were we were seeking for projects to be considered for assessment because they haven't been carried forward from the long list. But all the previous points that we've made in terms of the wider landscape effects. I think they are still, still the case.

02:35:43:19 - 02:36:37:13

And I don't see that as a matter that will change. And I would expect that to be an area of disagreement that's reported in the the next iteration of our statement of common ground. If I can just touch upon BMV, I think in the previous previous hearings, we've advocated an approach of looking at things from the from the bottom up rather than the top down approach. I appreciate the discussion that we had previously around national policy. Again, we've made written submissions on that as a follow up to the last hearing issue specific hearing to I think the way the information has been presented is still, um, considering things at a county scale and then looking at, um, the loss of cumulative projects, uh, taking account of, um, the overall availability of BMV land within the county level.

02:36:37:15 - 02:37:28:04

But our, our focus as a local authority for our district is really about the the impacts at a local level. So taking the two, for example, the two set of projects within our district. Um, combining that with some of the other applications that are, uh, consented or advanced under the town country planning regime and what that means at a local level. Um, so I think we'll continue to, to maintain that concern, notwithstanding the further works, I think, I think the way the data is, how we've asked for the data to be presented, I don't think it's been, um, split down on, on a purely sort of district level and then worked up with I think the, the, the data has been presented in a combined way with, with a list of projects.

02:37:28:06 - 02:37:53:02

So it's not necessarily tallied up and split at a district level and then worked upwards. So as I say, I think it's uh, in my view it presents perhaps a rosier picture by just looking at it as a proportion. At a county level, what that or that overall loss means in respect to the wider county? So again, I don't think our position will change significantly in that regard as well.

02:37:54:14 - 02:38:04:00

Okay. Now that's helpful to understand. And do you have sufficient information, uh, that you're able to

02:38:05:24 - 02:38:19:21

provide clarity into the examination of a final position with regard to BMV? Or is it a you still after something else to assist you in providing that clarity to us?

02:38:20:23 - 02:38:45:19

I mean, if the applicant were able to just break it down into a table that looks purely on districts, so they've probably got the data already, if they presented that in a, in a simple table for, for the district, for our district, that would be that would be helpful. Um, if not, we could probably take the existing information and look at it ourselves. Um, but if they're able to do that, then, yes, that would be that would be helpful.

02:38:46:16 - 02:39:00:28

Okay. And I think we touched on this before, but, um, if you get a clarity from the applicant as to the, the quantum of, uh, land that's affected within your district. Um,

02:39:02:28 - 02:39:05:14

what what where does that take us?

02:39:06:27 - 02:39:42:07

I think that I think that gives clarity on on the concerns that we've maintained throughout about the potential loss of BMV land and what that means to the district. The district level. So I think we're we're getting to this sort of clearer answer to the question that we've, that we've asked throughout. Um, but as I said, I think, I think that will probably reaffirm the concerns that we've, we've had throughout the examination on this issue, but I think from my perspective it will provide clarity and transparency of loss at a local district level.

02:39:43:13 - 02:39:44:13

So okay.

02:39:44:29 - 02:40:14:09

So sorry. Sorry. Thank you. Um, this this information breaking down BMV by district is already in the examination. It was submitted by the applicant at deadline three. Uh, rep. The application number is rep three. Hyphen 065. And the relevant table, as requested is on page 15. I hope that helps. Uh, answer those questions.

02:40:15:03 - 02:40:39:18

It's helpful to have that pointed out. Thank you. Um, obviously, uh, Mr. Betts, you'll be able to have a look at that. And, uh, hopefully that will assist you in providing a response to us. Are there any other aspects in the cumulative assessment that you would wish to point out to us beyond the landscape and BMV issues.

02:40:41:01 - 02:40:53:18

No, I think it's fair to say that those those two aspects, uh, two topic areas have been of prime concern throughout, and there's nothing further to add beyond that at this stage.

02:40:54:23 - 02:41:17:29

Okay. Thank you. If I can't come then next to Miss Hall, on behalf of Lincolnshire, can I ask you to clarify Lincolnshire position relative to the cumulative effects and the cumulative assessment and obviously the interpretation and conclusions reached and how your what your position now is relative to the applicants.

02:41:18:24 - 02:41:50:00

Yeah. Thank you. Stephanie Hall, Lincolnshire County Council. Similarly to Mr. Betts I'm suffering the want of my landscape consultant. So I whilst I'm I have instructions that there. There is, I think, some distance between what Mr. Brown's assessment is in relation to cumulative effects, both in terms of methodology and overall conclusion. Um, I think it would probably be less than helpful for me simply to sort of read out notes that Mr. Brown has given me because he'd written those notes without sight of the agenda.

02:41:50:02 - 02:42:22:11

So they're not they're helpful in some respects. But I think what would what we had proposed in writing to the essay before this hearing was that we might be permitted to address these points in writing first, firstly. Um, so just in the headline is that, um, we still have concerns about cumulative effects, both, as I said, in relation to the way in which they are assessed. Um, for example, we have a concern that the report doesn't consider sequential views of multiple schemes. So two receptors passing through the landscape.

02:42:22:13 - 02:42:53:09

And, um, we have a concern about the extent of land use change across character areas that was mentioned earlier. And, um. Uh, I think that that Mr. Brown has a kind of methodological discrepancy between himself and the the applicant's landscape witness, but also, um, that does lead to Mr. Brown finding there to be significant cumulative residual effects, um, on landscape and both in terms I think of visual and character effects.

02:42:53:11 - 02:43:23:24

But I would leave Mr. Brown to tell the examination exactly why he reaches those views, and exactly on what point he departs from the approach of the applicant. But just suffice it to say so we are some distance apart, I think, on the assessment of cumulative landscape and visual effects. Um, the only other topic area that I'm instructed where we have a disagreement with the applicant on cumulative effect is is as Mr. Betts, BMV whilst we don't.

02:43:23:26 - 02:44:10:12

Um, I have a concern about the disaggregation of district level. We welcome the clarity provided and particular percentage provided in the most recent, um, kilos of assessment chapter given to us at deadline for um, and I think we now know that the percentage quoted in the in that report from the applicant is 6.54%, um, of loss of BMV. If all of the projected projects come forward and we would view that statistic as being significant, and we would be of the view that that is, you know, a very high number, uh, in raw terms, and that that has definitely reached a threshold where we would consider that to be, um, entirely objectionable.

02:44:12:18 - 02:44:49:15

Okay. Thank you. In terms of the landscape, um, element, I understand that you're going to put something in writing that would be helpful. I would ask that Mr. Brown makes it very clear to us how he's coming to the conclusions that he is, and why he's coming to the conclusions that he is, because we obviously have, um, a different approach being taken. We need to understand why that is the case. And, and then obviously that will lead in part to understand the difference in conclusions being reached.

02:44:49:17 - 02:44:54:27

But I think we also then need to understand, say, uh,

02:44:56:12 - 02:45:02:11

where it takes us, because if the conclusion is that there are significant adverse effects.

02:45:04:29 - 02:45:08:13

How different is that from what the applicant has concluded.

02:45:09:24 - 02:45:30:27

That I have got the message and I will pass it back very clearly to sorry, Stephanie, holding it together. We'll pass it back very clearly to Mr. Brown. And I will, um, ask for a note to be provided and I'll review that. So we know that it meets what you're asking it to do. I understand the job that it's got to do, and we'll make sure it does that job.

02:45:31:06 - 02:45:32:20

Super. Thank you very much.

02:45:33:04 - 02:45:52:00

So while I'm talking, um, I realize I've got a point. I've been told I've got 2.3 on this list, which is waste if cumulative effects of waste, which is a matter that we've raised before. And I don't think we've got anything necessarily new to say, but it just it deserves a place on the list of, of of concerns that Lincolnshire has in terms of cumulative effects.

02:45:52:09 - 02:45:54:02

Okay. That's helpful. Thank you.

02:45:54:04 - 02:45:54:28

Thank you.

02:45:56:22 - 02:46:09:24

So can I come next to West Lindsey District Council and understand your position relative to cumulative effects, both in terms of the assessment and the conclusions reached?

02:46:25:27 - 02:46:26:22

Okay.

02:46:26:27 - 02:47:08:25

John Barker, on behalf of West Lindsey District Council. Apologies, I was on mute. Um, yeah. Uh, like the, um, the two previous, uh, councils that have spoken, um, uh, West Lindsey District Council has, um, has yet to reach agreement on the landscape assessment and on, uh, BMV. Um, in particular, uh, in terms of landscape, um, the, the sequential views, um, element is still, still something that's, uh, considered to be, uh, considered to be an issue, particularly in West Lindsey with the, uh, the number of, um, uh, solar insects, uh, that are within the district.

02:47:09:03 - 02:47:52:09

Um, and, you know, traveling around the district, um, there will be a number of these to pass to go to somewhere like Gainsborough. Um, from most places within the district. Uh, and they'll be there for, for a number of a number of decades. So, uh, there is there is a potential issue there. Um, on, uh, BMV, um, like, uh, Lincolnshire, we we noted that, um, the, the BMV in paragraph 3.3.4 of the Inter Project Defects report, the, uh, the BMV use across Lincolnshire was, uh, was totaled at 6.54%.

02:47:52:20 - 02:48:22:25

Um, there is also a sentence in the, uh, in, in that paragraph that says, quote, a change in land use in the range 0.05% to 5% is considered to be normal. Um, the source of that is is not given. Um, but, um, if, uh, a change in land use, up to 5% is considered to be normal, then the 6.54% within Lincolnshire would not be considered normal.

02:48:23:03 - 02:48:54:03

Uh, potentially considered abnormal. Um, so, um, we would say that, um, well, when when you also consider that the, um, uh, the one erf um, grey, uh, BMV is 1.28 hectares, uh, sorry, 128 hectares when compared to all the other end tips within West Lindsey, only coming out at 257.64 hectares.

02:48:54:15 - 02:49:08:15

This project's on its own is basically half as much again as uh, the the other uh, solar ends and sips are are taking of of BMV land. Thank you.

02:49:09:03 - 02:49:25:08

Thank you. I know within your statement of common ground You also make reference to cumulative effect of transport projects and timing of other assets relative to on Earth. Is there anything further you can assist with? As are those points, please?

02:49:26:10 - 02:49:58:09

Uh thank you sir. John Barker, on behalf of West Lindsey District Council, um, I the point being made was that, um, there are other, uh, the other projects all identify the A57 as being a, a a route, uh, for, for traffic one way or another. Um, and the, um, the as the, uh, several of the other projects start dates are going to the right.

02:49:58:11 - 02:50:30:00

There is more likelihood that, um, there will be, um, traffic from several different or a number of different projects using bits of the A57 at the same time, um, we would defer to, uh, Lancashire County Council and Nottinghamshire County Council. County council on the detail. But we were just flagging that as a, as a potential issue as the, um. As the programme's as I say, shift to the right the, the um the inter project's effect effects report.

02:50:30:02 - 02:50:41:20

Had a had a little table as a sort of worst case of, of where, where the construction periods would. Would potentially coincide. And I think it's that kind of scenario that that we were concerned about.

02:50:43:09 - 02:50:48:13

Okay. But you're going to defer to the highway authorities in the first instance in any event.

02:50:49:12 - 02:50:50:00

Yes, sir.

02:50:51:00 - 02:51:09:03

Thank you. Okay. Um, well, if I come on to Nottinghamshire County Council first and if you can, uh, just let us know your position. Um, but also respond to that point that West Lindsey had made about the potential in terms of cumulative. Transport issues.

02:51:11:29 - 02:51:45:23

Will answer Nottinghamshire County Council in terms of, uh, BMV. That's a matter that we've deferred to the district council. And, uh, Mr. Betts at Newark and Sherwood has given uh, his position on on that. So I have nothing further to comment in terms of, uh, impact on landscape, as I alluded to under the previous item, that remains an issue for the county council. Whilst we're not disputing that the list of projects now included, uh, is is inadequate. We obviously are continuing to dispute the approach to assessing those cumulative impacts.

02:51:45:25 - 02:52:16:01

And, uh, my colleague at Lincolnshire County Council has articulated the issue, and I don't think I need to repeat it. Clearly, anything that we submit from Mr. Brown representing both authorities, well, we'll come from both authorities. So, you know, you'll have that in due course. Uh, the clarity that you need, um, on the particular point of cumulative transport Sport impacts. Uh, that is something, uh, I would need to take a view from, uh, Sarah Hancock on that. She's still on the call. Um, it's not an issue.

02:52:16:03 - 02:52:27:22

I think we've we've raised to date. Um, because of the mitigations proposed in the TMP, but, uh, uh, if she's not on the call and able to comment on that point, then, uh, I can come back in writing when I've had a discussion with her.

02:52:29:12 - 02:52:40:28

Uh, yeah. Appreciate that. Um, I don't think she is on the call or not. Not popping up. So I appreciate if you can just get that clarification for us.

02:52:42:23 - 02:52:43:09

No problem.

02:52:43:24 - 02:52:53:00

Thank you. Um, Mr. White, I know you have your hand up. Is that a legacy hand, or is there another point that you're wishing to raise on this issue?

02:52:53:07 - 02:53:29:06

I do wish to make another point, to be honest, because I think this last point has been, uh, sort of brushed away. Um, first of all, going back to the applicant, uh, this is not about flooding. This is about there's a real potential pollution issue here, whether from construction or operation of the solar farm itself. In the event of a large scale battery fire, it could release toxic substances into the soil, watercourses feeding the Trent. Such contamination could then travel downstream into the Foss Stack and Witham, which is ultimately impacting impacting the Lynx Reservoir.

02:53:30:04 - 02:54:02:14

They'd have to either put up with the pollution, or they'd have to shut off water by leaving a massive reservoir in tip, by the way, with no water supply. You mentioned that you were going to ask the Environment Agency as well. I suspect you were just going to do that, to ask them to respond to that question. But this is about pollution. If there is a big fire event and it pollutes the Trent, it's going to pollute other watercourses, including the supply to this massive, massive reservoir. And it's not even been included in the cumulative assessments.

02:54:02:16 - 02:54:14:04

And we believe that to be a serious omission. And I suspect Sir Edward Lee and Doctor Caroline Johnson will also find it. It's a serious omission and we'd like some response, please.

02:54:15:13 - 02:54:36:03

Okay. Thank you, Mr. White. So can I come on to the Environment Agency and seek your views on the cumulative side? And also, if you're able to assist in responding to Mr. White's points with regard to the reservoir and the the water, uh, connection or hydrological connection.

02:54:45:26 - 02:54:46:15

Uh, James.

02:54:46:17 - 02:54:47:02

Cordell.

02:54:47:04 - 02:54:49:01

For the Environment Agency, this is something we can take away.

02:54:49:03 - 02:54:49:18

And.

02:54:49:20 - 02:54:50:05

Respond.

02:54:50:07 - 02:54:50:22

In.

02:54:50:24 - 02:54:53:00

Writing to. Okay. Thank you.

02:54:57:06 - 02:55:27:06

Okay. So if I can then come back to the applicant, Then um, obviously a number of points there, albeit some of them overlapping. If I could invite you to respond to, uh, the relevant issues in terms of landscape, BMV transport and then that final point from Mr. White with regard to the, uh, the proposed reservoir and the connection to the reservoir.

02:55:28:11 - 02:55:29:17

Thank you. So.

02:55:30:02 - 02:55:39:09

And the pollution. Uh, sorry for interrupting, but importantly, not to do with flooding water, but to do with potential pollution issue. Thank you.

02:55:41:08 - 02:55:42:09

Sorry, Mr. Griffith.

02:55:43:02 - 02:56:07:25

Thank you, sir. Richard Griffiths, on behalf of the applicants. A number of points there. Um, I'm going to start off with, um, bringing in my colleague to discuss the reservoir and pollution. And then I'm going to move to Mr. Griffiths to discuss, uh, landscape. And then I'll come. And it'll come back to me to, uh, draw that together. So we'll deal with the reservoir point first. Thank you.

02:56:08:06 - 02:56:08:29

Thank you.

02:56:09:19 - 02:56:39:29

Mr. Lazzaro, for the applicant. Apologies if I was not very clear and concise earlier when I was talking about why there wouldn't be an impact on the reservoir when I was talking about those existing watercourses and there being, um, maybe no pathway, that that's kind of what I wanted to do to kind of basically be saying that we have in place management plans, including the battery safety management plan, uh, the camp, the Om, etc.

02:56:40:10 - 02:56:58:29

they have measures they're in place. That would mean that there would be no contamination to those existing watercourses. Those watercourses are the ones that go down to the reservoir. So we have um, appropriately managed those watercourses so there wouldn't be likely significant effects on cumulative.

02:57:03:21 - 02:57:34:11

Thank you. And Sam Griffiths on behalf of the applicant speaking to Landscape Matters. Um, I think it's fair to say that to summarize the issues raised, there's two primary areas of discussion ongoing with regard to cumulative impacts on landscape. The first of which er relates to the impact on larger landscape character areas. And that was discussed at length between Mr. Brown and Mr. Gurney at

previous issue specific hearing. And number two, and both of whom set out their positions and as it happens neither of whom are in attendance today.

02:57:34:13 - 02:58:05:14

So I don't propose to reopen that discussion that's already been covered. But the second issue that has also been mentioned today relates to the cumulative sequential visual impacts. I think that was highlighted by, I think, each of the authorities in the discussion just now, um, consideration of sequential cumulative impacts is sometimes included within an LVA, but this is in instances where the impacts identified on promoted routes are relating to cumulative projects in very close proximity to one another.

02:58:05:17 - 02:58:47:14

So for instance, this was looked at in the Tilburg Elvia within the cumulative assessment which considered the impact of cumulative sequential effects with other projects close by such as gate, Burton, West, Burton and Cottam. However, it did not consider one Earth given the intervening distance between the projects, and we would echo that approach that we would not result in sequential cumulative impacts given that intervening distance. That being said, there has been discussion in the past at the issue specific hearings asking the local authorities to highlight routes where they consider there may be sequential visual impacts from cumulative projects, and no routes have been raised to date.

02:58:47:24 - 02:59:28:12

So we have reviewed it ourselves and thought, well, the Trent Valley Way goes through one a solar farm and does extend up north towards those projects. Um, now one of the solar farms has been designed specifically to seek to avoid and where that's not been possible, reduce impacts on the Trent Valley way, um, such that there would be only a minor impact, visual impact resulting from one a solar farm in isolation. And that is illustrated on a photo montage from viewpoint one, which can be viewed at rep two, hyphen 032, and it was also visited as part of the accompanied site inspection, where we walked along the eastern bank of the river following the Trent Valley Way.

02:59:28:20 - 03:00:02:03

And the reason for mentioning that is to make the point that even if a sequential visual impact looking at the cumulative impacts would be undertaken, I don't think it would result in any different findings that are already presented within the Elvia and the cumulative assessment. And so, in order to summarize the applicant's position with respect to cumulative, we would maintain that the current study is proportionate, and it clearly identifies the cumulative impacts that would result from one a solar farm and the wider projects, and therefore we would not propose to undertake further analysis.

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

Okay.

03:00:05:11 - 03:00:41:23

Thank you. And Sir Richard Griffiths on the applicant. Um, just staying on with landscape. Um, and I'm going to refer to, um, the Bridge Examining Authority's report. And of course, for those on the call, the tilt bridge decision was recently, it was recently came out and the development consent order was made by the Secretary of State on landscape. I think it's worth highlighting that, um, the

examining authority and the Secretary of State concluded that whilst there would be residual adverse effects, and indeed we're not disputing there will be effects from on landscape.

03:00:42:05 - 03:01:12:19

Um, the examining authority and the Secretary state concluded that that that there would be no conflict with NPS N1 and NPS N3. That is because N1 recognises that virtually all NPS would have adverse effects on the landscape. And that's paragraph five point 10.5. And in addition, despite the residual adverse effects on a locally valued landscape, that's not defined, but we assume that means a landscape where people value.

03:01:12:27 - 03:01:46:18

So this is not a nationally designated landscape. We're talking about a locally valued landscape. Paragraph 5.10 .12 of n1 states that um, uh, that harm or that those residual effects should not be used to refuse consent as that would unduly restrict development. And that was the conclusion of the Secretary of State in Tilbury. So yes, there may be residual adverse effects and they may be significant, but that's not actually in conflict with policy. Um N1 and N3 in respect of BMV.

03:01:46:20 - 03:02:36:15

MV, uh, just to draw that to a close. Um, again, on cumulative, um, the toll bridge examining Authority report. Um, so I'll just go back to landscape. That all of that is on page 65 of the examining authority's report for your reference. Um, on BMV, on page 111 117 of the examining authority's report, the Toll Bridge Examining Authority and the Secretary of State concluded that even taking into account other schemes in their cumulative assessment, and One Earth was included in their cumulative assessment, and that in it's shown on their cumulative map, the loss of BMV would not be significant, and the ex and the Secretary State concluded that over the lifetime of that scheme, they concluded there's likely to be a moderate beneficial effect on the soil resource.

03:02:36:17 - 03:03:06:18

And that is our argument here on the soil resource that over the lifetime of the scheme, there will be a benefit, but that there would be ultimately a loss, albeit temporary loss of BMV. And again, we are saying that we have a also a temporary loss of BMV and the percentages are set out in our application and on balance. They therefore ascribed neutral rate, neutral weight to soils and landscape in the planning balance, uh, in respect of transport.

03:03:06:22 - 03:03:40:24

Um, we agree with what was said earlier about on cumulative. Um, the that no, um, that um all of the there would be no likely steering effects as the the management plans in place would mitigate those. And so we would contest that the TMP deals with that issue and on waste which was also raised briefly. Um, we have nothing further to add. Uh, that was set out in our previous submissions, but again, referring to Tilburg, um, decision at paragraph.

03:03:40:26 - 03:04:32:15

Um, this time there was a paragraph number, paragraph 3.11.87. The um the examining authority in Secretary state. Uh, note and I quote, we note concern in relation to existing capacity. However, we accept the applicant's rationale that such facilities are highly likely to be developed as the market for such recycling increases over the operational life of the proposed development. And that was our

contention at the last issue specific hearing. And in their conclusion, at 3.11.89, the examining authority and then the Secretary of State agreed, stated that um, the examining authority agree with the applicant that the proposed development would not result in any significant residual materials and waste effects during construction, operation or decommissioning in isolation or when considered cumulatively with other developments.

03:04:32:17 - 03:04:46:10

They therefore applied um, that the scheme therefore complied with the relevant provisions in the NPS. And they said that the materials and waste effects would be neutral in the planning balance.

03:04:48:09 - 03:04:53:28

That's, um. I think that covers all the accumulative topics that were raised, um, just now, sir. Thank you.

03:04:54:23 - 03:05:12:22

Thank you, Miss Ruth. Can I just clarify with you the, uh, first reference? Um, to Till Bridge. You said the examinations report was page 65. Do you have the similar reference from the Secretary of State's decision, whether it's a page or a paragraph number?

03:05:14:03 - 03:05:29:18

Richard Griffiths on path applicant. Um, the secretary state agreed. I haven't got the sector status letter immediately to hand. I'd have to pull that up. And but what I suggest in our written summary of what we said today, I'll put that references in, if that's helpful. Yeah.

03:05:29:20 - 03:05:42:23

Yeah, it will be. Thank you. And obviously you've got cross-referencing between the examination authority's report and then the Secretary of State's decision. So if we can have the the relative positions from each. That would be helpful. Thank you.

03:05:42:28 - 03:05:56:26

Yeah. So we always said the Secretary state agreed with the examining authority. But I'll provide the exact report either or the page number because some of them don't have paragraph numbers or paragraph number. And then the secretary states page number or paragraph number where I can. Yeah.

03:05:57:06 - 03:05:58:17

That's helpful. Thank you.

03:06:02:26 - 03:06:09:20

So, um, can I just clarify then. Does anyone have any further cumulative.

03:06:11:22 - 03:06:17:28

Effect points that they would wish to raise before we move on to any other business?

03:06:22:06 - 03:06:34:18

No. Okay. That's helpful. Thank you. So, um, I don't think I have any other business. I'd just clarify again, Mr. Fox.

03:06:55:15 - 03:06:58:03

I'm not hearing you, Mr. Fox. I'm.

03:07:03:15 - 03:07:34:04

Sorry. I apologize for that. I appreciated the offer earlier. The suggestion that you kindly made about a statement of common ground. But I obviously didn't appreciate the comprehensive way in which it was put down. Having said that, the original. We are here on flood risk at a very late stage because these matters were not addressed when they should have been. I raised substantially all of them. And I don't just mean surface water back in 19, um, 20, 24.

03:07:34:10 - 03:08:19:24

I made them very clear in the relative representations and relevant representations. I made clear that the preliminary meeting, that I didn't think some things were being considered properly at the consultation stage and through, um, stages one and two, I made substantial contributions which were just frankly ignored or treated with contempt. Now, I appreciated very much that you put in sensible questions that after deadline three and that the questions were to be addressed, but they were not answered properly at all.

03:08:20:18 - 03:08:56:00

Now I'm very concerned with what we've heard from the two local authorities and from the Environment Agency. Today. I have put forward straightforward challenges to you to vote all three of those agencies. And I want to be assured that you're going to put them forward to them and ask them for a response. The I didn't come up with my saying my ideas on science. I was prompted to do them by very senior people at red brick universities. I've also escalated the matter up to the Secretary of State, and I do want them to take them seriously because I think it's a very serious threat.

03:08:58:10 - 03:08:58:25

The other.

03:08:58:27 - 03:08:59:12

Thing.

03:08:59:18 - 03:09:17:16

I'd like your assurance. So if we can, that we're not going to be this thing is not going to be judged simply on M3 and its attitude to, um, surface water. Uh, we have to go beyond that. Thank you.

03:09:18:19 - 03:09:54:05

Well. Thank you. I mean, all I can do is reassure you that we do understand and take very seriously the concerns that you've identified and obviously appreciate the extent of work that you've gone to in promoting the concerns that you have. Um, it's not for us to tell the applicant how to respond. It's for them to decide how to respond. And ultimately, uh, at the end of the examination process, we need to be in a situation where hopefully we have clarity of your position, but also the applicant's position.

03:09:54:07 - 03:10:24:08

And we have clear evidence from both sides as to why you are where you are. And, uh, ultimately, if somebody submits something and then someone chooses not to respond to that or the response is, uh, not substantiated, then that will go forward into our consideration and how we report to the Secretary of State. So hopefully that will give you some reassurance.

03:10:24:10 - 03:10:29:12

But fundamentally we have to assess the application.

03:10:32:21 - 03:11:02:00

In accordance with national policy. The Planning Act is very clear that that's the situation and N1 and M3 clearly apply. And they are the policies that we must, uh, consider the application against. So I'm not sure I can say any more, but I'll just see if the applicant wishes to make any further response. Uh, now, before we move on to just going through the action points.

03:11:03:00 - 03:11:14:15

Thank you, Sir Richard, give us on part of the applicant know, um, as you said, sir, the you have a duty to determine the application, uh, pursuant to the national policy statements. And I've got nothing further to add to your comments.

03:11:15:10 - 03:11:22:13

Okay. Thank you. So, um, I'll just move on then. Sorry, Mrs. Fox, you have your hand raised.

03:11:27:24 - 03:11:55:25

Thank you, sir. The Fox resident of North Clifton. This was just in case you were moving on, sir, before any other business. But fear not, sir, it is not the wider sustainable development development objectives. It's really. If you could remind me, sir. Was it a decision made over the consent being given? If the grid connection is now not going to be till 2031?

03:11:57:14 - 03:12:17:23

I had a leaflet through the post the other day that said it won't be operational till 2031, and if one Earth gets consented to and they start building in 2027, will there be certainty? Because I would hate, you know, holes to be dug. And it wasn't. It was wasted for two years.

03:12:19:07 - 03:12:56:18

Okay. There's no there's no decision obviously, at this stage. Um, I wasn't aware until you just said that, uh, there had been leafleting indicating a delay in the, uh, that separate application. Uh, so I think it would be helpful if the applicant can respond to that and, uh, explain if there are any consequences. They see it to a further delay in the provision of that, uh, substation and the connection point.

03:12:57:06 - 03:13:35:20

Amy Sterling, on behalf of the applicant. Yes, I we will be responding and writing in this at deadline five. Uh, I think there's been some unfortunate confusion. The scheme which has been leafleting is not the substation site. There is a different scheme with a similar name, which is actually an overhead line project, which is due in 2031. The applicant substation site is still due and its grid connection is still for 2029, and National Grid also confirmed that in their most recent submissions, so there has been no change to the date of the National Grid substation into which the project will connect.

03:13:35:22 - 03:13:46:21

It is a separate overline overhead line project which will be delivered in 2031. All of this is already drafted and will be clarifying the position at deadline five.

03:13:47:20 - 03:13:56:27

Okay. That's helpful. Thank you. Um, Mr. Fox, you have your hand raised. Is that a legacy or is it another final point?

03:13:56:29 - 03:14:23:00

Hey, no, it's another point. The, um, I just want to emphasize that whilst I'm here doing all this talking, you do. I want to emphasize the strength of local feeling. And the reason that people aren't here talking is because they're just intimidated by the whole process. But worse, they just believe they won't be given a proper or fair hearing.

03:14:24:22 - 03:14:26:08

Just make that point.

03:14:27:22 - 03:14:58:15

Yeah. I'm sorry that that that's the impression or the feeling that people have. Um, I think all I can do is try and give people the reassurance that we are listening to what people have to say. But also we must recognize that the national policy is what it is, and we must we are obliged to consider the application relative to that national policy. But that doesn't mean to say that people's voices are not heard. They very much are.

03:14:58:22 - 03:15:30:03

And, um, I would seek to reassure you that we are listening to what you're saying, and that's in part why we're going to such lengths in trying to pursue questions, in clarifying matters which are clearly of such importance to you and the local community. Yeah. And, you know, fundamentally, that assists us in examining the case and testing what the applicant is, is saying and submitting.

03:15:30:15 - 03:15:37:14

So I don't question your good faith, sir. It's just the way we've been treated by the applicant from day one. Thank you.

03:15:38:08 - 03:15:46:26

Thank you. Um, Mr. Gross, is there anything further you would wish to say before I just go on to the just going through the action points?

03:15:49:00 - 03:15:55:15

Richard Griffiths, on behalf of the applicant. So I think we can go to the to AOB or the action points. Sorry, sir. And then AOB. Thank you.

03:15:56:01 - 03:16:38:06

Okay. Thank you. So I've just got a list, um, relatively short. And, uh, Mr. Jack may have a few others as well as we've been sort of topping and tailing as we go. So if I start, um, updated commentary on

the revised Fra from the Environment Agency, Obviously expecting an update in DCO from the applicant, and you'll also consider looking at the explanatory memorandum, um, as well, in light of the the points we made, uh, Environment Agency, look at the policies used by them in determining the level of tolerance that you used.

03:16:39:01 - 03:17:11:28

Um, and then the applicant to have a look at how the applicant is calculated, surface water runoff. I think that was an additional point. Uh, Newark and Sherwood district, um, to review deadlines for submission in respect of the sequential test and come back to us on that. And then the applicant to respond specifically to the point that West Lindsey was making. Uh, with regard to the sequential test, and AP 16, I think was the specific site.

03:17:12:25 - 03:17:46:15

Um, applicant's going to have a look at the glint and glare and whether a different conclusion would be reached. Uh, if a different angle of repose was there for the panels and all of these to deadline five. Apart from the glinting glare where it'll come to us as soon as it's able to be done, and Nottinghamshire County, um, going to have a relook at the character assessment in terms of landscape.

03:17:46:22 - 03:18:14:07

And I think, um, that's probably in line with Lincolnshire as well. And the other, uh, authorities represented, or Mr. Brown is representing you so that we can understand clearly the position, um, that the applicant will revisit, um, the statement of ground ground with Anglian Water to ensure consistency in language to protect the hedgerow adjacent to gate G,

03:18:15:22 - 03:18:46:24

um, Nottinghamshire County, to provide the road safety audit policy into the examination and then the applicant to revisit and clarify for us in respect of visibility displays and how speed surveys are to be secured, but also, I think, provide us with greater clarity as to how visibility displays that are outside of the highway and outside of the order limits, uh, would be secured.

03:18:46:26 - 03:19:20:14

If not, what, uh, is the consequence? I think also that the applicant agreed that you would revisit the old and damp to ensure that operationally, the visibility displays were to be maintained, that Nottinghamshire County would revisit the cumulative traffic issues just to confirm their position to us on that. And and the Environment Agency are going to provide a written response to the concerns raised by Mr.

03:19:20:16 - 03:19:35:09

White regarding the cumulative assessment, including any possible consequences for the reservoir, the proposed connection to the reservoir and pollution issues. But Mr.. Jack, do you have any others?

03:19:37:17 - 03:19:41:23

I have, um, so

03:19:43:11 - 03:19:52:24

the applicant to provide references to the Tilbury recommendation report and Secretary of State decision letter on the cumulative effects and conclusions.

03:19:54:11 - 03:20:23:25

Um, but the applicant to provide a response in writing to the timing of the substation planning application following that leaflet that was received by the sparks. Um, yeah, it was also going to and this is as soon as possible deadline. Uh, seek a response from the Trent Valley IDB on commissions, um, so that they could make a submission by deadline five.

03:20:26:03 - 03:20:26:28

And I.

03:20:30:29 - 03:20:35:04

Believe that was it.

03:20:37:03 - 03:20:37:18

Yeah.

03:20:37:20 - 03:20:44:18

Okay. Thank you. So any points of clarification that anyone would wish to have in respect of those action points?

03:20:49:19 - 03:21:00:25

No. Okay. Uh, Mr. Fox, your hand is raised. Is there something else on the action points that, uh, you're looking to raise?

03:21:01:01 - 03:21:02:28

No, that's a legacy hand.

03:21:03:13 - 03:21:06:16

Oh, okay. All right. Thank you.

03:21:10:22 - 03:21:14:10

Mr. Corcoran, I think it's the Environment Agency.

03:21:17:27 - 03:21:18:12

Yeah.

03:21:18:14 - 03:21:21:05

That's right. Mark Corcoran, water resources and Environment agency.

03:21:21:07 - 03:21:22:08

Um, it's.

03:21:22:10 - 03:21:22:25

Uh.

03:21:22:27 - 03:21:23:24

Was just an action on the.

03:21:23:26 - 03:21:26:18

Applicant to make available the water resources assessment.

03:21:26:21 - 03:21:27:06

I think we.

03:21:27:08 - 03:21:27:23

Discussed.

03:21:27:25 - 03:21:28:10

Earlier in the water.

03:21:28:12 - 03:21:28:27

Sources.

03:21:28:29 - 03:21:30:12

Section. Uh, whether that is.

03:21:30:14 - 03:21:31:11

Directly to the Environment.

03:21:31:13 - 03:21:32:21

Agency or as part of.

03:21:32:23 - 03:21:36:08

The, um, the examination library. The document library.

03:21:36:10 - 03:21:38:09

Um, either way, will be absolutely brilliant.

03:21:41:04 - 03:21:42:24

Okay. Thank you.

03:21:46:08 - 03:21:57:04

Okay. So following that additional clarification point from Mr. Corcoran, is there anything further that the applicant would wish to say, um, or is is,

03:21:58:24 - 03:21:59:09

uh.

03:22:01:15 - 03:22:05:26

Hopefully that's that action point list is clear.

03:22:06:28 - 03:22:22:13

Richard Griffiths, one of the applicants. Yes, sir. The action points are clear. Um. And we have no further actions from today. Um, we just want to say thank you very much, sir, for conducting all these hearings in the professional manner that you have, sir. Thank you.

03:22:22:25 - 03:22:53:04

Thank you very much. Um, so, uh, it's been a long day. Uh, just we'd really like to thank everyone for their contributions. I know it can be quite challenging at times, particularly for those who are less familiar with it, but, um, I would have to say, for my part, for those of you who've not used this system before, I think you've come across very well and it's appreciated. So I think, uh, on that final point, it is now just 6:02.

03:22:53:12 - 03:22:59:01

I want to just thank you once again and formally close this hearing. Thank you.

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**FULL TRANSCRIPT (with timecode)**

00:00:05:12 - 00:00:22:27

I think it's just coming up to 22. Three. Can I just check with the applicant before we resume that, you're able to unmute yourself? Um, if that's not the case, you may well need to leave and rejoin. So can we just check that that's working, please?

00:00:23:17 - 00:00:27:23

Amy Stirling, on behalf of the applicant, I believe so. If you can hear me.

00:00:28:02 - 00:00:29:21

Uh, we can. Thank you. That's good.

00:00:31:15 - 00:00:47:10

Fine. So, um, it's now 20 to 3, and, uh, just confirm that the hearing now resumes. Uh, pass back to Mr. Jack to recommence on the hydrology section. Thank you. So

00:00:49:02 - 00:00:49:17

after a bit.

00:00:49:19 - 00:00:55:22

Of jumping around, I think we are now on the flood risk section.

00:00:57:12 - 00:01:15:27

So First and foremost. Couldn't the EA and the LFA please explain? If they consider that the applicant has sufficiently demonstrated that its mitigation hierarchy has been implemented effectively.

00:01:27:09 - 00:01:49:08

Hi Ross Marshall, Nottinghamshire County Council lead local flood authority. I'll jump in first if that's okay. Um, our position as far as surface water runoff is, is considered. We are happy that the applicant has, has, has mitigated any, any detrimental impacts of their proposals on, on surface water across the site. Thank you.

00:01:50:06 - 00:01:54:24

Thank you. Okay. Lincolnshire. Next.

00:01:57:26 - 00:02:11:18

Yes, we are happy that the the proposals mitigate the surface water impact um on from their site on neighboring sites as well. So we're happy that the surface water flood risk is made no worse by these proposals.

00:02:13:14 - 00:02:17:13

Okay. And the Environment Agency, please.

00:02:18:11 - 00:02:50:15

Hi. Sean Holland for the specialist for the Environment Agency. Um, in terms of the hierarchy, we agree that the applicant has locally placed the most vulnerable elements of their, um, development in the lowest risk areas. So this is the best. So the battery storage systems, they are both placed outside of the design flood event. Um, additionally, we feel that the applicant has undertaken, um, many different evidence practices to, um, review the, um, impact.

00:02:50:17 - 00:03:05:00

The development we have. This is specifically on flooding compensation and, um, modeling exercises and things like that currently. We have one outstanding item looking at undertaking some additional modeling, which I'm just going to bring in my colleague Phil to explain.

00:03:06:13 - 00:03:07:12

Okay. Thank you.

00:03:10:18 - 00:03:44:10

Hi there, Philip Sale, on behalf of the Environment Agency. Um, just following on from my colleague Sharon's point. So the applicant has done a volumetric assessment looking at the potential impact of the solar panel support frames on flood risk elsewhere. And they presented some calculations in their latest flood risk assessment regarding increases. Um, we did have discussions earlier with the applicant regarding tolerances, and we did, uh, agree on uh, five mil tolerance as a starting point for looking at increases.

00:03:44:17 - 00:04:19:22

And came to that view really because we thought that would be a threshold where there would be no real perceptible increase in flood risk. But we do recognize the uncertainties, particularly in terms of the solar panel support frames themselves. So that's the applicant to undertake some further testing within the tidal Trent hydraulic model, to provide further spatial clarity on any areas where there might be increases in flood risk. And we'll take a view once that modelling has been undertaken, as to whether the second part of the exception test has been there with regards to increases in flood risk elsewhere.

00:04:19:24 - 00:04:24:23

You can see my colleague Shaun's ground up as well. So I'll just pass it back to Sean.

00:04:25:00 - 00:04:26:00

Okay. Thank you.

00:04:27:14 - 00:04:43:12

I just wanted to check with the inspector. This question. Would you like us to, um, give commentary? Because I know at the last issue specific hearing, we brought four different areas where we were working with the applicant to try and resolve problems. Do you want commentary on how we've now resolved those? If we have?

00:04:43:24 - 00:05:05:20

Yeah. Yes, please. I mean, what I'm trying to establish is, um, that where you are as authorities in terms of happy or not, what what work needs to be carried out? Um, and what is a policy compliant, that sort of thing. I've got a few other questions, but, um, I'll let you. Let's carry on.

00:05:06:15 - 00:05:41:12

Yeah. So at the last hearing, the kind of four major areas that we were had concern over and were kind of discussion points specifically looked at the submerged panels, voided structures, construction phase and interactions with defences. Um, in terms of the submerged panels, we also included the kind of volumetric loss of floodplain within this and the impact that may then have on depth. Um, so since the last hearing, we have now confirmed with the applicant that they will be raising or tilting panels where necessary to have all of panels be above the design flood event.

00:05:41:24 - 00:06:23:27

Um, this has then led to drops in the kind of impact this will have on loss of floodplain. So this is taken the, um, depth differences down to 2.2mm on the west side of the river and then 3.5 on the east side of the river. Um, this is below how what we perceive to be a tolerance of, as I just said, perceivable flood risk. Um, additionally, um, we are still holding, uh, in talks about modeling to understand how this is going to impact flood flow routes and the conveyance of flow, which my colleague Phil just mentioned, um, in terms of lidar structures.

00:06:23:29 - 00:06:56:16

The applicant in their most recent Fra, which I think is going to be submitted at deadline five, has now included additional commentary around the use of voids and why this is appropriate for the site. This majorly looks at kind of the varsity of the floodplain, and how compensation for an inverter station that is in the middle of this floodplain. If the compensation is provided at the edge of the per plane, which is what we would look to do and may not have impact. And it may mean that there needs to be additional alterations to flow routes, which we're looking to do that as minimal as possible.

00:06:56:21 - 00:07:28:17

Additionally, um, they have committed to doing this assessment where they go through and they assess individual stations at the design stage to reduce the use of these void structures. Um, as I said earlier, we're looking to secure this within requirement 22 specifically. And how the specifically worded section of that requirement that secures this. Furthermore, the construction phase, the applicant has added additional mitigation into their Osmf and also mimicked this in their Fra, which looks at kind of the placement of stockpiles.

00:07:28:19 - 00:08:03:21

The, um, necessity to have compounds outside of design events. Additionally, there has been additional information added in about surveying and monitoring of defenses, um, when constructing near them and underneath them. This kind of follows into that last point about interactions with

defenses where the applicant has, um, proposed more, uh, additional commentary around how they're going to mitigate, um, impacts on those defenses about the foundations of these embankments and how they'll monitor and survey them in the detailed design stage to secure those things.

00:08:03:23 - 00:08:18:10

Additionally, as I mentioned earlier, we're looking to, um, secure approval of any detailed designs for those crossings and, um, specifically how they'll interact with the foundations once the surveying has been undertaken under requirement 22.

00:08:20:02 - 00:08:22:02

Okay. Thank you. Um.

00:08:24:14 - 00:08:29:26

So just to be clear, you already have the updated Fra. Is that so?

00:08:30:00 - 00:08:43:06

So we have reviewed the Fra and the current statement of Common Grounds, which has got updated a couple of days ago. Um, is our view of that Fra is based off that Fra that should be submitted at deadline Line five.

00:08:43:08 - 00:08:55:27

Yeah. So will you. So are you in a position to be able to provide, um, commentary at deadline five already on that? Because you've got it. Because you've got it in advance.

00:08:56:12 - 00:09:22:27

Um, we can if we can provide commentary on any changes that we have seen. Um, I think we need to get confirmation from the applicant that they'll do no more alterations, and that the last record that we have seen will be what is submitted. Um, I think from a discussion we had on Monday. So a meeting that we had about the statement of common ground, that was the discussion that was kind of the output of what I heard was we will submit what you have most recently seen.

00:09:22:29 - 00:09:24:00

What you've got. Okay.

00:09:24:02 - 00:09:26:21

Yeah. Um, but we can give a couple more comment.

00:09:26:27 - 00:09:57:06

Yeah. I just think it would help because of, you know, two thirds of the way through the examination and there's still a lot of outstanding issues. I appreciate that. There's, you know, from the examinations perspective, there's lots of outstanding issues because we haven't got this in. Let it go. It's not an examination yet, so I think it would help speed up that process. If you're able to provide commentary, um, saying what you're satisfied with, if there's anything else that's outstanding as well.

00:09:57:08 - 00:09:57:24

Potentially.

00:09:57:26 - 00:10:17:09

Yeah. Um, the statement of common ground that got submitted into examination a couple of days ago does hold commentary of the points that now have been agreed, and also points that are still outstanding in reference to that newest Fra. Um, however, we are happy to provide additional commentary, um, if that is necessary.

00:10:17:18 - 00:10:36:17

Yes, please. Yeah. That's good. Um, and one other question, though, is the point made that further modelling is being undertaken to do. Is that modelling? Do they or is the applicant undertaking that themselves? Is that or is that something you do on behalf of the.

00:10:37:06 - 00:10:59:07

Applicant is on this modelling. Um, from sorry. You can ask them if you want, but from my understanding, this is still being undertaken. Um, and we are awaiting results from them, which, depending on those results, they may need to be more discussions had about if there is more mitigation necessary. Um, however, that will all depend on what the outputs are.

00:11:01:03 - 00:11:07:23

Great. Okay. Thank you. Um, Mr. Fox, you have your hand raised.

00:11:10:29 - 00:11:15:19

I do, I've got four distinct points. Do you want them all together or one at a time?

00:11:16:03 - 00:11:18:03

All together? I think please.

00:11:18:05 - 00:12:02:11

Okay. Firstly, um, I, I find the response of the Nottinghamshire, um, County Council confusing because, um, Acorn. Yes. Acorn on their behalf actually um demanded much further moderate on surface water and surface flooding. Have they discounted that or forgotten it? Secondly, the two measures on the east and west. And they both the applicant and the Environment Agency seem to have forgotten that the water limits are dissected by a river and therefore the two figures need to be added together, giving you an actual floodplain loss of 5.7.

00:12:04:20 - 00:12:24:08

And and third, and fourthly, why are other people saying this other Fra when why the preference to the um, Environment Agency? I think the legal aid to flood authorities should certainly have advanced coverage. And I think I should thank you.

00:12:25:09 - 00:12:38:04

Thank you, Mr. Fox. Um, does anybody want to come back on the points that have just been raised there by Mr. Fox. Nottinghamshire County Council. Perhaps I could start with you.

00:12:40:19 - 00:12:58:08

Thank you sir. Ross Marshall, Nottinghamshire County Council lead local flood authority. My understanding is that any additional modelling that had been asked for has been carried out and that we've reviewed that and we're okay with the outputs from that. I will take that away for clarification, sir, and provide it in writing afterwards if that's okay.

00:12:58:18 - 00:13:02:00

That is fine. Thank you very much for that occasion.

00:13:06:26 - 00:13:10:16

Uh, Miss Holland, would you like to come back?

00:13:11:09 - 00:13:43:09

Yeah. So this was in reference to the 2.2 and 3.5mm increases. Um, so the reason for this, these two numbers not being added together and not equalling the 5.7 is Mr. Fox has just referenced is because this is to look directly at the increases in depth on both sides of the river. It's not an increase overall as, um. There will be different impacts on the two dissected sections of the river. So on the west and east side there will be different impacts depending on the loss of floodplain on those sites.

00:13:43:20 - 00:14:09:02

Um, this is specifically looking at the number of panels that are in those sections of floodplain on either bank of those rivers. Um, and they do not need to be added together to give an overall, um, difference. They should be kept separate as they are looking at the specific depths on either side, not as an overall, um, calculation. I know my colleague Phil has just put his hand up. He might be able to explain it a little bit better than I have there.

00:14:09:19 - 00:14:12:02

Mr. Sayle, would you like to carry on that?

00:14:16:26 - 00:14:46:27

So for the environment, you can see. Yeah. So we've got the applicant to do a volumetric assessment which is presented in there for a um, the reason it's split up is because whilst. Yeah, the, the two sites are bisected by the River Trent, they didn't come in and dated at the same time. So we thought it best to undertake the calculations based on those separated flood cells for the eastern and western floodplains to give an indication of level increase. But having said that, as I say, such calculations do carry some uncertainty.

00:14:46:29 - 00:15:19:07

So we have asked the applicant to do some further testing within the tidal Trent model, which will hopefully provide a bit more spatial clarity on where any increases might be with respect to the order limits and also more widely up and down the Trent. Um, so should help to be able to provide a bit more clarity on things like cumulative impacts and the like. So yeah, we're just waiting on the outputs of that modelling that the applicant, um, said that they're undertaking. As I say, we've not seen anything yet, but we hope that will be presented in forthcoming flood risk assessments.

00:15:19:17 - 00:15:55:08

Um, in terms of the volumetric assessment that the applicant has undertaken. They've assumed conservative parameters in terms of, some of the in terms of the calculation. So just as an example, they've assumed all panels slid to a depth of 1.8m and that the solar panel support frames themselves occupy of sort of size 250 mil by 250 mil. The reality is, the actual depths across the eastern and western flood plains in the design flood event, and also the credible maximum scenario are lower than that.

00:15:55:16 - 00:16:27:24

Um, so exactly. So just by way of example, these are average depths on the eastern flood plain, the average depth in the design flood event for the River Trent, which is the 1 in 100 year plus 39% climate change allowance, which reflects climate change uplift for the 2018 epoch, which is a period from 2017 to 2125, uh, the average depth across inundated panel areas is around 0.5m in the design event and then in the in the western floodplain.

00:16:28:08 - 00:17:01:14

Oh, sorry. That's the eastern floodplain. Sorry. It's 0.7. And the western floodplain is around 0.5m in terms of average. And I appreciate there's variance in that. And you'll get higher and lower levels, but that just gives a bit of a flavour. The applicant has taken a simplistic approach to the calculation on the basis of conservatism, but also in terms of understanding depths fully in volumetric displacement, because the final detailed design isn't known. It's not possible to sample the depth to the panel support legs because their exact placement isn't known.

00:17:01:16 - 00:17:35:01

So I think that's one of the reasons why the applicant has taken that conservative approach in terms of their volumetric assessment. But as I say, we're not in a position yet to say whether we agree, whether the risk off site is, uh, not increased. Um, and the second part of the acceptance test is met or not, because we're just waiting on the outputs of this modelling assessment, just more widely in terms of other solar farm developments, we don't anticipate large significant increases from the solar panel support frames themselves as water can move freely below them.

00:17:35:20 - 00:18:11:00

Um, so we anticipate no real impact. But as I say, we're just waiting on that modelling to provide some further spatial clarity and reduce any uncertainties that that might be. If it is that we sort of anticipate that there'll be any notable changes in flood level beyond the site order limits. Um, we can of course, look at mitigation, but we don't anticipate that that would be a technically challenging, uh, given the nature of the displacement by these sort of solar panel support structures themselves. So things like basin scrapes within the site would potentially be able to offset any impact.

00:18:11:02 - 00:18:22:14

But as I say, at this present point in time, we don't anticipate large increases upstream and downstream of the site, um, or impacts to third parties. But as I say, we're just waiting on that modelling clarity.

00:18:22:25 - 00:18:27:09

Yeah. Thank you, Mr. Fox. You have another point to make.

00:18:38:25 - 00:18:44:04

Mr. Fox. Do you have a point to make on, uh, on this topic?

00:18:47:06 - 00:19:24:00

I'm doing the microphone thing again. Um, sorry. What about the additional items such as fencing, fence posts and other items that the, um, Mr. Maude mentioned earlier? When are these going to be taken into the calculation? And having allowed the applicant to move up when they miss things out last time, are we going to move the, um, tolerance up again if they if they've missed things out this time and we missed the point on why the EA are getting an advance copy up in nobody else's fray.

00:19:24:03 - 00:19:28:00

I think that breaches every rule. Rule that you work against.

00:19:30:02 - 00:19:35:29

Thank you. Thank you. Does the applicant want to come back on any of the points made there by Mr. Fox?

00:19:38:03 - 00:20:13:24

Uh, Craig fights on behalf of the applicant. Um, with regards to the fencing point, um, I think it's useful to refer back to, um, Mr. Sales, um, comments from the EA. Um, in the assessment, the volumetric assessment undertaken to date is conservative in its nature. Um, you know, we've taken extremely conservative, uh, assumptions with regards to flood depth and, uh, column sizing. Um, the fencing that's proposed across the site is deer fencing. Um, so is very is highly likely to have a, you know, extremely negligible, um, impact on any flood volume assessment.

00:20:13:26 - 00:20:17:28

Um, so that's the basis of, um, of why the fencing isn't included.

00:20:20:13 - 00:20:21:06

Thank you.

00:20:24:20 - 00:20:55:20

If I may, sir, if I can respond to some of the earlier points made. Amy Stirling, on behalf of the applicant. A couple of confirmations, as it were. Um, just to confirm, yes, that modeling work is ongoing and we're continuing to engage with the Environment Agency, and we will, of course, report into examination on the conclusions of those discussions with the Environment Agency as soon as we can. Uh, we can also confirm that, yes, we are submitting the update of flood risk assessment at deadline five.

00:20:55:22 - 00:21:40:17

It will be assumed, by the Environment Agency and that they've commented on in their statement of common ground. There are likely to be some minor additions following this hearing. We've made some comments about reviewing the wording in the flood risk assessment and ensuring it's fit for purpose. And I also understand there has been a request for an additional sort of sentence or paragraph to be added by Nottinghamshire County Council that we will add, but it shouldn't be. It will not be materially different from what the Environment Agency have already reviewed and commented upon. And then finally, at just to confirm that, yes, we are waiting to hear on the Environment Agency's

preferred wording for requirement pointed to, and we will engage with them proactively and quickly to seek to agree that wording as soon as possible in the examination.

00:21:41:08 - 00:21:44:19

Thank you. Can I just clarify on the modelling?

00:21:46:25 - 00:22:16:13

Is that is there a chance that that could be in at deadline five? It's just it's quite important I think for the examination. Um, because there's a lot of issues that could either be resolved or still remaining. Um, once we know about the modelling, um, you know, and I think, as I said, we just a short time ago, we're two thirds of the way through examination. So it would be good to get that in as soon as possible.

00:22:18:01 - 00:22:43:24

Amy Stirling, on behalf of the applicant and I wouldn't want to give you false hope. So I understand that, no, it's not possible for the modeling to be completed and checked and discussed with the Environment Agency in advance of Wednesday next week. Um, but we are conscious of the remaining time left and examination. So our intention is that as soon as it is ready after next Wednesday, that we would submit it to the examiner authority sort of directly. We wouldn't wait till deadline six.

00:22:44:09 - 00:22:46:17

Okay. Thank you for that, I appreciate that.

00:22:50:10 - 00:22:55:03

Uh, Mr. Fox, is your hand still up or is it still up?

00:22:55:06 - 00:23:03:09

Um, sorry, but I struggle with the definition of conservatives. We're putting this thing on a floodplain. Is that conservative?

00:23:07:17 - 00:23:08:10

Thank you.

00:23:20:12 - 00:23:24:12

A question for the Environment Agency. Um.

00:23:26:08 - 00:23:29:23

Um. Oh, sorry, Heather. Mrs. Fox.

00:23:37:06 - 00:23:38:27

Oh. Sorry, sir.

00:23:40:21 - 00:23:42:10

My camera doesn't seem to me. Oh.

00:23:46:21 - 00:24:30:16

Thank you, sir. Heather Fox, resident of North Clifton. Just to refer to the hydraulic modeling back in the virtual meetings between the EA and one Earth, hydraulic modeling was dismissed because it was considered too coarse to reflect any, uh, influence that the solar panels would have on direction of flow. So I'm interested to know, after we decided on the quantifiable effects, why hydraulic modeling has suddenly become acceptable, and who's going to be doing it, and why would it be different now than it should have been back in 2024? And also, they assert that they have been conservative in their calculations.

00:24:30:24 - 00:24:53:25

When the EA asked initially it was for a 600mm freeboard, they let that slide to 300mm. Now, this confusion over inverters and PCs, as far as I'm concerned. Inverters are sensitive electric equipment and surely they deserve the 600 millimeter freeboard.

00:24:55:12 - 00:25:08:01

So I don't really understand how across the site it went down to 300. And given the sheer volume of inverters in the floodplain, I'm surprised. Thank you sir.

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

Thank you. Um, does the applicant want to respond to the points raised there by Mrs. Fox?

00:25:30:11 - 00:26:05:17

On behalf of the applicant. Um, just to cover off, um, the first point, I think, on the on the modeling. Um, yes, there is, uh, in initial discussions, there was reference to it being a course model. Um, however, through discussions with the Environment Agency more recently and they have asked us to do that. Um, so we're acting sort of on, on behalf of the request from the Environment Agency to, to undertake that modeling. Um, however, I'd like to refer back to what Mr.. Well, Mr. Salle was suggesting in that it's not anticipated that there will be a significant effect as a result of, um, the updates to the hydraulic modelling.

00:26:05:19 - 00:26:08:03

Um. Thank you.

00:26:09:07 - 00:26:13:17

Thank you. Um, Mr. Fox?

00:26:16:07 - 00:26:17:26

Have you got an additional point?

00:26:18:00 - 00:26:31:02

Yeah. Just one final wonder. Aren't that the. There are plenty of models around that, uh, that, um, would capture the relative water flows, etc., if they were prepared to use them.

00:26:33:17 - 00:26:34:11

Thank you.

00:26:47:15 - 00:26:50:25

Now, question for Mr. Sale.

00:26:52:11 - 00:26:53:11

Is your hands up?

00:26:55:26 - 00:27:29:25

For sale on behalf of the environment. Um, just in reference to the title Trent hydraulic model, uh, would probably be useful just to give a bit of background as to what that model sort of looks like. I guess so it's, um. It's a one. What's called a 1D 2D link title like model. It extends from just downstream of Newark Linthorpe Bridge to the confluence with the Humber Estuary, uh, incorporating the entire stretch of the tidal River Trent and some portion of the fluvial River Trent. It also incorporates the Foss Dyke through to Lincoln.

00:27:30:11 - 00:28:00:28

Um, the floodplains represented using a series of regular cells, um, the elevation of which are represented using an aerial surveying technique called um, which is based on light detection and ranging data. LiDAR. Um. Mrs. Fox is writing that the model is fairly coarse, in that each cell has a 25 meter by 25 meter grid resolution, so it's not possible to explicitly represent the solar panel. Support frames themselves within that grid.

00:28:01:00 - 00:28:38:26

Given the coarse nature of the grid, um, but that's the case for many, many models across the country that represent flood risk. Even if you go down to, say, one metre resolution, you still wouldn't be able to explicitly represent solar panel support frames. But there is there are approaches that you can use to represent the blockage of solar panels, support frames within the cell. So we've asked the applicant to undertake what's called a user flow construction approach essentially. And what that does is it blocks a portion of the cell side to reflect the, the, um, blockage of that, um, solar panel support structure with respect to the cell size.

00:28:38:28 - 00:29:15:14

And that's a commonly used approach in terms of establishing any loss of conveyance in the floodplain. But we will, of course, review the hydrologic model and the results once submitted by the applicant. And part of that review will look at any sensitivities associated with the representation. And what that mean might mean for model results in terms of increases in level more widely, what the results from that model will give you is a baseline picture of the dress. So say for example, the design event which is 100 year plus essential climate change and also with development scenario for the hundred year plus central climate change.

00:29:15:19 - 00:29:53:10

And you can do a comparison between those and produce a water level difference map, which will show any increases in depth, and also any areas which might have been dry in the baseline but become wet in the proposed scenario. So hopefully that will give us the spatial clarity we need to understand if there are any increases and where they are located. But of course, role modelling in any assessment with these sorts of things, there are uncertainties. And yes, you're absolutely right, it's not

possible to explicitly represent things. However, we're mindful of those uncertainties and sensitivities and will bear that in mind when we undertake the review and take into account any sensitivities, essentially.

00:29:54:28 - 00:29:55:24

Thank you.

00:30:09:09 - 00:30:20:23

So as we're talking about, um, tolerances and modeling and the level of potential, uh, increase in flood waters. Um,

00:30:22:13 - 00:30:26:03

oh, this is box. It's got your hand up. Sorry.

00:30:29:05 - 00:31:01:07

Thank you. Sir. Heather Fox, resident in North Clifton. I did actually asked why was it considered all right now to be doing the hydraulic hydraulic modeling when it was dismissed back in 2024? And we went to the quantifiable amount that quantifiable route. And also this business of slipping from the 600 to the 300 millimeter, that was 300 millimeter for trap debris. And yet now we're saying Insignificant. I'd like to know how that has come about.

00:31:01:09 - 00:31:02:03

Please, sir.

00:31:05:17 - 00:31:10:23

Thank you. Who is best placed to respond to that query?

00:31:13:10 - 00:31:17:19

Thanked the applicant. Let's start with the applicant.

00:31:21:00 - 00:31:52:01

Craig Bates, on behalf of the applicant. Um, just to address the, um, model being sufficient point. Um, so the yes, the in initial discussions with the Environment Agency, um, it was agreed that the, uh, volumetric assessment would be sufficient. And that's still something that is, um, considered appropriate, um, and applicable. Um, however, as a sort of referred to previously, the Environment Agency's request, um, is now to incorporate the hydraulic modelling. Um, and Mr..

00:31:52:03 - 00:32:23:27

Mr. Steyer has obviously covered, uh, the reasoning behind that and how what the sort of high level approach is, um, on the free board point. Um, in this very initial discussions with the Environment Agency regarding 300mm freeboard, um, a discussion around 600mm was um had um however, the ultimately the agreement with the Environment Agency and I will let them comment. Um however I understand that they are comfortable they are comfortable with that 300mm, um being provided across the site.

00:32:23:29 - 00:32:24:20

Thanks.

00:32:26:11 - 00:32:27:04

Thank you.

00:32:30:10 - 00:32:34:08

Uh, Miss Holland, do you want to add to that?

00:32:34:10 - 00:33:08:13

I will add to you the 300 millimeter and 600 millimeter issue. So originally, the 600 millimeter is what we start with when we go across on all projects to start as a starting basis line for freeboard, as this is the standard. Um, it mitigates a lot of issues when you have that freeboard in place, as I think it was stated earlier, this normally looks at 300ml consideration debris and 300ml to take into modelling and tolerances, modelling inaccuracies, tolerances, things like that. However, once extra work can be done and once design parameters are taken into place.

00:33:08:15 - 00:33:43:20

So specifically here we have the open structures of the voids and the size and shaping of them. So they are big open voids. Um, commitments to maintenance and clearing of them. Additionally, the amount of um modelling that has been undertaken and the review of that modelling can then contribute to us feeling we can allow a lower freeboard to be included. Um, it's a combination of all of these things, which is why we're now working with the applicant on a 300 mil freeboard.

00:33:43:25 - 00:33:46:25

Um, I hope that kind of clears it up a bit.

00:33:48:12 - 00:33:52:01

Okay. Thank you. Uh, Mrs. Fox.

00:33:58:19 - 00:34:29:26

Thank you sir. Heather Fox, resident of Clifton. So I asked the applicant again, why is hydraulic modeling considered acceptable now when it could have been done in September 2024? And they were asked so disingenuously at issue two when the request for the flood flow routes went in. They said, we'll get back to the EA and see what the requirements are, that the request for flood flow routes has been going on since the pier. Thank you sir.

00:34:30:25 - 00:34:31:18

Thank you.

00:34:34:19 - 00:34:53:18

So on the topic of, um, the modeling and the assessment, the flood risk assessment, uh, the five millimeter Metre tolerance that has been used. Um.

00:34:55:04 - 00:35:30:04

We would just like a bit of clarity on how. Um, any increase in flood levels in flood zones two and three is acceptable in relation to the policy test set out in Mbps M1. That's the first. So that'll be for

the EA first please. And then secondly, how will why is a five millimetres five millimeter model tolerance appropriate for development located in flood zones two and three? Thank you.

00:35:35:24 - 00:35:36:24

Mr. Salle.

00:35:44:22 - 00:36:15:12

Philips health and environment. Um, as a sort of described previously. We did have discussions with the applicant, um, regarding calculation tolerance and also, uh, what might constitute a negligible increase in flood risk. And we did agree a five mill threshold. What I should say, though, is that is not a threshold to that is not a headroom that you can increase flood risk to. It was associated with any calculation error. Um, and any sort of volumetric assessment that the applicant has undertaken.

00:36:15:18 - 00:37:01:12

Uh, the calculated values are that the applicant has pulled together based on the volumetric assessment or lower than that. But as a just to reiterate, we're not saying that that is what the applicant can increase the risk to. Uh, and indeed, I think in terms of the requirement wording, it will not focus on that five metre threshold. It will be very much that, yeah, it shouldn't increase the risk beyond the what's been calculated already. And also we'll wait to see the outputs of the hydraulic modelling. Um, there is no prescribed tolerance threshold that the Environment Agency has historically, there has been sort of a rule of thumb value of around ten mil prescribed, which relates to the water level tolerance parameter within, with many different types of hydraulic modeling software.

00:37:01:21 - 00:37:38:16

What is the environment? We don't have a prescribed threshold. Um, the rationale for that is that every site is different, presents different, uh, constraints. Uh, the information available in terms of modeling is different. So we assess things on a case by case basis. Um, the only organization that does have a prescribed tolerance threshold, I believe, is Natural Resources Wales, which is to two decimal places when quoting displacement or changes in values to a meter. So in essence a five mil threshold. Um, but yeah, as I say, we're just waiting on the the modelling really to understand the impacts more widely.

00:37:38:26 - 00:38:14:21

Um, just on Mrs. Box's earlier point around sort of modeling, we did discuss modeling early on in the application, and some initial volumetric assessment with the applicant showed lower and much lower increases in the level. But more recent Fras have shown sort of the 2.2 and 3.5m that we've seen now, um, with solar arrays. Um, it's not like sort of ground level raising where there's sort of concentrated volumetric displacement and large, uh, areas of volume in the floodplain that would deflect flow.

00:38:15:12 - 00:38:51:16

Um, so there are uncertainties. And we felt that, um, given the uncertainties and the placement of the solar panels within flood zones two and three, it would be prudent to explore the impact within the hydraulic modeling. As I say, they're still going to be, um, uncertainties with the outputs of that. It's not perfect, given that you can't represent the panel support frames explicitly in the model, but it will help us understand any variance in water level, upstream, downstream and within the development itself and provide us that depth difference mapping, which will give that that clarity.

00:38:52:18 - 00:39:19:13

Okay. Thank you. That's helpful. So I just trying to understand the fact that this proposed development is in flood zone two and three. The five millimeter tolerance is acceptable despite does it vary for different flood zones? Yeah, I'm just trying to understand how that would work. I think probably, Mr. Sayles probably the best place to answer that. Or Miss Holland? Yeah.

00:39:20:29 - 00:39:49:11

And so just in this case, this tolerance is specifically in reference to the volumetric calculations that they have undertaken. So it's not necessarily prescribed to a certain flood zone or a certain type of development. It is prescribed to that calculation that they have undertaken. So the work they have done to look at the loss of floodplain due to the solar panel legs and Um, the stills from the inverter station. Uh, voids. And then the calculations that they've done, done to, um, convert this into a depth difference.

00:39:50:18 - 00:39:55:17

Okay. Thank you. Um, Mr.. So I've got another point to add to that.

00:39:58:21 - 00:40:00:15

No apologies. That was a legacy end.

00:40:00:17 - 00:40:04:10

Okay. Thank you. Um, Mr. Morden, you got a question?

00:40:04:22 - 00:40:05:20

Yeah. There's a there's just.

00:40:05:22 - 00:40:06:07

A couple.

00:40:06:09 - 00:40:21:24

Of points that raised from the conversations that have just been taking place. Um, Mister Sally, you made a reference to, uh, land raising. And now that's briefly referred to in the Environment Agency statement of Common Ground. Um,

00:40:23:11 - 00:40:25:15

that the.

00:40:25:21 - 00:40:26:09

In dealing.

00:40:26:11 - 00:40:27:24

With some of the inverter stations.

00:40:27:26 - 00:40:28:27

Potentially.

00:40:29:11 - 00:40:33:26

Um, how is that being considered in the consequential effects.

00:40:33:28 - 00:40:34:14

For.

00:40:34:20 - 00:40:35:22

Either flood.

00:40:35:24 - 00:40:36:24

Storage or.

00:40:37:09 - 00:40:40:27

Other effects on on surface water or flood.

00:40:47:07 - 00:41:21:01

On behalf of the Environment Agency. So in terms of the invert stations, my understanding is that land raising isn't proposed at the moment. The invert stations would be raised on voided structures, um, which are accounted for in the volumetric assessment within the latest version of the flood risk assessment. Um, I do understand, however, that it potentially may move away from voided structures to land raising, in which case we would be looking for cost associated compensatory flood storage for that. But, um, I can see my colleague Sean Holland has got a hand up as well.

00:41:21:03 - 00:41:25:13

So I'll just defer to Sean just to see if he's got any additional points to raise.

00:41:25:26 - 00:42:13:05

Yeah. Just to add on to this one. So within the current fray, they have assessed all inverse stations needing to be stored in voids as seen as the worst case scenario. Um, obviously we view it as being the last option for flipping a coin, for compensating for loss of pain. Um, through discussions with the applicant. It is sounding like when we get to the design stage, if there are options to, um, use different forms of mitigation. So i.e. land raising, this would be those inverter stations that are available closer to the edges of floodplain and um, where level for level, volume for volume, floodplain compensation can be provided on the edge of the existing floodplain and will have the necessary impacts and will be provided to have the necessary compensation.

00:42:13:09 - 00:42:40:06

And this is what we'd look for them to do. If there is those design changes where instead of going for the worst case scenario avoidance structures across all inverter stations, they find actually they can use the land raising instead. Um, this is something that I think the applicant is looking to explore at the detailed design stage, and something that we're going to going to look to secure under requirement 22 two. And they'll be quite specific requirements in that.

00:42:42:05 - 00:42:42:20

Okay.

00:42:42:22 - 00:42:43:10

Thank you.

00:42:43:16 - 00:42:59:24

Can I just then revert back to the applicant in terms of your description of development? Um, the issue of land raising. Where is that, um, set out? Is it just an associated development section or is it somewhere else?

00:43:17:19 - 00:43:27:29

Amy Stirling, on behalf of the applicant. Yes. I would suggest that this is covered by associated development bracket M, which includes earthworks.

00:43:30:03 - 00:43:34:06

That's something we could take away and confirm to you. Obviously no hitting note. In any case.

00:43:35:26 - 00:43:37:26

I think that would be helpful. But also.

00:43:41:28 - 00:43:49:26

Again, understanding the parameters where this could occur would be helpful. So it might be also.

00:43:49:28 - 00:43:50:16

Worth.

00:43:50:18 - 00:43:51:23

Thinking about how.

00:43:51:25 - 00:43:52:27

You would address.

00:43:52:29 - 00:44:07:15

That. It could only take place in the areas that the Environment Agency have indicated, so that we have the clarity as to what it is that we're understanding is taking place within the areas of flood risk.

00:44:14:16 - 00:44:43:07

Amy Stirling, on behalf of the applicant. I'm not sure we'll be able to commit to identifying where this mitigation might be delivered, because that is a detailed design element, of course, that the detailed design will be signed off by the relevant local planning authorities and in consultation with the Environment Agency. In reviewing the updates to the AfD, which were submitting at deadline five, we will consider whether there is any clarity that we can provide on this point.

00:44:44:21 - 00:44:45:25

Okay. Thank you.

00:44:49:07 - 00:44:50:24

I'll revert back to you, Mr. Jack.

00:44:50:26 - 00:44:51:19

Thank you.

00:44:55:18 - 00:45:00:07

Thank you. Um, Mr. Fox, do you have additional points?

00:45:02:01 - 00:45:25:08

Yes. Two, actually. Um, firstly, the I'd like to know under Water act. Uh, what? Where under the act does it give the Environment Agency any permission to give any tolerance in these circumstances? I thought zero meant zero. Secondly, I think the Environment Agency's own guidance make clear that that this

00:45:26:27 - 00:45:40:09

Um, millimeters tolerance is purely for, um, working with a model. But once you come down to the final frame, there has to. There has to be zero. There should be no allowance.

00:45:42:02 - 00:45:42:24

Thank you.

00:45:45:00 - 00:45:47:15

Thank you, Mr. Walker. Have you got any

00:45:49:05 - 00:45:50:17

point to make on this?

00:45:51:25 - 00:45:53:15

Oh, yes. It's, uh, Mrs. Walker.

00:45:54:11 - 00:45:54:26

Sorry.

00:45:54:29 - 00:45:57:06

That's all right. They're both here. So.

00:45:57:08 - 00:45:57:25

Yeah.

00:45:58:24 - 00:46:31:01

I mean, obviously I'm not an expert on water, but I think nobody's mentioned about the two metre deep concrete plinths that the units are going to sit on, which are below ground and obviously flood waters. Water goes into the ground. So if we've got a large number of the units within the flood zones,

which has been stated, then surely the two metre concrete bases that are down into the ground Aground. The size of the pieces. Units that will also have an impact on the floodwaters.

00:46:32:10 - 00:46:34:21

Have they been taken into account in the modeling?

00:46:36:12 - 00:46:45:24

Okay. Thank you. So if I can ask the applicant response to Mrs. Walker's point. First, please.

00:47:09:27 - 00:47:45:16

And on behalf of the applicant. Um, yeah. With regards to any sort of pad foundations for the pieces, um, they will be localized to those areas where, where, where we have the pieces. Um, and the reality, I think in the or the reality in a flood event of this, um, nature as in within the design flood event. Um, water isn't really infiltrating or water wouldn't fully infiltrate to the ground. And the reality is, it will drain back naturally towards the watercourses and be that the ordinary watercourses within the order limits, um, or the River Trent.

00:47:45:20 - 00:47:51:05

Um, yeah. So I think the, the view on that is that they will have a negligible impact.

00:47:52:11 - 00:48:01:26

Thank you. Um, I can now turn to the EA. I'm not sure who would be best placed to respond to Mr. Fox's points.

00:48:02:05 - 00:48:08:16

So I think this will probably be best for us to take away and put into writing a response for specific policies.

00:48:09:10 - 00:48:10:04

Thank you.

00:48:36:22 - 00:49:00:21

Question for the Environment Agency first and then the the local flood authorities. Can you please explain that you consider that the applicant has demonstrated. Nope. Sorry. That's fine. Can you just the EA. Sorry. Can you please explain your current position on whether you consider the reduction in flood storage capacity as a result of the proposed development is acceptable?

00:49:04:22 - 00:49:34:25

Hi, Sean Holland for the Environment Agency. Um, I think we've kind of highlighted in previous discussions how we see that the increases at the, uh, have been presented are within tolerances for calculations. Additionally, with the mitigation, the applicant has looked to present. So this will be, um, raising all panels above the design flood event and placing all battery storage system units outside of the design event. Additionally, with the um.

00:49:36:27 - 00:50:05:23

Mitigation they're putting in place when it comes towards designing around defences and stuff and the works near there, we feel that the mitigation is presented and the calculation and evidence of the impact their um, development may have has been appropriately mitigated and the specific compensation that may be necessary or not necessary in this case, as it's shown, that the increases in depth are below what we see as being a negligible impact.

00:50:08:06 - 00:50:10:12

Okay. Thank you. Um.

00:50:17:21 - 00:50:35:15

I'd just like to query your use of the word negligible, if I could. Miss Holland. Um, how does that relate to the policy test in MPs, and how so? Yeah. Go on.

00:50:35:18 - 00:51:20:16

Uh, currently, at the moment, we are not saying that we fully agree the applicant has passed the exception test. We are still waiting for modelling to provide additional evidence and to clarify where these increases may sit and specifically what impact they may have. Um, currently, on the information that we have, we feel that the evidence provided in these calculations, the differences that are shown are within the tolerances that would be presumed by doing these calculations. So they will have negligible impacts because they are within the tolerances of doing calculations. Additionally, we feel that the applicant has taken a conservative approach when calculating these differences and evidencing the changes in depth on their site, specifically, as referenced earlier, about the looking at the worst case scenario for all the panels.

00:51:20:18 - 00:51:31:06

So having that 1.8 um, height instead of, as my colleague Mr. Salle said, um, an average of 0.5 and 0.7.

00:51:32:26 - 00:51:38:27

That's the evidence that we feel goes into looking at this measurable impact.

00:51:39:20 - 00:52:11:16

Okay. Thank you. So if I could just read you a paragraph 5.8.12 or NPS, m1, it states development should not be should be designed to ensure that there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage, and any deflection or constriction of flood flow routes should be safely managed within the site.

00:52:11:27 - 00:52:27:16

Mitigation measures should make up as much use of possible natural flood management techniques. That has that does your. In your opinion is that um policy requirement being met.

00:52:27:28 - 00:53:03:21

So currently, as we're still awaiting more information from this modeling that will directly relate to flow routes, it will also directly look at impacts off site and give even more detail about if more mitigation is necessary. I don't think we can say we are fully accepting that that has been met because

we are still awaiting that information and still awaiting outputs from that. Depending on the information we then get from that, I think we can see a solution where necessary mitigation can be provided. However, we will need to wait for those outputs to decide if the applicant has already provided it or if they need to do additional work to provide it.

00:53:04:12 - 00:53:38:01

Okay, sorry, and I'm going to read another bit of policy out for you. Sorry. That's good. Um, so The paragraph 5.8.41 uh states that energy projects should not normally be consented within flood zone three B or C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding, for example surface water.

00:53:38:08 - 00:54:03:12

However, where a central energy infrastructure has to be located in such areas for operational reasons, they should only be consented if the development not result in a net loss of bloodstained flood plain storage and will not impede water flows. I know that you're going to say you need to know the outcome of the of the modeling and the assessment.

00:54:03:17 - 00:54:28:12

So, yeah. Um, so all development is being outside of the flood zone. Three B there is no development being proposed within flood zone three, so it kind of negates that conversation as all development is being paced outside of it. Um, I don't know if that then answers the rest of the policy. Um, or if there needs to be more detail given because again, I know I've said we need to wait for that modeling to come through.

00:54:28:21 - 00:54:59:04

Yeah, okay. That's fine. I think what I would ask is that when this modeling has been submitted to the examination, if we can have some sort of assessment from you in terms of what your views are on, on that, on the impacts of it within and without the outside of the site, but also the, uh, policy test, I think need to be whether they have been, in your opinion, they have been met.

00:54:59:21 - 00:55:15:21

Yeah. I think our plan is for as soon as the modeling comes through, depending on the outputs, we will give a full opinion on whether we think mitigation is required or not. And then this then relates directly to whether we think they have passed the second part of the exception test. And we will give comment on all of that.

00:55:15:26 - 00:55:20:00

Okay. Thank you, Mr. Fox.

00:55:20:09 - 00:55:41:02

Just before you go to Mr. Fox. Uh, Miss Holland, I think you need to think beyond the exception test. The NPS policies that Mr. Jaques quoted to aren't just talking about the exception test. Uh, I think if you go back to the NPS and look at those relative paragraphs, they're looking more broadly. The exception test.

00:55:41:04 - 00:55:41:19

Is.

00:55:41:21 - 00:55:48:17

Is another element that again, we'll we'll talk about in due course when we're reviewing the sequential test elements.

00:55:49:05 - 00:56:04:09

Yeah I understand that. And we will respond to all bits of the policy in national policy statements.

Um, in addition to specifically talking about whether we think they have passed the exceptional test as well. It was more just to add on that single reference as well as the policy itself.

00:56:04:14 - 00:56:04:29

Okay.

00:56:05:01 - 00:56:05:16

Thank you.

00:56:08:03 - 00:56:09:24

Thank you, Mr. Fox.

00:56:09:27 - 00:56:38:27

Yeah. Two things. Um, firstly, um, we now have three negligibly. Um. 5 million in it's own 5 million. It's own right is negligible. We've got the fences that now are going to be excluded. And what was the point that Mrs. Walker brought up? So it's adding up. Okay, the third thing is the second thing rather is the it's. I'd be very interested to see the written comments by the Environment Agency on, um.

00:56:41:01 - 00:56:56:09

How they get how a model tolerance and zero tolerance overall is thing because they're just intellectually, um, not compatible and they're certainly contrary to their own guidance. Thank you.

00:56:56:16 - 00:56:57:12

Thank you.

00:57:00:25 - 00:57:02:06

Okay. So.

00:57:24:05 - 00:58:10:17

Amy Stirling on behalf of the applicant. Sorry, sorry. I wasn't sure if you were going to come to us next. I just thought it was important to note that the applicant simply agrees with the submissions by the Environment Agency on this point in relation to the levels of tolerance and them being negligible. Our view is that negligible is the covenant of none and the policy statement given, it would, as I understand it, as a non-technical expert, be almost impossible to have none. And if you're putting anything in the ground. And I also just want to reiterate the point that the Environment Agency made, that there are no solar panels or inverter or PCCs in there, other name being located within the functional floodplain and flood DB, and therefore paragraph five 841 of NPS M1 is irrelevant.

00:58:10:21 - 00:58:11:13

Thank you.

00:58:12:12 - 00:58:15:15

Thank you for that, Mr. Fox.

00:58:16:04 - 00:58:21:12

The whole point is that you shouldn't be putting anything in the ground in in a flood plain. Thank you.

00:58:23:00 - 00:58:26:18

That's the whole point of the act and the tolerance and the.

00:58:29:00 - 00:58:30:18

Guidance. Thank you.

00:58:50:12 - 00:59:01:12

Amy Stirling, on behalf of the applicant. I guess I would just make the point that there is nothing in policy which states that you cannot locate a solar farm within the flood zones. It's important to note that as a matter of record.

00:59:02:03 - 00:59:02:27

Thank you.

00:59:11:05 - 00:59:19:23

Okay, so has anybody got any further points on this that they would like to raise? Or shall I move on?

00:59:21:26 - 00:59:23:04

Mrs. Fox?

00:59:26:06 - 00:59:27:03

Thank you sir.

00:59:32:02 - 01:00:28:10

Oh, gosh. Sir, I'm just not accustomed to this virtual business. I can, I can speak. Oh, thank you sir. I'd just like to go to the EA responses to examiner's questions too. And they referred to capacity in square meters. And if they could explain that. Because as far as I'm concerned, capacity is cubic. And in the other, another answer from the um, in regard to the defenses. I just wonder how. Doing a detailed, um, survey equates to mitigation because it says specifically, the applicant has committed to understand undertaking surveys at the detailed design phase, which will provide additional detail to the to the condition and composition of the embankments, which in conjunction with the proposed construction practice, will mitigate for any impacts.

01:00:28:12 - 01:00:53:16

How does the survey mitigate mitigate for impacts? And additionally, the applicant is committed to monitoring the condition of the embankments for the construction phase to ensure any impacts may be

identified ASAP and additional additional mitigation required. So I would like to know why is it any monitoring for the construction phase as well? Please. Thank you sir.

01:00:55:23 - 01:01:04:24

So I start with the EA. Um, start to respond to the points made about meters squared.

01:01:05:14 - 01:01:30:06

Yeah. For the Environment Agency, um, meter squared is a typo. It should be meters cubed. Um, apologies, that is my fault. I put the title in. It should be meters cubed. Capacity is meters cubed. Um, in specific remarks that is looking at the capacity that will be lost, um, or the capacity of floodplain that will be taken up by the solar panels. Um, was that everything for the first part of the question? Before we talk about the.

01:01:30:18 - 01:01:34:23

I think I talked about I think we can move on to that now.

01:01:34:29 - 01:02:07:04

Okay, cool. Um, in terms of the construction phase, um, when we reference the surveying here, it's specifically so they know the structure of the embankment. So this was specifically looking at the foundations, how deep they go, where they're specifically placed, so that when they do their designs for going underneath them and the crossing underneath, they know specifically where they need to avoid. and they can give the necessary distance between the base of those embankments and where they're going to put their cable crossing to ensure they do not have impact. Um, to go on to this, then to go into the monitoring situation.

01:02:07:06 - 01:02:52:05

Um, this is talking about, um, both um, above ground construction phase. So this will be looking at kind of all roads that may need to go near and movement of things above ground. Additionally, it will be to do with the drilling underneath. And this is to look at the vibrations that may be caused by those and to monitor if it has any impact on the stability of these embankments, so that if there are any, they see any instability, instabilities at all. They can as soon as possible stop all construction, and they can put the necessary mitigation in place to a repair, whatever damage it may have done, and also change practices to ensure that any continue construction going forward does not have any, um, impact and does not hinder the, um, stability of these embankments.

01:02:52:22 - 01:03:19:04

Specifically, we have had, um, commitment of this in the Fra to doing these surveys and to this monitoring. More detail of this will be included in the Construction Environmental Environment Plan. Once they have confirmed exactly where this crossing will be. And again, with the detailed design stage, doing these surveys will give more information about how they may interact with the underground aspects of these flood defences.

01:03:20:08 - 01:03:21:00

Thank you.

01:03:28:29 - 01:03:37:10

Amy Stirling, on behalf of the applicant, um, just in the interest of time, um, I just to confirm that. Yes, thank you to the Environment Agency and we agree.

01:03:38:10 - 01:03:39:03

Thank you,

01:03:40:20 - 01:03:41:21

Mr. Fox.

01:03:44:20 - 01:03:47:16

Still under the. We're still in the flood risk, I presume?

01:03:48:12 - 01:03:49:03

Yes.

01:03:49:06 - 01:04:09:25

Okay. How exactly is the amount of mitigation, um, decided for the, um, to stop surface water flooding? How do you actually decide how much is needed? I'd like to ask the applicant to say exactly how they calculated it.

01:04:11:09 - 01:04:14:03

Okay. Thank you. Uh, the applicant would

01:04:15:28 - 01:04:17:19

respond to that, please.

01:04:19:04 - 01:04:41:02

Amy Stirling, on behalf of the applicant. I'm not sure we entirely understand the question. So. So it's we're now talking about surface water. Uh, but perhaps you could explain, elaborate. Or perhaps we could put the response in writing, and we can respond, because, again, you're just conscious of timing. The number of environmental topics will start to get through.

01:04:41:04 - 01:05:04:20

We need to address these issues properly. The, um, you don't just sell a bit of seed and inside. It'll stop the water surface water. We need to know that the mitigation is going to work. Now, it's not a question of ticking a box. It's a knowing of no question of knowing how much water is coming off and determining exactly how much mitigation you need. So how do you calculate it?

01:05:08:06 - 01:05:08:26

Thank you.

01:05:11:27 - 01:05:16:24

That is an action point for the applicant to respond in writing to that point. Thank you.

01:05:25:18 - 01:05:37:20

I think I've got one last question on flood risk, which was in the deadline for submission, uh, from the environmental agency.

01:05:39:24 - 01:06:19:22

The response to execute 12 .0.1 and states The applicant has stated that the area of floodplain, which is to be lost due to the footprint of the converter stations, may be difficult to compensate, but on a level for level basis due to the topography of the land and the vast floodplain, may mean compensation is not provided within the vicinity of the floodplain lost. So, can the applicant. Um, just expand on this, please, and provide some details on where compensation will be located.

01:06:19:29 - 01:06:20:15

Thank you.

01:06:29:05 - 01:06:46:04

On behalf of the applicant, um, I think that, um, question has largely been answered by the Environment Agency already. Um, we would have to be it would have to be confirmed that detailed design, but it's anticipated that any compensation that can be provided and would likely be sort of along the fringes of the design. Flood risk. Extent.

01:06:48:08 - 01:06:50:28

Okay. Thank you. Um.

01:06:53:24 - 01:06:55:26

So I think that's.

01:06:58:23 - 01:07:18:18

There's the issue on flood risk. If there's nobody else, uh, with anything they want to raise. Okay, well, we'll move on to water resources. You know, we went because we've done water resources. We move on to the sequential test. Um.

01:07:22:22 - 01:07:23:29

This is Walker.

01:07:26:22 - 01:07:27:23

A hands raised.

01:07:32:12 - 01:07:32:27

Hello?

01:07:33:02 - 01:07:38:16

It's Mr. Walker. I've just got a point to raise on the flood risk, if that's okay.

01:07:38:22 - 01:07:40:06

Yes. It is. Uh.

01:07:40:20 - 01:07:43:07

Just in regard to what the applicant said. Uh.

01:07:45:10 - 01:08:16:16

When they said there were, uh, there were, uh, nothing stopping them, uh, doing a development on, uh, floodplain, uh, just in the guidance for the, uh, NSP, uh, solar farms. It does say that they should. Uh, sure that there is no, uh, alternative, uh, sites in, uh, lower flood zones.

01:08:17:06 - 01:08:24:20

Uh, uh, they have to we have to look back to when the examining authority asked, uh.

01:08:26:28 - 01:08:30:10

The, uh, applicant to, uh.

01:08:32:20 - 01:09:14:08

Provide, uh, information on how they, uh, ruled out the other possible areas, uh, around the their ten mile exclusion zone, uh, around the, uh, uh, substation. Uh, and they've chosen not to respond to that. Uh, it is that is that going to stay as it is? Are they going to be are they are they going to not respond to it, or are there going to be pressed further?

01:09:18:02 - 01:09:19:09

That's it. Thank you.

01:09:21:04 - 01:09:26:04

Thank you, Mister Walker. Um, the applicant. I'd like to respond, please.

01:09:27:19 - 01:10:11:23

Amy Stirling, on behalf of the applicant. Yes, sir. I think this is, um, actually is the correct agenda item to speak to. This is in relation to the, uh, sequential test. The applicants position it is has appropriately applied the sequential test in accordance with the policy and MPs in one the NPF and the Planning Practice guidance. As we have evidence in the documents already submitted into examination, including the planning statement, the Sequential Exception test Assessment, the Sequential and Exception test assessment as explained orally at the last issue of specific hearing as input in writing and the applicant's summary of issue specific hearing to and as most recently responded at deadline for and the applicant responds to the second written questions.

01:10:12:13 - 01:10:51:02

We have provided a lot of detail, so I will summarize briefly as evidence in those documents. The applicant did consider flood risk as part of its site selection process. It also considered other environmental and technical factors as it is required to do, to identify the site location disclosed at initially ten kilometre distance from the point of connection. In accordance with standard practice, it was then increased through the documents that I've already referred to to 15km to widen the search area in the search for alternative sites.

01:10:51:10 - 01:11:30:09

We then carried out a sequential approach to the scheme design, as has already been referred to specifically by the Environment Agency, to ensure that we have located sensitive infrastructure in the lowest areas of flooding. We then, in this sequential and exception test, assessment and addendum, carried out an assessment of alternative sites and whether or not they could deliver the scheme in areas of lower flood risk, and concluded there were no alternative sites. That is our position, and our position is that we have complied with this sequential test and that we have evidence, deaths and the examination to date.

01:11:31:15 - 01:11:34:00

Thank you for that. Um,

01:11:35:24 - 01:11:45:01

so I'm conscious of time and the fact that there have been extensive discussions on the sequential test. Oh, um.

01:11:48:19 - 01:12:24:22

So I think instead of going through lots of questions, I think what I would ask is that each party. So the councils. Um, can you provide a just a clear statement on the latest position on the sequential test following the submissions made, um, at the deadline up to deadline for. Has anything changed your position? Essentially. So if I start with, uh, West Lindsey, please.

01:12:31:09 - 01:12:38:06

Uh, yes. Thank you. Russell Clarkson, West Lindsey district council. Um, we we still do have.

01:12:38:08 - 01:12:38:23

Concerns.

01:12:38:25 - 01:12:42:12

Around the sequential test, really. And it's really a.

01:12:43:29 - 01:12:44:14

Lack.

01:12:44:16 - 01:12:45:01

Of detail.

01:12:45:03 - 01:12:47:23

It's something we raised at issue two, and that's and that's.

01:12:47:25 - 01:13:20:26

Sort of the language around how that has been approached. Given the example the, the since published addendum. Um, we look at a site Apr 16 and it tells you within the report that this is predominantly within flood zones two and flood zones three. As such, it's not assessed as, as it's not sequentially preferable to the application site. When you then look at the drawing and images at the rear to the eye, it looks like it's not predominantly within zones two and three.

01:13:20:28 - 01:13:55:15

Uh, it looks like two thirds of it at least are in flood zone one. And one of the things we think would help a lot more is if we had a clear comparison between the sites. We had raised this in our deadline three response, and I have seen the the applicants response to that. But the importance of the test and this is what it says in the N1 and what it says in the planning practice guidance updated is it is to steer new development to areas with the lowest risk of flooding. When you're looking at sites at what the sequential test originally begins with over 980 hectares.

01:13:55:23 - 01:14:28:15

You're not going to find a site 980 hectares in lowland Lincolnshire that doesn't involve some element of flood zones two and three. It really does become the extended proportion of that. And the applicant does set out that 46% of the site is influenced by one, but that means more than half of it, 54% in zones two and three. And it therefore needs to be clearer when we're looking within that sequential test assessment, what some of these sites do. And they're going to pick out AP 16. We don't have a detailed assessment of that.

01:14:28:23 - 01:14:58:02

They've dismissed it as being predominantly within zones two and three. It looks to the eye within the drawings. It's predominantly one extending westward into zones two and three. Again, it's not overly clear on the map alone. To the north and south are areas of flood zone one, and there may be very good reasons that that's not reasonably available, but that's not clear. Within that sequential assessment, it looks that there is areas at lower risk of flooding around there that needs to be transparent because

01:14:59:20 - 01:15:25:09

we are concerned that seems to be being applied retrospectively, and this is a genuine prime policy approach to ensure that we only build in the flood zones if we need to, before we get into the flood risk elements and the exceptions test. First and foremost, we are seeking to avoid and build in those areas of lower risk, having gone through both the sequential tests and its later addendum. We're still not satisfied and comfortable that that's been demonstrated. Thank you sir.

01:15:26:06 - 01:15:32:27

Thank you for that. Very clear. Thank you. And move on to Newark and Sherwood District Council, please.

01:15:39:10 - 01:15:41:01

Newark and Sherwood district council.

01:15:41:04 - 01:15:42:00

Sir, we.

01:15:42:02 - 01:15:42:27

Provided.

01:15:42:29 - 01:15:43:24

A written response.

01:15:43:26 - 01:15:50:07

At deadline for on this matter. I suppose the questions are similar to to what was posed.

01:15:50:12 - 01:15:51:02

In the second set.

01:15:51:04 - 01:15:52:10

Of written questions.

01:15:52:12 - 01:15:53:12

I don't think.

01:15:53:14 - 01:15:54:02

We'd wish to.

01:15:54:04 - 01:15:54:19

Add.

01:15:54:21 - 01:15:57:27

Anything materially new now to that written submission. The only.

01:15:57:29 - 01:15:58:14

Thing I would.

01:15:58:16 - 01:16:03:01

Say is that we'll perhaps go away and review.

01:16:03:03 - 01:16:03:21

The applicants.

01:16:03:23 - 01:16:19:15

Deadline for submission, and see if we have anything further to add as a result of that. For for deadline five, because we haven't had the opportunity to review the applicant's submission at deadline for as of yet. So that's the only thing I'd like to add at this stage.

01:16:19:17 - 01:16:25:18

Thank you. Okay. Thank you. And I appreciate that. Thank you. Uh, Lincolnshire County Council. Please.

01:16:27:08 - 01:17:14:16

No, thank you. Stephanie Hall, Lincolnshire County Council. So you had, um, our updated position in answer to your examining authority's question two. Um, the only point I would add to that is you asked the question. I think about the interrelationship between CNP infrastructure and flood risk, uh, sequential testing. And, um, I'm sure you'll be well aware. Um, but obviously the answer to that point

lies in paragraph 4.1.7 of the N-1, um, which essentially says that, um, you know, for projects that qualify as critical national priority infrastructure, whilst there is a sort of amended balance in that it's likely that residual, um, harms will be outweighed that that balance is supplied.

01:17:14:27 - 01:17:49:26

Um, where the harm relates to um, there's a list of, of, of points but public safety, defence defense, etc.. And at the end of that paragraph, it says that the same exception applies to this presumption for residual impacts, which present an unacceptable risk to or unacceptable interference with offshore navigation or onshore to flood and coastal erosion risk. So onshore flood risk is kind of exempted from that CNP policy. So we would say that if there's a failure of the sequential test and or exceptions test that um, being CNP doesn't benefit the applicant.

01:17:51:09 - 01:17:52:00

Thank you.

01:17:52:08 - 01:18:24:09

And Amy Stirling, on behalf of the applicant. Can I please just one to that point. So because I think we're conflating perhaps the sequential test and the risk of flooding, which is are not the same thing. I referring specifically to paragraph 4.1.7. What is Miss Hall refers to? Um, I agree with her description, but the description is not relevant to the discussion on the sequential test. We have had the discussion on flood risk, the applicant's applicants position, the lead local flood authorities position and subject to modeling.

01:18:24:11 - 01:18:38:00

We anticipate the EA's position is that the scheme does not result in an unacceptable flood risk. Therefore, that presumption in favour of the scheme and its classification of CNP development CMP infrastructure is not is not affected.

01:18:39:11 - 01:18:58:29

Thank you for that clarification. While you're responding to points which I had to respond to, the point raised by West Lindsey District Council on, um, the languages and the presentation of the criteria to, uh, reject sites.

01:19:00:11 - 01:19:41:14

Amy Stirling, on behalf of the applicant. Yes. So briefly, I would, uh, refer to the planning practice guidance and specifically where it says the sequential test should be applied proportionately, focusing on realistic alternatives in areas of lower flood risk that could meet the same development. Need. We also have not sought just a single site that could accommodate the entire development. We have taken a flexible and realistic approach as set out in the sequential test and the addendum, including looking at smaller sites that could be combined to deliver the same development needs, and also excluding areas of, for example, green infrastructure that are an applicant.

01:19:41:16 - 01:19:57:05

So they're not integral to the scheme design. So we have entirely complied with the policy and the planning practice guidance. We can provide more commentary on EPC 16 specifically and our response to hearing's summary.

01:19:58:20 - 01:19:59:11

Thank you.

01:19:59:26 - 01:20:00:20

Thanks.

01:20:00:27 - 01:20:05:06

So Nottinghamshire County Council, I think the last authority that I need to go to.

01:20:07:17 - 01:20:43:15

Wheeler and Nottinghamshire County Council. Yeah. Likewise with the other local authorities. We responded with our position on this in response to the examining authority questions to, uh, I haven't much to elaborate on here. I think my colleagues at the district councils and at Lincolnshire County Council have articulated many of the same issues that we've raised. So I don't need to repeat those. Uh, in relation to the small sites issue that's just been raised by the applicant. That was one point we picked up upon on our response to the essay questions to and the extent to which, you know, that assessment has been properly carried out to look at a number of alternative sites in accordance with the PPG.

01:20:44:00 - 01:21:01:06

Uh, there is reference to two smaller sites being considered in the, uh, in the addendum that the applicant produced, but, um, not much more than that. And I think that's a question that could be explored further, but I don't have anything much to add beyond what's been said in our submitted response.

01:21:01:24 - 01:21:06:01

Thank you for that, Mister Rogers. Uh, Mr. Box?

01:21:06:10 - 01:21:23:01

Yeah, and there's simply not enough detail to to judge whether or not the, uh, smaller sites have been properly assessed. For any for anybody to assist other than the applicant. We need the information to judge that properly. Thank you.

01:21:23:18 - 01:21:25:17

Thank you. Um.

01:21:27:23 - 01:21:32:09

Anybody else have anything they wish to raise on sequential tests?

01:21:38:12 - 01:21:40:23

Thank you. Okay, so.

01:21:45:15 - 01:21:49:17

Moving on to the exception test.

01:22:10:12 - 01:22:39:27

So again, trying to, you know, bear in mind the conversations that have already taken place on sequential test, um, following submissions at deadline four and all the other documentation up to that. What is the opinion of councils and the EA on the applicants approach to the exception test? Let's start with the EA.

01:22:46:15 - 01:22:48:05

For the Environment Agency.

01:22:48:10 - 01:22:50:10

Yeah, I've just realized what you're going to say because.

01:22:51:22 - 01:23:20:26

Yeah, I think I really kind of referenced this. Um, we will only comment on the second part of the exception test. And as we said earlier, we're still waiting on that modeling to then say if we feel they have passed it or not. Um, the evidence that they've provided and, um, the mitigation they're looking to put into the construction phase for the defences, Answers. We feel it is satisfactory for what's been provided so far, and again, we cannot give full comment on whether we think it has sufficiently been passed or not and fully complies with policy until we have that modelling.

01:23:21:12 - 01:23:22:22

Okay. Thank you.

01:23:24:21 - 01:23:30:05

So, Lincolnshire County Council. You know, any comments on the exception test?

01:23:58:23 - 01:24:03:11

Perhaps if Lincolnshire aren't responding, if we move on to Nottinghamshire County Council.

01:24:06:28 - 01:24:11:02

Will answer Nottinghamshire County Council, and now said nothing further to add from us on the exception test.

01:24:12:13 - 01:24:13:03

Thank you.

01:24:15:13 - 01:24:18:16

And do West Lindsey have anything further to add?

01:24:24:08 - 01:25:01:09

Good afternoon, Sir Russell Clarkson, West Lindsey District Council I think the only thing from our position is when it comes to the exception to test, it's only engaged once we're satisfied. The sequential test has been met. Certainly on what we've seen, where we're not there yet. If we were to give the benefit of the doubt that that's that's a reach and agreed of the two elements, we would really defer to, to the advice in terms of the first bit, the wider sustainability benefits. But the second bit, you

know, we heed the comments of the Environment Agency and local authorities about not being satisfied yet that it demonstrates demonstrably met that second part of the test.

01:25:01:11 - 01:25:04:22

So we would defer to them in that regard. Thank you sir.

01:25:06:09 - 01:25:07:02

Thank you.

01:25:11:26 - 01:25:14:03

And then Newark and Sherwood.

01:25:19:06 - 01:25:20:02

And you can. Sherwood.

01:25:20:15 - 01:25:33:00

Nothing further to add a similar to what I presented in relation to the second sequential test. So we've already made written comments. Um, we'll take a further look at it, um, for the next deadline.

01:25:34:27 - 01:25:35:21

Thank you.

01:25:42:13 - 01:25:42:28

Okay.

01:25:43:00 - 01:25:50:20

So I can't see any other hands raised. Did anyone else have any issue on the exception test? Mrs. Fox?

01:25:53:29 - 01:26:25:28

Thank you sir. Heather Fox, resident of North Clifton. This is a question I've put in deadline for to the applicant. According to point 16 630 of chapter 16 Human Health AWP stroke 6.6.1. The is volume two, chapter seven. Hydrology and hydrogeology. AWP stroke 6.7 considers flood risk and ensures there will be no increase of site considering this statement.

01:26:26:00 - 01:26:46:17

How does the applicant to propose to ensure that the increase remains on site? That we've already established there is an increase, irrespective of the tolerance that they've been assigned. There is an increase and it has to go somewhere. So how are they ensuring that the increase remains on site?

Thank you sir.

01:26:48:01 - 01:26:48:23

Thank you.

01:26:49:00 - 01:26:50:19

And Mr. Fox.

01:27:06:26 - 01:27:08:16

Is there anything further you want to.

01:27:08:18 - 01:27:20:22

Sorry. Yeah. Sorry. Microphone again. Um, I just want to I won't have an add to this. If I can get an assurance at this time, I'm going to get a proper response to my deadline for submissions.

01:27:22:11 - 01:27:22:29

Thank you.

01:27:25:03 - 01:27:33:02

Um, I'll come back to the applicant then. I'm on the point that Mrs. Fox has raised. And also, um, how are you proposed.

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

To.

01:27:33:21 - 01:27:37:15

Respond to Mr. Fox's deadline for submissions, please? Thank you.

01:27:38:22 - 01:28:09:14

Amy Sterling, on behalf of the applicant, I would suggest that we respond to both points in writing, and we will, of course, be responding to Mr. Fox's submissions as we do all other deadline responses where relevant, and we can respond to Mrs. Fox this point in writing, I don't think there's any suggestion that, um, all water would remain on site. I think that that is the tolerances we've been discussing to date. But as general pointed out, the applicant has any more submissions to make on the topic of of flooding or hydrology, I should say.

01:28:10:03 - 01:28:10:18

Okay.

01:28:10:20 - 01:28:11:10

Thank you.

01:28:11:14 - 01:28:25:22

Now it's obviously just coming up to 4:10. And we still have transport landscape and cumulative matters to go. But I'm told my colleague Mr. Jack's teams has crushed.

01:28:25:24 - 01:28:27:16

So. Um.

01:28:28:02 - 01:28:35:13

Just can I clarify with parties present uh, weather uh, taking a break.

01:28:35:15 - 01:28:36:00

Now.

01:28:36:03 - 01:28:36:18

For.

01:28:36:20 - 01:28:52:00

Say, ten minutes and then concluding the relevant, uh, other elements of the agenda is going to be convenient for you, or would you rather seek to, uh, press on? So I just just seek views quickly.

01:28:52:18 - 01:28:54:06

Sir Richard Rivers on the applicant.

01:28:54:08 - 01:28:55:12

The applicant is happy to press on.

01:28:55:14 - 01:28:57:27

We do have a deadline of 6:00 for one of our consultants.

01:28:57:29 - 01:28:58:14

On.

01:28:58:16 - 01:29:00:14

Cumulative. So if you envisage.

01:29:00:21 - 01:29:01:06

Doing.

01:29:01:08 - 01:29:01:23

Cumulative.

01:29:01:25 - 01:29:02:10

Past.

01:29:02:12 - 01:29:02:27

6:00.

01:29:02:29 - 01:29:04:24

We ask respectfully if you could pull that forward.

01:29:04:26 - 01:29:05:17

Please.

01:29:06:14 - 01:29:07:07

Okay.

01:29:07:29 - 01:29:39:20

All right. Well Mr. Jack was going to lead on transport. So, um, because he's currently not, uh, able to do so, I'll move on to landscape and we'll come back to transport, um, the landscape and visual, uh, section. Now, obviously, um, we have discussed this in some detail previously, but I'm just mindful that there still appears to be some quite, uh.

01:29:42:00 - 01:30:21:11

Big differences between how the applicant has approached the assessment and those that, uh, some of the councils have presented and how it should be done. Um, and so really, what I want to try and understand is whether, um, the positions that have currently been taken are. Is there any likelihood that things are going to be, uh, brought forward and resolved, or, uh, do we take it that the positions are now set? Is there any further discussions on the landscape assessments being undertaken? Now I just come to the applicant first in on in that regard.

01:30:22:19 - 01:30:23:06

Thank you sir.

01:30:23:09 - 01:30:24:22

Sam Griffiths, on behalf of the.

01:30:24:24 - 01:30:25:16

Applicant.

01:30:25:19 - 01:30:29:06

Um, things have progressed quite substantially in recent weeks, probably since the last.

01:30:29:08 - 01:30:29:28

Hearing.

01:30:30:04 - 01:31:15:03

Uh, such that now you'll see in the most recent statements of common ground with Lincolnshire County Council, Nottinghamshire, um, you know, you can share with them Bassetlaw. Um, the majority of items are now now marked as agreed, with the exception of two, which we do have a definitive, uh, position on, which are both marked is not agreed. Um, and that's detail within the. So there are more points outstanding with West Lindsey. However, following a productive meeting last week and another one scheduled for Monday, I think it's fair to say we are all anticipating reaching a firmer conclusion in the very near future, and that may actually be influenced by some of the discussion that we anticipate having this afternoon, based on the agenda that was published.

01:31:15:23 - 01:31:16:16

Thank you.

01:31:17:04 - 01:31:19:29

Okay. That's helpful. Thank you. Um.

01:31:22:16 - 01:31:23:03

The.

01:31:27:28 - 01:31:37:05

So in in terms of the distinction between the parties on the assessment of, uh, the broader character.

01:31:37:07 - 01:31:38:03

Areas.

01:31:38:05 - 01:32:01:02

Um, and the possible effect on regional character areas, which I think was the concern previously set out in the, uh, addendum to the Lincolnshire County Council local impact report by the um. Landscape consultants. Uh. Has that matter now been resolved?

01:32:02:16 - 01:32:15:10

So I've got this, uh, on behalf of the applicant. Um, yeah. The impacts on both all landscape receptors and all visual receptors is now marked as agreed between the four authorities that I just mentioned. The exception being West Lindsey to date.

01:32:16:18 - 01:32:22:27

Okay. So if I'm then come back to West Lindsey particularly, um,

01:32:24:22 - 01:32:36:21

to your concerns then on the broader cumulative and uh, character assessment remain, and are you able to give us any further detail as to why that is the case?

01:32:43:12 - 01:33:21:25

Russell Claussen, on behalf of West Lindsey, um, I would say our conversation we have been in a lot of discussion with the applicant on these matters, is probably more focused, less on the sort of wider regional and national character assessment areas and impacts, but is probably a bit more focused on the specifics of the development within our site, particularly around, uh, best location and substation location and things like that. So I would say our ongoing discussions with the applicant are probably a bit more focused than the broader issues with the landscape assessment.

01:33:21:27 - 01:33:22:17

Thank you sir.

01:33:23:27 - 01:33:24:20

Okay.

01:33:25:18 - 01:33:26:03

Um.

01:33:28:08 - 01:33:52:04

I'll move on and to try and understand from, uh, West Lindsey then, because the second point on the agenda is the suitability of the siting of the eastern substation and the drafting of current parameters.

Have you managed to progress your, uh, outstanding concern in that respect or does Just like that again. That remain a point of contention for you?

01:34:01:07 - 01:34:05:04

I can ask the Mr. Clarkson whether that's the situation.

01:34:05:25 - 01:34:39:13

Thank you, Sarah Clarkson, West Lindsey District Council, uh, we are in discussions about that. And the applicant has been providing further information we're reviewing, and we are looking to progress within the the statement of common ground. Uh, whether we're able to resolve that is, uh, is it a matter we're very much of the view that we think there are benefits in at this point, narrowing down the positioning of the substation to the most easterly position within its area. Uh, that is something we think would go a long way to to reducing our concerns.

01:34:39:15 - 01:35:06:11

We think dropping it down because of the topography would, would benefit. Um, So I mean, I think that's that's predominantly where we are. We, we have been having some discussions with the applicant with that. I know they, they have been sharing some information which we've been asking for, for instance, cross-sectional drawings, which we're hoping, you know, the applicant may be in a position once they've developed to, to to share with the wider examination. Thank you sir.

01:35:07:21 - 01:35:13:18

And so Sam Griffiths for the applicant just on that. We'll be happy to do that. Now if that would be of use to you sir.

01:35:14:09 - 01:35:17:04

Yes. That would be helpful. Thank you. To understand the position.

01:35:17:06 - 01:35:48:13

Thank you. So that would just be brought onto screen. But just as they are. Um, to to echo what Wesleyan's you've just described there this matter this question relates to the siting of the eastern substation specifically which will not go through not go over all ground. But for your reference. Um, our approach to the siting of substations was set out in the submission of the design approach document, which is rep wrapped to hyphen. 021. Pages 43 and 44.

01:35:48:20 - 01:36:21:09

Taking account of the Horlock rules, and then also several project specific parameters which this plan speaks to. Um, the first of which is, of course, siting the substation outside of the design flood event. Um, but then also we set ourselves project specific distances to position the substations at least 300m from residential dwellings. Um, and then also 100m from public rights of way. Um, and so on the eastern side that we're looking at here of the of the order limits.

01:36:21:14 - 01:36:45:27

Um, just to help you get your, your eye and you'll see that the diagonal blue lines. Um, that shows the extent of the designed flood event. Um, and then you've got the blue circles, which are the 300 meter

offsets from residential dwellings. And the thicker black outline, um, shows the extent of work. Number three on the eastern side, which my colleague is just tracing on the screen for us. There.

01:36:46:09 - 01:36:47:21

You see that? Thank you.

01:36:47:23 - 01:37:19:18

Now, I think everyone's familiar with the fact that work number three, then, um, currently seeks the flexibility to site the substation anywhere within that footprint. And the green box shows the footprint of the substation, which could go anywhere within that black outline. And that footprint is secured by the outline design parameters. Now, the conversation with West Lindsey that's just been referred to to date has been focused on where in that black area should the green box be sited essentially.

01:37:19:21 - 01:37:51:16

Um, it's worth noting that you'll see quite quickly from this plan. There's actually relatively few areas on the eastern side of the site that that substation could be located. It could go further north, but then it starts to stray closer to an existing dwelling. It could go further west. But then we start to go to the A123 and more elevated ground, which goes against the the principle of trying to reduce that visual impact, which is now the subject of the discussion. So my colleague might just switch to the cross section on the screen that was just referenced.

01:37:51:18 - 01:38:23:04

And this is taken from it illustrates the view from the A1. 133 you see with the the two cars and the and the person stood there, uh, as if they were looking eastward towards this area. And you'll see, the little spotlights on here in red shows that the land gradually falls away from the A1. 133 hence way uh works area three is not located in that first field. And then just what's emerging on screen now shows the existing water treatment works that you may be familiar with on the eastern side of the A1.

01:38:23:06 - 01:38:54:10

133 that's currently there, there's a proposed and emerging development just behind them, the proposed nitrate treatment building that we can see on screen. And as we continue across, um, we will find, um, two versions of the substation, one if it were shown as it was on that plan a moment ago in the West, and this one here, as if it were shown on the East, which we are seeking flexibility for and have indeed assessed. And that green line that we can see running across consistently shows that eye level.

01:38:54:17 - 01:39:29:05

And we feel that this section demonstrates that whilst of course the the substation would be located slightly further down the hill, if it were on that eastern side, the difference is negligible, and it certainly wouldn't change a threshold of whether it would be a difference between a level of visual impact. In Elvia terms, um, and we are, um, currently proposing and have had this discussion with West Lindsey, that the project would continue seeking that flexibility to site the substation within the footprint of Works area three.

01:39:29:08 - 01:39:59:15

Um, because you may recall that within this area, we're also proposing. Yes. Um, and that's quite a detailed design piece that needs to be taken forwards, so we would see it as unduly restricting that flexibility at this stage. Um, it should also just be noted, finally, um, that the um, requirement five of the draft DCO, um, is specifically there to inform the council's and seek their agreement and contribution to detailed design. And so I think this is a very good discussion to be had.

01:39:59:17 - 01:40:08:24

Um, I think it's one that should be picked up post consent, um, through detailed design, and all authorities would have their chance to contribute in this way at that point of the process.

01:40:10:24 - 01:40:11:09

Thank you.

01:40:11:11 - 01:40:21:18

Okay. Thank you. That that that that information presumably is going to come in at deadline five. Is it that section plan and the other plan you've just displayed?

01:40:21:21 - 01:40:28:08

That's right. I suspect it'll be appended to the written summary, but we'll make sure it's in the examination deadline. Uh, library at deadline five. Yes.

01:40:28:27 - 01:40:30:25

Okay. That's helpful. Thank you.

01:40:35:11 - 01:41:06:21

Okay. So that really deals with that, that second point on the landscape in terms of the suitability of the siting of the substation and the drafting of the current parameters. Um, I understand, uh, West Lindsay's point and I understand the response that you're making. So we'll see where those additional submissions take us. So if I can then move on to exploring the mitigation proposed along the A11 33 and a 57. Um, and what, um.

01:41:09:18 - 01:41:45:03

The information we got at deadline for you made a revised or an appendix to the glint and glare assessment, which gave us greater clarity on the proposed boundary treatment that might be necessary, um, for, uh, shielding users of those two roads. Um, and if I've understood that correctly, you're now proposing a ten meter setback from the highway for solar panels.

01:41:45:17 - 01:41:48:10

Is that for both roads? Can you clarify?

01:41:50:01 - 01:42:13:10

Sam Griffith, on behalf of the applicant, it is for both. It's for all roads, but for clarity. Sir, it's the the fences, are we the quote actually from the outline design parameters that was added, which says that fences installed to mitigate glint and or glare impacts will not be located within the first ten meters of a highway boundary, so that specifically fences rather than solar panels in this instance.

01:42:14:25 - 01:42:16:21

Okay, so go on sir.

01:42:16:23 - 01:42:25:13

Sorry. Yeah. So so effectively all the solar panels obviously be behind the fencing, but that fencing is still potentially up to four meters high.

01:42:27:11 - 01:42:30:00

That's correct. So up to four meters high. Yes.

01:42:30:02 - 01:42:43:29

Yeah. And, um, that fencing is then intended to stay until such time as the planting in front of it has matured sufficiently that the fencing is no longer required.

01:42:46:03 - 01:43:19:17

And you may be about to come onto it in your summary, but the key change to flag is the one that. Whereas before there was 5585m of fencing proposed, there is now it's been reduced to 1037. Importantly, of which 240m is proposed along the A1 33 and 315m is proposed along the A57, and the remainder is along the disused railway line, occasionally used for training and which is not so visible.

01:43:19:24 - 01:43:28:04

And so there has been a substantial reduction. There's one instance of a fence along the A1 133 and one instance along the 57.

01:43:28:21 - 01:43:29:12

Yeah.

01:43:29:18 - 01:43:58:00

And the assumption of the glitz and glamour assessment is that a 15 degree tilt is, um, been used in terms of that assessment. Now, obviously the actual DCO has a variance that you can use between 15 and uh, so either 20 or 25 degrees. I'm not remembering off the top of my head. Can you clarify for me that that 15 degrees is the worst case scenario for the lens and glare?

01:44:05:19 - 01:44:14:24

So I would just introduce, um, Ian, um, who is our glinting glare specialist who's, uh, dialing in remotely, who's probably better placed to answer this question.

01:44:15:00 - 01:44:15:21

Thank you.

01:44:20:12 - 01:44:28:23

Hello, sir. Ian from BB seven, above of the applicant. Um, I, to be honest with you, we've.

01:44:28:25 - 01:44:39:02

Run the assessment based upon a tilt angle of 15 degrees, as you've noted. Um, I wouldn't be able to tell you at this point what the implications of 25 degree tilt would be.

01:44:40:25 - 01:44:44:09

Um, we would have to run additional tests to, uh, to establish that.

01:44:45:03 - 01:44:45:18

Okay.

01:44:45:20 - 01:44:46:05

Well, I.

01:44:46:07 - 01:45:10:08

Think we probably need to ask you to do that because there's two implications. Um, that may come about because you have included within the DCO that, uh, capacity for variation of angle. Um, and so we need to know, um, what the consequential effects would be for glint and glare if, uh.

01:45:12:15 - 01:45:30:12

The alternative was used as opposed to 15 degrees, but also whether the landscape treatment and the fence boundary treatment would be equally suitable in those circumstances. So is that something you'll be able to do for us for the next deadline?

01:45:30:23 - 01:45:31:13

Yes.

01:45:34:13 - 01:45:35:00

Okay.

01:45:35:02 - 01:45:42:19

Helpful. Thank you. So I'll add that as an action point. Um, for deadline five. Thank you.

01:45:50:01 - 01:46:13:09

Can I just come to, uh, West Lindsey in the first instance? Now that you've seen the revised submission, um, at deadline for with the revised glinton glare assessment and the setback that is now being proposed for the fencing. Does that give you confidence to say that you're now content that the.

01:46:15:10 - 01:46:20:15

Uh, effects have been minimized, or do you still have concerns in that respect?

01:46:28:05 - 01:47:02:23

Thank you Russell Clarkson, West Lindsey district Council. We welcome the reduction in that. I mean, we've still got I think there's about 250m strip along the A11 33, which we still think is going to be quite a prominent, obtrusive, if not discordant feature even with a ten metre setback. Um, albeit it's not the extent that it was before we. But again, we're looking for a bit more clarity, a with the angle and whether that changes things. And we also couldn't quite understand and we'd have to defer to to the applicants.

01:47:02:25 - 01:47:34:22

Click into expert glinting layer expert as to the location of the section on the A11 33, which seems to be in a sort of north east facing direction. And, you know, we don't have that in-house expertise, and I presume the model demonstrates and explains it, but it just seemed a sort of strange location where the section of fence is being proposed. So we just wanted to build clarity around that. And also, again, which is something you've picked up. So what the variation and the angle could, could you know whether that changes the requirement or not.

01:47:34:27 - 01:47:35:22

Thank you sir.

01:47:36:10 - 01:47:58:13

Thank you. Well thank you. I can ask the applicant when they're doing their review to also consider that point that West Lindsey have made. Um, I think it would be helpful to us, as you know, as an examining authority, to understand the detail and the location of the fencing that's proposed. But I would also like to just clarify, um,

01:48:00:01 - 01:48:15:24

how the removal of the fencing will be secured at the earliest opportunity. So can you explain to me how that is intended to be monitored and delivered through the DCO as it as it currently stands?

01:48:18:07 - 01:48:51:18

Sam Griffith on behalf of the applicant. Yeah. So that is, uh, secure via the Olymp. Um, that I would have to check the wording, but for all intents and purposes, says that once that's providing effective, uh, screening, that would be removed. Um, you'll know that for Elvia, that time horizon is typically 15 years. Um, and that's the assumption. Um, not just because we have sufficient height growth, but then vegetation is typically sufficiently thick to perform that, uh, function. And the locations of the screening we can bring on screen.

01:48:51:20 - 01:49:18:15

But it may not be necessary now, but they are shown within the supplementary glinting glare report. And, um, it's quite right. There's a 250m along the A1. 133. We did some quick maths, and I mean that that would be visible for about nine seconds driving along that stretch of road. Um, so it's important to remember the only people experiencing this are those travelling along that highway. And therefore the visual, um, susceptibility and sensitivity is also reduced in that respect as well. Thank you.

01:49:19:01 - 01:49:22:12

But bit a bit longer for cyclists won't it.

01:49:23:17 - 01:49:26:27

I yes, I haven't seen a bike go 60 miles an hour recently.

01:49:29:07 - 01:49:35:18

Yeah. Okay. Well I look forward to those additional submissions at the next deadline.

01:49:35:25 - 01:49:38:10

Um, sorry. Sorry. Richard Griffiths on the applicant.

01:49:38:12 - 01:49:39:05

Just, um.

01:49:39:15 - 01:49:42:27

I think not to, um, be too downbeat.

01:49:42:29 - 01:49:43:14

But we'll.

01:49:43:16 - 01:49:48:24

Do our best for deadline for, um, deadline five. But there's quite a lot of work still on that, so.

01:49:48:29 - 01:49:49:14

Um.

01:49:49:16 - 01:49:59:27

If we can have a deadline five we will. But just to, uh, manage expectations. If we can't get in for deadline five, we'll put it in, um, shortly afterwards, uh, and before deadline.

01:49:59:29 - 01:50:00:15

Six.

01:50:00:17 - 01:50:09:15

Uh, depending on the results of that report and what needs to be shown. And your actions just don't want to overpromise, uh, things.

01:50:09:17 - 01:50:10:02

At.

01:50:10:04 - 01:50:10:19

This stage.

01:50:11:13 - 01:50:15:14

Okay. No. That's helpful clarity. Thank you, Mr. Lawrence.

01:50:18:02 - 01:50:57:00

Well, Lawrence, Nottinghamshire County Council, I just wanted before we move on from landscape and visual impact. So I just wanted to make sure the position of the county council on these issues is clear. We haven't got our consultant with us today who's participated in the previous hearing sessions. Um, which is why we've I don't think we've we've commented so far on this item. Uh, but I just wanted to clarify that whilst a number of the matters are agreed in stone of common ground, and that's been explained by the applicant, including the Olymp, which is obviously a positive step, I just want to make clear that the the approach to assessing cumulative and landscape, cumulative landscape and

visual impacts is not a matter that we've agreed, and that is made clear within the statement of common ground.

01:50:57:02 - 01:51:28:06

We perhaps come on to that under the next item. But, you know, we do have to still have concerns regarding the effect on landscape and the wider district and regional scale. And uh, our, our consultant is, was and still is promoting alternative approach to sort of assessing those those landscape impacts based on common landscape attributes across the wider area. So this that'll be clear within the within the submitted set of common ground. But I didn't want us to move on and not be clear that there is that still that area of disagreement with the authority.

01:51:29:22 - 01:51:40:13

Okay. Now that's understood. Um, obviously, in the absence of your landscape consultant who's representing you and a number of the other authorities, um.

01:51:42:18 - 01:52:00:28

I was going to put to him a question because in the original, uh, assessment that was submitted in conjunction with the local impact report, the language he uses is I don't know whether it's deliberately diplomatic. Um, but he's not saying that the harm is so, uh,

01:52:02:21 - 01:52:32:00

uh, terrible. He's saying it's he's also saying it's it's probable. I think he's the phrase he used. So I think it would be helpful to understand how strongly the view is held about the the impacts on those larger areas and the character areas, but also if he's promoting a different approach, which obviously has been referenced. What you see the outcome would be, would it? Would it be any different?

01:52:35:05 - 01:53:08:06

So Richard is on the applicant. I totally agree with that statement. And I think we're coming onto cumulative. And I think, um, perhaps we could hold that thought for item eight whilst you finish off landscape. But we would agree with that is besides that point. And Mr. Griffiths, uh, can, um, just, um, uh, comment on his position. I'm not sure we are going to reach agreement on that point. Um, but we can certainly set out very clearly shortly, um, the applicant's position on the cumulative and landscape and whether there would actually be any difference. Uh, then there's currently set out in the environmental Statement.

01:53:09:00 - 01:53:14:03

Okay. Thank you, Mr. Lawrence. Is there anything you wish to come back on?

01:53:14:11 - 01:53:27:27

Well, Lawrence County Council. No, just to acknowledge what you've said there. So I'm quite happy to take that away with our consultant and discuss that further and come back at a later point on that issue of whether it would make a material difference to the to the scheme and the outcome.

01:53:28:23 - 01:53:29:08

Okay.

01:53:29:10 - 01:53:29:25

Thank you.

01:53:30:17 - 01:53:33:05

Um, Mr. Fox, I know your hand is raised.

01:53:34:01 - 01:53:54:06

Yes. Um, I think the the ownership process is supposed to be front loaded with information, isn't it? And isn't it a constant problem throughout this? That information is tardy from the applicant. Should he not be looking for an extension? Thank you. So we can so people can consider things properly.

01:53:54:24 - 01:54:00:18

I can't ask for an extension. I've got a duty to conclude the examination by the 8th of January.

01:54:00:28 - 01:54:02:10

So I'm talking about the applicant, sir.

01:54:05:23 - 01:54:11:17

Uh, Well, I'll let the applicant respond, but I'm not sure they've got an option either.

01:54:13:02 - 01:54:19:20

Richard Griffiths on the applicant. Well, short answer is no. We're not going to request an extension, um, under the act.

01:54:21:02 - 01:54:22:14

Okay. Thank you.

01:54:22:24 - 01:54:26:24

Um, okay. So I think I'm.

01:54:28:08 - 01:54:32:24

So I can just make one final point on landscape if you're about to move on to cumulative.

01:54:32:26 - 01:54:33:11

Um, yeah.

01:54:33:13 - 01:54:34:04

I'm not. I've still.

01:54:34:06 - 01:54:34:24

Got one.

01:54:34:26 - 01:54:36:22

One item on the on the landscape, so.

01:54:36:24 - 01:54:39:02

I'll hold my thought until you come.

01:54:39:17 - 01:55:11:16

Yeah. Um, it's just the final point where we have discussed this before, and West Lindsey quite rightly pointed out a concern that they had about the access to, I think it's gate G adjacent to the reservoir. And, um, you gave us a response, uh, following the previous hearings. Um, but what we now have in the statement of common ground with Anglian Water appears to be a contradiction to what you said to us.

01:55:11:18 - 01:55:47:10

I want clarity as to exactly what's happening, because in the statement of Common Ground with Anglian Water, it says the access proposal prepared at the location designators as gate G, is proposed to be widened to accommodate construction vehicle movements and ensure that access and egress movements can be undertaken safely. Now that seems to contradict what was said at deadline applicant response at deadline three, which was page 71, a response. Um, sorry, I'm mixing up points, but it does seem to contradict what was said previously where

01:55:48:28 - 01:56:02:13

you appeared to be indicating it was just going to be crushed, stone laid, and the visibility created. So can you clarify that position, please? Is the access going to be. Is the track going to be widened.

01:56:08:14 - 01:56:17:21

Because fundamentally, we need to know whether the foliage which is shown to be kept on other documents is actually going to remain.

01:56:23:09 - 01:56:53:25

Thank you, Sir Sam Griffiths, on behalf of the applicant. We'll certainly review those, both of those SDGs to make sure that they are consistent. But following the most recent discussion with West Lindsey District Council, which was just last week, to provide clarity. And what we've proposed is to add a commitment to the Olympics and to state that the hedgerow in question will be retained to provide that absolute clarity. And that would be a securing mechanism to to retain the hedgerow in question.

01:56:53:27 - 01:57:07:03

So we'll make sure that is reflected across both socks. And it is clear that there is a coherent and individual response from the applicant, but that is a clarity that we've reached with West Lindsey and that will be reflected in deadline five.

01:57:08:03 - 01:57:38:06

Okay. That's helpful. Thank you. Um, and then just a final point on landscape. Um, and it's a little bit of an irritation, actually. Um, applicants response at deadline three, page 71 to Mrs. Walker's written representation. You state, um, in each of these images, the peaks units are partly obscured by intervening proposed PV panels and are colored green in accordance with the parameters secured by the outline design parameters.

01:57:38:25 - 01:58:18:09

That's not right. Um, there's nowhere in the outline design parameters that I can see that you actually say that they're going to be colored green. It says, I think in most documents they will be done in muted colors. So, um, unless I've completely misread your documents, the response you've given is isn't an accurate reflection of the documents, and it's not responding correctly to Mrs. Walker's representation. So can you clarify for me whether I've misunderstood something and if I haven't, who is overseeing the documents when you're responding to make sure they're accurate?

01:58:25:14 - 01:59:01:10

Sam Griffiths, on behalf of the applicant. You're right. The PCs are secured to be a muted colour, sympathetic with the surroundings. And within the design approach document, there is a page that sets out colors that may be sympathetic with the surroundings and that is taken, um, reference from the local area and includes the green that is selected for the pics in the photo montages, so there's no confusion meant there. So it was in line with the parameters and the the color study within the design approach document.

01:59:05:19 - 01:59:06:04

But.

01:59:08:20 - 01:59:26:04

The answer that's given isn't correct. Is it that you don't know at this stage they're going to be colored green unless you stipulated that somewhere you're the only stipulation is that they're going to be muted. And then presumably there will be a review relative to the locations to which of the muted colors.

01:59:26:06 - 01:59:26:26

That.

01:59:27:01 - 01:59:33:02

Are available are going to be most appropriate. And green may be one of them, but equally may not.

01:59:38:08 - 01:59:48:24

It's a minor point. I just, um, I would like, uh, consistency of information across the document.

02:00:00:00 - 02:00:40:27

Richard Griffiths. On behalf of the applicants. So I think the the securing wording is as the wording that you've read out on or we read out sorry on the muted colour palette is what is being secured. Um, that would mean that the Pixies could be green in certain locations, but equally could be some other colour. The key point. So having a firm commitment saying they will be green is obviously incorrect. And I apologize for that misunderstanding. Um, but the key point is that surely is the beneficial point is that the, um, colour will be a muted palette color, muted color to merge into the background.

02:00:40:29 - 02:00:43:00

And that is the fundamental point.

02:00:43:18 - 02:00:47:27

I fully agree, but that's what you should have said in the written response.

02:00:47:29 - 02:00:49:27

And I apologize, sir, for that mistake.

02:00:50:08 - 02:00:54:23

Yeah. No that's fine, thank you. Um, okay. Um.

02:00:57:06 - 02:01:13:24

20 to 5. We've got a number of issues on cumulative. Uh, and we also missed out on the transport section. Um, but before I just move on, I noticed Mr. Barker's hand is raised. Is there something you wish to raise on landscape, Mr. Barker?

02:01:19:01 - 02:01:21:06

I think you're muted. Um.

02:01:28:25 - 02:01:31:00

I still can't hear you, I'm afraid.

02:01:41:03 - 02:01:44:01

Can anyone else here, Mr. Barker? Is it just me?

02:01:47:22 - 02:01:49:03

Sorry. Can you hear me now?

02:01:49:10 - 02:01:50:27

Uh, yes, I can, Thank you.

02:01:50:29 - 02:02:26:10

Apologies. Um. Uh. Well, uh. Sorry. John Bach, on behalf of West Lindsey District Council. Um, whilst we we welcome the, uh, the commitment of the, uh, the retention of the hedgerow. Um, our understanding was that that was on the basis that there wasn't any work happening to the the access track itself. Um, uh, which is, um, uh, if there is work happening, uh, that would contradict what's set out in the, in the construction environmental management plan, which says there'll be a five metre offset from retained vegetation.

02:02:26:12 - 02:02:28:29

So just need a bit more clarity on that.

02:02:31:08 - 02:02:32:18

Thank you, Mr. Barker.

02:02:35:28 - 02:03:02:27

Sir Sam Griffiths, on behalf of the applicant, we'll certainly just check the consistency between the two. So, but, um, as per recent conversations with West Lindsey, uh, the position is very much that

access track will be used in its current condition. There will be no works to it other than at the junction with the A1 133, and indeed that's why the hedgerow will be retained. There will be no works, but we will confirm that continuity across the two SoCs for the next deadline.

02:03:03:25 - 02:03:04:18

Thank you.

02:03:09:16 - 02:03:17:02

Okay, so, um, I just, uh, revert back to Mr. Jack and we'll go back to transport.

02:03:20:18 - 02:03:21:12

Thank you.

02:03:23:22 - 02:03:28:08

So moving on to transport the item one. Um.

02:03:30:26 - 02:03:54:18

In the deadline for submission, National Highways referred to an agreement in principle for April routes that has not yet been secured by the applicant. So first, it can, uh, National Highways provide an update of any progress that has been made since the deadline for submission was made. Please.

02:04:00:19 - 02:04:32:12

Go ahead, National highways. Apologies, my camera still isn't working, so I'll continue without it. Um, we have, um, set up a statement of common ground with the applicant. Um, we are ready to engage with the applicant on our water preferred policy, which is mentioned in the statement of common Ground. Um, National highways would like the applicant to fully investigate and report on the options for using cotton, birth or ale deliveries. Once we have that detail, we will work with the applicant to agree the air routing.

02:04:34:00 - 02:04:36:09

Okay. Thank you. Um.

02:04:38:26 - 02:04:43:18

What is the timescale for completing the ale

02:04:45:13 - 02:04:59:01

Agreement in principle. Um, you know, again, we're a long way through this, uh, examination. I guess it ought to make sure that it's an issue that's going to get resolved by the end of the examination.

02:05:04:12 - 02:05:07:07

Yeah. So National highways that we're sorry.

02:05:20:09 - 02:05:28:16

So, uh, if I'm happy to respond on part of that. Okay. National highways. Um, the

02:05:30:01 - 02:05:45:17

my understanding is that, um, uh, that the statement of common ground that we have agreed, um, with National Highways, uh, allows for this to be, uh, which has been signed allows for this to be dealt with post consent.

02:05:47:28 - 02:05:48:17

Okay.

02:05:49:00 - 02:06:24:09

It does. It might be worth just having a quick revisit of that statement. A common ground cause as previously referenced on page two, paragraph 1.2.2, you are referring to Springvale Solar Farm Development Scheme rather than this one. So that one, on the face of it, appear to need correcting in any event. Um, but I do understand that the position between the applicant and the National Highways has been agreed, subject to the, um, clarification that the representative National Highways has just made.

02:06:25:24 - 02:06:28:27

Okay. Um, back to National Highways, please.

02:06:30:11 - 02:06:47:08

Apologies. I was looking for the detail. Um, there is a process in place that National Highways has communicated to the applicant for securing permits for ale movements. Um, they shouldn't be onerous, but, um, the timescales for those permits have been communicated.

02:06:48:15 - 02:06:49:10

Thank you.

02:06:53:22 - 02:07:00:00

Any there's anybody else want to raise any issues on the AR airport routes?

02:07:02:26 - 02:07:09:01

No. Okay. So I will move on then to item two on the transport. Um.

02:07:14:12 - 02:07:41:14

Could I have an update, please, from our start with the applicant, uh, on the A57 access strategy review. Um, when that's going to be entered into the examination. And has there been any progress since the deadline for submission on, um, agreeing the main access point with Nottinghamshire County Council. Thank you.

02:07:42:12 - 02:07:51:21

Thank you sir. Richard Griffiths, on behalf, the applicant is going to bring in our transport consultant who is on line, uh, Gordon Buchan from Pearl fisherman.

02:07:52:25 - 02:07:54:25

Thank you. Thank you, Mr..

02:07:54:27 - 02:07:55:12

Griffiths.

02:07:55:14 - 02:07:55:29

And.

02:07:56:01 - 02:07:56:16

Good.

02:07:56:18 - 02:07:57:03

Afternoon, sir.

02:07:57:05 - 02:08:01:00

Gordon Buchan, on behalf of the applicant. Um, so I'm very grateful to.

02:08:01:02 - 02:08:01:17

Miss.

02:08:01:19 - 02:08:03:06

Hancock from Nottinghamshire.

02:08:03:08 - 02:08:08:04

County Council. We've had a number of discussions on this. Um, I think it would be.

02:08:08:06 - 02:08:10:00

Fair to summarize that.

02:08:10:02 - 02:08:12:20

The council is now in agreement with the applicant.

02:08:12:22 - 02:08:14:20

That construction traffic would not.

02:08:14:22 - 02:08:16:04

Be passing through.

02:08:16:06 - 02:08:19:13

The village of Bracknell. Um, and that.

02:08:19:20 - 02:08:22:02

We are still in discussions and have a further.

02:08:22:04 - 02:08:24:04

Call tomorrow, uh, to try.

02:08:24:06 - 02:08:24:21

And.

02:08:24:24 - 02:08:27:15

Agree just the final elements with regards to.

02:08:27:17 - 02:08:29:22

These um, A57.

02:08:29:24 - 02:08:34:13

Access study. I don't think we're particularly far off agreement now.

02:08:34:26 - 02:08:37:03

Um, but we will have.

02:08:37:05 - 02:08:40:17

That meeting tomorrow and with any luck. So we shall.

02:08:40:19 - 02:08:42:07

Have it finalized position.

02:08:42:14 - 02:08:44:07

Um, later this.

02:08:44:09 - 02:08:46:14

Week. And then we can forward you the.

02:08:46:17 - 02:08:48:00

A57.

02:08:48:02 - 02:08:49:05

Uh, access study.

02:08:49:07 - 02:08:49:25

Review.

02:08:49:27 - 02:08:51:02

That document itself.

02:08:51:04 - 02:08:51:19

Includes.

02:08:51:21 - 02:08:52:23

An updated.

02:08:52:25 - 02:08:53:10

Review.

02:08:53:12 - 02:08:55:07

Of road accidents in the.

02:08:55:09 - 02:08:55:24

Area to.

02:08:55:26 - 02:08:56:11

Bring.

02:08:56:13 - 02:08:56:28

That all up.

02:08:57:00 - 02:08:57:15

To date.

02:08:57:17 - 02:08:58:17

Uh, it includes the.

02:08:58:19 - 02:09:01:02

Results of the road safety. Sorry, the.

02:09:01:04 - 02:09:07:03

Road safety audit and the designers response to that which did not flag any significant.

02:09:07:05 - 02:09:07:29

Issues.

02:09:08:06 - 02:09:08:21

Uh, it.

02:09:08:23 - 02:09:09:08

Also.

02:09:09:10 - 02:09:14:02

Includes further, um, traffic data. It provides.

02:09:14:04 - 02:09:14:25

A capacity.

02:09:14:27 - 02:09:16:15

Review. Uh, and.

02:09:16:17 - 02:09:17:02

You know.

02:09:17:04 - 02:09:17:19

A considerable.

02:09:17:21 - 02:09:18:12

Amount of.

02:09:18:23 - 02:09:21:07

Data and information, which I'm very grateful.

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

For, the assistance.

02:09:22:11 - 02:09:23:02

From the county.

02:09:23:04 - 02:09:23:19

Council to.

02:09:23:21 - 02:09:27:01

Try and reach this position, which hopefully.

02:09:27:03 - 02:09:29:24

By tomorrow we should be.

02:09:29:29 - 02:09:30:14

Agreed.

02:09:30:16 - 02:09:31:01

On.

02:09:31:08 - 02:09:45:04

Okay. Thank you for that. So can I just ask when you said the final elements will be agreed, you're hoping that they will be agreed. What are the final elements that are outstanding? It would be the the form of.

02:09:45:06 - 02:09:45:21

The.

02:09:45:23 - 02:09:47:15

Access into the western portion.

02:09:47:19 - 02:09:48:07

Of the site.

02:09:48:09 - 02:09:58:27

So that's why it's a simple priority junction or a ghost island or anything else. Yeah. The council has raised a further option as well.

02:09:58:29 - 02:10:01:05

Which we will be.

02:10:01:07 - 02:10:02:00

Just finalising.

02:10:02:02 - 02:10:02:17

With them.

02:10:02:19 - 02:10:10:04

Tomorrow. Okay. Thank you. Um, and if that gets finalised and it's.

02:10:12:05 - 02:10:29:28

Is it going? Is it going to be submitted at the next deadline? Deadline five. Is is the first question. And if it's not, could it be submitted as soon as it's ready so that there is time to to look at it. So it is my intention is as soon as we've.

02:10:30:00 - 02:10:31:00

Got, um.

02:10:31:02 - 02:10:31:17

Approval.

02:10:31:19 - 02:10:33:22

From the county council that.

02:10:33:24 - 02:10:40:14

That would be submitted ASAP. It will be my preference to have that info. Deadline. Five to remove.

02:10:40:16 - 02:10:41:01

This item.

02:10:41:03 - 02:10:42:10

From your.

02:10:42:12 - 02:10:43:11

Considerations.

02:10:43:13 - 02:11:00:02

And I'm very grateful to Miss Hancock. We actually brought that meeting further forward to try and meet that deadline. Thank you. Thank you for that. If I could now go to Miss Hancock, please. Um,

02:11:01:20 - 02:11:04:16

just for your comments on what's just been said. Please.

02:11:05:22 - 02:11:08:03

Sarah Hancock, Nottinghamshire county council. Good afternoon.

02:11:08:05 - 02:11:08:20

Sir.

02:11:08:27 - 02:11:09:29

Um, yes.

02:11:10:01 - 02:11:10:16

Uh, that.

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

Is the correct.

02:11:11:12 - 02:11:11:29

Um.

02:11:12:01 - 02:11:13:23

Situation. The position.

02:11:13:25 - 02:11:14:12

Where we are.

02:11:14:16 - 02:11:15:14

Um, there's.

02:11:15:16 - 02:11:16:01

Very.

02:11:16:03 - 02:11:16:18

Few.

02:11:16:20 - 02:11:19:21

Final details, I believe. Um, that we need to just bottom out.

02:11:20:23 - 02:11:37:24

Okay. Thank you. So, in your deadline for responses to the questions. Um, there's a lot of you raised a number of issues that have all of those issues, people. Most of those issues, it sounds like, are being addressed at the moment.

02:11:37:27 - 02:11:40:04

Yes. Yes they are. Yeah.

02:11:40:06 - 02:11:50:00

And are there any that are. So are there any showstoppers that you think are likely to be gone or is it relatively minor? What's left to be sorted out?

02:11:50:02 - 02:11:51:15

Relatively minor sir.

02:11:51:26 - 02:12:09:27

Okay. Thank you. That is good to know. Look forward to, um, seeing the agreed access strategy when that gets submitted. Thank you. Um, anybody else have any transport related questions that they would like to raise?

02:12:15:12 - 02:12:16:13

Miss Hancock?

02:12:17:27 - 02:12:51:17

Sarah Hancock county council. Um, I in response, I know. Oh. Well, sorry. I note that the applicant has submitted a document, uh, response to D3 submissions. Um, and I just wanted to, um, if I can raise a couple of issues, um, that are ongoing that we still need to, um, bottom out with the applicant. Um, so, uh, we still haven't had, um, and I don't believe the applicant is intending to submit any road safety audits.

02:12:52:06 - 02:13:24:07

Um, there are I do have some concerns with that. Um, one of the things that was raised, uh, that I set out was that we didn't have any stopping site distance, um, measurements. There was a response to that, but that wasn't correct, that it was, um, that they had submitted junction visibility rather than stopping site distance on the approach to junctions. But, uh, speaking to the applicant's transport consultant earlier that I believe is now going to be addressed. But there are other issues with then visibility.

02:13:25:21 - 02:13:26:22

Excuse me.

02:13:29:06 - 02:14:04:13

There are a number of junctions where the visibility falls within the DCO area, but outside of highway. And whilst the DCO, the response is that the DCO allows the applicant to carry out works, there doesn't appear to be a requirement to maintain this, maintain visibility displays. And that is something that we're just a normal planning application process we would have a condition for. Um,

because whilst you know, so with all good intentions, it may be that that splay isn't maintained and I'm not sure how the applicant, um, intent would intend to address that.

02:14:06:05 - 02:14:13:21

Um, there is also, excuse me, LR 25.

02:14:18:01 - 02:14:18:25

Give me.

02:14:20:19 - 02:14:41:18

Oh, yeah. Um, the access nine identifies a visibility display that crosses land outside of the DCO boundary. The response is that the applicant is not proposing to carry out works outside the order limits, but visibility displays are fundamental to the safety of accesses, so that visibility display as shown, cannot currently be secured.

02:14:43:28 - 02:14:53:22

And the land that's outside the order limits, just so I am clear outside the order limits and not on the public highway. Is that what you're saying?

02:14:53:24 - 02:14:54:18

Correct.

02:14:56:23 - 02:14:59:11

Okay. Thank you. Carry on. Sorry.

02:15:00:12 - 02:15:37:08

And the other issue related to visibility. There are other minor issues that we will, you know, discuss with the applicant. But, um, one of one in particular, um, when I was considering, uh, the response in terms of where I, where we believe that, uh, road safety audits will be carried out, there's only one access that falls outside of our policy and that, and unfortunately, I'm afraid I can't remember which access specifically it is at the moment. Um, but when you look at the visibility displays that are drawn, they fall over the solar arrays.

02:15:38:09 - 02:16:08:24

Now, I so that's instantly blocked. Now, appreciate that the solar arrays are subject to further detailed design, but that isn't something that the highway Authority would be consulted on or um, because it's outside of our normal area of interest. And so I if the applicant is showing visibility displays that cross over the solar arrays, I believe that the solar arrays should be removed from that area rather than kept in, because we we will not be consulted.

02:16:08:26 - 02:16:16:12

And I don't believe the visibility displays will be shown or considered, um, as part of the solar array design.

02:16:17:27 - 02:16:21:14

Okay. Thank you. Yeah. Appreciate those points. Um.

02:16:24:20 - 02:16:33:26

We've obviously had lots of conversations about your that safety audit policy. Is that something that is being submitted to the examination?

02:16:35:14 - 02:16:38:06

The actual documents are not the policy.

02:16:38:08 - 02:16:44:19

Yeah. The safety audit policy. Is that part of the examination?

02:16:45:08 - 02:16:49:19

It has the the actual document. So no, that has not been submitted.

02:16:50:17 - 02:16:51:06

Um,

02:16:53:01 - 02:16:53:29

could it be.

02:16:54:06 - 02:16:54:21

It could.

02:16:54:23 - 02:17:12:02

Be. Yeah, I think that'd be. I think it'd be useful to understand that the context of, you know, the policy and, uh, what's being asked for. Thank you. Thank you. All right. So if I go back to the applicants, then to respond to those points that have just been raised.

02:17:14:19 - 02:17:16:11

Thank you. I'm going to button on behalf.

02:17:16:13 - 02:17:18:16

Of the applicant. So, uh, Of.

02:17:18:18 - 02:17:21:05

The kind of comments raised there.

02:17:21:07 - 02:17:23:03

The with regard to the feasibility.

02:17:23:05 - 02:17:26:06

Spline maintenance commitment, we can make.

02:17:26:08 - 02:17:27:00

That commitment.

02:17:27:02 - 02:17:27:28

Within the

02:17:29:16 - 02:17:35:16

construction traffic management plan if that would help reassure the council of that position there.  
And I.

02:17:35:18 - 02:17:36:07

Will discuss that.

02:17:36:09 - 02:17:39:18

Matter with Mr. Hancock tomorrow, if that would help.

02:17:39:21 - 02:17:41:22

Um, on that matter.

02:17:42:05 - 02:17:46:27

Um, the commentary about the design of the junctions.

02:17:46:29 - 02:17:47:14

The.

02:17:47:16 - 02:17:49:10

TMP already provides.

02:17:49:12 - 02:17:51:19

Allowance within the, um.

02:17:52:27 - 02:17:53:18

Um,

02:17:55:13 - 02:17:59:24

the final design of all of the access points includes.

02:17:59:26 - 02:18:04:29

The full design review. Um, we would obviously.

02:18:05:01 - 02:18:05:16

Provide.

02:18:05:18 - 02:18:06:28

Within those detailed design.

02:18:07:00 - 02:18:09:21

Any element, um, or.

02:18:10:05 - 02:18:10:20  
Item.

02:18:10:22 - 02:18:11:07  
Of.

02:18:11:09 - 02:18:11:29  
Infrastructure that would be.

02:18:12:01 - 02:18:12:28  
Within the limits.

02:18:13:00 - 02:18:13:15  
Of.

02:18:13:18 - 02:18:14:05  
Visibility.

02:18:14:07 - 02:18:14:22  
Space.

02:18:14:24 - 02:18:16:04  
And we have made a commitment.

02:18:16:06 - 02:18:16:21  
I.

02:18:16:23 - 02:18:17:08  
Think.

02:18:17:10 - 02:18:17:25  
In.

02:18:17:27 - 02:18:18:12  
The.

02:18:18:14 - 02:18:19:00  
Last set of questions that.

02:18:19:03 - 02:18:19:18  
A.

02:18:19:20 - 02:18:21:10

Full, detailed design package would be undertaken.

02:18:21:12 - 02:18:21:28

Including.

02:18:22:00 - 02:18:24:00

Further speed survey information.

02:18:24:03 - 02:18:24:18

To help.

02:18:25:00 - 02:18:25:26

Inform.

02:18:26:08 - 02:18:27:05

The, um.

02:18:27:16 - 02:18:28:15

Civil engineering.

02:18:29:14 - 02:18:34:27

Designers, their their consultants. Um access Junction.

02:18:34:29 - 02:18:35:23

Plans to.

02:18:35:25 - 02:18:36:12

Help.

02:18:36:14 - 02:18:36:29

Um.

02:18:37:02 - 02:18:37:17

Provide.

02:18:37:19 - 02:18:41:07

An alternative um visibility uh.

02:18:41:09 - 02:18:43:00

Displays based upon.

02:18:43:05 - 02:18:44:00

Measured, um.

02:18:44:03 - 02:18:44:18

Vehicle.

02:18:44:20 - 02:18:51:17

Speeds of those locations. So I think that would helpfully address those aspects. Um, I believe.

02:18:51:19 - 02:18:52:24

In terms of.

02:18:52:27 - 02:18:56:20

Display moving outside of the, um.

02:18:57:23 - 02:18:59:09

The limits of the.

02:18:59:11 - 02:18:59:26

The.

02:18:59:28 - 02:19:02:28

TCO. I think miss, uh, Mr.. Um, Stirling is probably.

02:19:03:00 - 02:19:03:16

Best.

02:19:03:18 - 02:19:05:03

To comment on some of the.

02:19:05:05 - 02:19:05:20

Uh.

02:19:05:22 - 02:19:06:07

Legal matters.

02:19:06:09 - 02:19:07:11

Relating to that. So I.

02:19:07:13 - 02:19:08:17

If with respect.

02:19:08:19 - 02:19:11:23

I'd defer to her if that's okay on on that might that.

02:19:11:25 - 02:19:16:08

Matter? Yes, that is fine. Thank you.

02:19:16:27 - 02:19:47:28

Thank you very much. Amy Stirling for the applicant and apologies. I will go back to the top. It just to flag that paragraph 3.1.3 of the TMP as currently submitted already states that vegetation within the visibility displays will be trimmed to ensure sufficient sightlines for a vehicle using the access junctions. These are not limited to vegetation within visibility in the public highway. So to the extent that there are visibility displays outside of the public highway, the TMP already secures their maintenance.

02:19:48:00 - 02:20:21:01

Of course, I'm sure Mr. Buchan can discuss this further tomorrow, and if any further updates to the TMP are required. We can of course do that in terms of the visibility displays and the apparent conflict with the solar panels, and in one case, a small section of visibility protruding outside of the order limits. We have responded in detail to this at deadline. Before, as Mr. Buchan noted, the visibility displays have been designed based on the maximum road speed.

02:20:21:03 - 02:21:00:19

So, for example, in a given area of 60mph rather than measured or speeds i.e. the speed that vehicles are actually passing through that area. Um, it is a commitment that we will revisit the the measured road speeds, i.e. the actual ones at detailed design, which will inform the final design of the visibility space to ensure there is no conflict, and that, as stated at deadline four, there is no proposal to carry out works outside of the redline boundary, and there is a mechanism within the requirement for detailed design approval to ensure that the.

02:21:00:25 - 02:21:21:29

There is a holistic overview, essentially of the design of the solar panels and these visibilities please again to remove that conflict and the relevant planning authority and will of course, consult with the relevant county authority as highways authority in relation to those displays as secured by five F

02:21:23:18 - 02:21:24:18

requirement.

02:21:24:28 - 02:21:47:13

Okay. Thank you. I've got a couple of questions on the the, uh, well, the responses you've just given, um, where you said that the speed survey we use at the detailed design stage to determine the, um, visibility displays. Where's that secured, please? First question.

02:21:47:25 - 02:22:16:00

Amy Stirling, on behalf of the applicant, and I will have to check that. I think it's at this point it is worth noting that the, um, because it wasn't on the agenda, the person who is involved in designing the visibility isn't was we have a cast of thousands and that's not one of them. Um, so I would just have to I'm repeating to you our answers at deadline four. Um, and I can just follow up in more detail in their summary of case, if that's acceptable.

02:22:16:04 - 02:22:39:05

Okay. Yeah. No, that's fine, thank you. Um, and the other point was where you mentioned the visibility displays vegetation is the the control for that is under the construction traffic management

plan for maintaining those visibility displays. What about during the operation and decommissioning of the, uh, proposed development?

02:22:40:26 - 02:22:52:17

Amy Stirling, on behalf of the applicant, we will check. And if it is not there, we will add it either to the Olymp, um, or to the or AMP or dump the relevant management plans. Thank you.

02:22:54:24 - 02:22:56:08

Uh, miss Hancock.

02:22:58:20 - 02:23:29:03

Hancock County council, thank you. So that was my going to be my point about the operational, um, and decommissioning point. Um. my concern about the, um, displays falling outside of the DCO. Um, and detailed design allowing, um, you know, secure securing of this. Um, uh, I can't think of the word um, uh, so long as the split, the speed surveys are secured.

02:23:29:22 - 02:24:01:22

It's an assumption that then those speeds are going to be lower. Um, but if you look at the A57, for example, as part of the work that has been done to, um, justify that access there, the 85th percentile speeds actually measure more than the posted speed limit and are coming in nearer 60 miles an hour than 50. So that is, um, a, you know, sort of a concern that we have that they may not actually come in lower than the posted speed limit.

02:24:02:03 - 02:24:22:26

Yeah, I understand that point. And, you know, that's always a risk, I guess. I think, um, are any of the other access points located in similar situation to that A57 access point where they're on a very straight road? Um, and vehicle speeds are likely to be higher. Higher?

02:24:24:11 - 02:24:37:15

Um, I'm not to be honest, sir, I'm not entirely sure. But also if they are lower, um, we don't know if they're going to be low enough to accommodate the visibility displays that are available.

02:24:39:00 - 02:24:46:08

Yeah. Okay. Thank you, thank you. Uh, Mr.. Sorry.

02:24:49:29 - 02:24:54:11

I can ask the applicant to come back on that, please. That point raised by Miss Hancock.

02:24:56:15 - 02:24:57:23

Thank you. Uh, Gordon Buchan.

02:24:57:25 - 02:24:58:10

On.

02:24:58:12 - 02:24:58:27

Behalf.

02:24:58:29 - 02:24:59:14

Of the applicant.

02:24:59:16 - 02:25:03:00

So, um, with regards to the point you made there, uh, none of the None of the.

02:25:03:02 - 02:25:04:10

Other access points are.

02:25:04:12 - 02:25:07:25

In a similar situation. They all have the maximum visibility.

02:25:07:27 - 02:25:08:24

Splay and.

02:25:08:26 - 02:25:11:19

As a result we would expect, um, for.

02:25:11:21 - 02:25:12:07

Example, on.

02:25:12:09 - 02:25:12:24

The ones.

02:25:12:26 - 02:25:13:25

On um.

02:25:15:03 - 02:25:16:12

Some minor road.

02:25:16:14 - 02:25:27:09

Networks where we have some considerable bends nearby, that those vehicle speeds would be far lower than the worst case assumption that's been provided on those drawings.

02:25:30:06 - 02:25:34:13

Also, to just preempt Miss Hancocks comment there about.

02:25:34:15 - 02:25:35:11

The A57.

02:25:35:13 - 02:25:36:03

We have.

02:25:36:09 - 02:25:37:04

Also provided an.

02:25:37:06 - 02:25:40:19

Alternative drawing in the A57 um.

02:25:40:23 - 02:25:41:08

Access.

02:25:41:10 - 02:25:45:07

Study, showing the full 215m of about 4.5 visibility.

02:25:45:09 - 02:25:45:29

Splay.

02:25:46:06 - 02:25:48:21

That can be accommodated within the.

02:25:48:23 - 02:25:49:28

Area there, as well.

02:25:50:09 - 02:25:50:24

As well as.

02:25:50:26 - 02:25:51:11

The.

02:25:51:13 - 02:26:14:08

Existing 160. Okay. Thank you. So can I ask that when you have your meeting tomorrow with Nottinghamshire. Can you try and, uh, what about these issues as well and include it in a response at deadline five, please? Yes. Thank you.

02:26:19:00 - 02:26:20:16

Thank you. Um.

02:26:22:23 - 02:26:29:14

Does anyone else have any issues that they'd like to raise under transport, please?

02:26:34:05 - 02:26:43:15

Okay. Thank you. So move on to item number eight. Cumulative effects that I'll hand over to Mr. Maund.

02:26:44:08 - 02:27:00:13

Thank you. Um, so if we go on to the cumulative, cumulative effects, um, can I clarify with, uh, the local councils and the applicant? Is there now finally an agreed list on the projects that should be included within the cumulative assessment.

02:27:03:10 - 02:27:08:07

I say to the applicant in the first instance you can confirm the position.

02:27:10:07 - 02:27:28:28

Greater for the applicant. Um, my understanding is that has been agreed. The ES presents a comprehensive list of existing approved projects. After following at issue one, we did go back out to the host authorities and no additional schemes were requested for inclusion.

02:27:31:03 - 02:27:37:21

Okay. I'm sure the councils will tell me if they disagree. Mr. Betts.

02:27:42:20 - 02:28:20:26

You can show a district council. I think that's a fair summary. So the Inter I think it's the into project assessment report that was submitted a deadline for and also sent um to the authorities direct. That includes all of the onsite projects for assessment. So I think in terms of projects being captured for assessment, I think that is now, um, that's now been done. There is one small query in relation to a town and country planning scheme that we perhaps just need to talk, uh, continue to talk to the applicant, direct on.

02:28:21:05 - 02:28:49:11

Um, I would suggest that might be picked up in the meeting early next week on the status of common ground that I referred to earlier on. Um, yeah. So I think in terms of projects being captured and assessed, yes, I think that is now an agreed matter. Um, it's a different proposition when we talk about the sort of nature of the, um, the outcome of our cumulative assessment. But I think that leads on to the next part of the question.

02:28:49:24 - 02:28:52:19

Yes. Thank you. Uh, Miss Hall.

02:28:54:22 - 02:29:20:17

Thank you, sir. Stephanie Hall, Lancashire County Council just to say that we, um, have reviewed the uh Inter Project Effects report that was submitted at deadline for and we're grateful to the applicant for including the Gainsborough cluster within that now. So I think we agree the project. But in common with Mr. Betts, we don't agree the, um, the discussion of effects. We agree the project list.

02:29:21:09 - 02:29:25:25

Okay. Well, that's that's helpful. That's one step forward.

02:29:25:28 - 02:29:26:13

Yes.

02:29:26:15 - 02:29:32:11

Thank you, thank you. So, um, Mr. White, you have your hand raised.

02:29:35:11 - 02:29:38:28

Yes, sir. Thank you. David White, on behalf of Senator Warner solar.

02:29:39:00 - 02:29:40:11

Farm and.

02:29:40:13 - 02:29:41:12

Uh, 99%.

02:29:41:14 - 02:29:42:13

Of the communities.

02:29:42:15 - 02:29:43:03

Of North and South.

02:29:43:05 - 02:29:43:22

Britain.

02:29:43:28 - 02:29:48:25

Um, I'm surprised by this. And, uh, excuse.

02:29:48:27 - 02:29:49:13

Me for not.

02:29:49:15 - 02:29:50:22

Bringing this up.

02:29:51:01 - 02:29:51:16

To.

02:29:51:18 - 02:29:52:03

An early date.

02:29:52:05 - 02:29:53:20

Because we only came across this.

02:29:53:22 - 02:29:54:21

Information.

02:29:55:09 - 02:29:56:03

Two days ago.

02:29:56:05 - 02:29:57:21

And we did it by accident.

02:29:57:24 - 02:29:59:23

And it's within reference to.

02:30:00:09 - 02:30:02:08

Um, the new planned.

02:30:02:10 - 02:30:02:25

Links.

02:30:02:27 - 02:30:33:11

Reservoir, which is, um, uh, planned to hold 55,000,000m<sup>3</sup> of water supplying up to 500,000 homes. Although the reservoir itself is 15km more than 15km away, its water supply intake is only 2.5km downstream, creating a direct direct hydrological pathway. The applicant is considered as a large project within 15 communities kilometers in their cumulative effects assessment.

02:30:34:04 - 02:31:05:16

Reporting lists 54 schemes meeting this criteria. But Link's reservoir appears to be excluded completely from any considerations. Despite being passed its phase two consultation and moving on to pre-application stage Age again, considering a direct hydrological pathway between these two applications and not considering this obviously connected NC, but seems at odds with the infrastructure planning, environmental impacts, regulations and planning.

02:31:05:18 - 02:31:37:25

Inspectorate Advice Note 17 cumulative effects assessment. Could we please ask the planning inspector to confirm whether they might believe this exclusion complies with density guidance and EIA regulations, which require consideration of other developments where there is a credible likelihood of combined effects. And I wondered if we could ask also a response from the EPA and whether this affects anything that the councils are considering. This should be being considered in our community's standard.

02:31:37:27 - 02:31:43:12

It's not after we've tried to catch up with them quite quickly, because this is all late news to us.

02:31:45:02 - 02:31:47:08

Okay. Thank you, Mr. White. Mr. Fox.

02:31:54:23 - 02:31:57:00

So I will get an answer to that. Yes.

02:31:58:01 - 02:32:04:21

I shall be giving you an answer today. But, um, I will ask the applicant and the Environment Agency to respond.

02:32:04:29 - 02:32:06:00

Okay. Thank you.

02:32:07:27 - 02:32:39:15

Yes. Thank you. Um, I submitted a paper on the cumulative effects at the end of deadline three and didn't give it exactly a positive response. However, I did submit it to both, um, Great North Roads and, uh, till Bridge. Um, the result on that was, um, that Great North Road had invited me to join as a, um, interested party, and the British were kind enough to send the report directly to the Secretary of State.

02:32:39:17 - 02:32:44:29

And I've had a very positive response from them. I just wondered whether it's going to get serious consideration by you, sir.

02:32:48:23 - 02:33:07:09

I will certainly consider anything you submitted seriously, and I will also ask the applicant to do the same, and I'm sure they will. Um, but if I can then just come back to the applicant, uh, to respond to, uh, the points that Mr. Wise and Mr. Fox have raised, please.

02:33:08:23 - 02:33:42:10

Read a Pulitzer for the applicant. Um, I think we mentioned this earlier by my colleague, Mr. Griffiths. The reservoir is outside of the zone influence, where there could be climate effects and has not been featured in the long list. This project still is at consultation stage, and changes to watercourses or abstraction points are located beyond ten K on the site. So that's where the outside of the zone of influence. The reservoir itself is about 35 kms south of the site. I think what Mr. White is referring to is the existing watercourses. Um, they have been considered in the relevant technical assessments we had earlier.

02:33:42:12 - 02:33:54:26

Just the comment from LXI and NCC confirming about the surface water and the appropriateness of the mitigation measures that are proposed as part of the development. Other than that to the of um cumulative.

02:33:54:28 - 02:33:55:13

Effects.

02:33:55:15 - 02:33:58:21

Is beyond one K.M. as well for other flood risk assessment.

02:34:02:18 - 02:34:03:27

Okay. Thank you.

02:34:06:27 - 02:34:37:28

If I can then move on, um, to the broader issue and then in terms of the understanding of people's or party's positions with regard to the outcome of the cumulative assessment, I can come first to Newark and Sherwood. Now, the statement of common ground is still identifying concerns with regard to the cumulative effect on landscape character areas. Um, so is that still the situation?

02:34:42:08 - 02:35:13:01

When you new Consumer District Council. Sir, I think on this issue, um, led by our consultant, who's obviously representing some of the other authorities, we've raised, uh, a number of points, both in issue specific hearing to and in written submissions about the, the wider, uh, landscape effects. And I don't think the outcome of the cumulative assessment in terms of projects being added to that changes. So obviously the applicant changes that position.

02:35:13:03 - 02:35:43:17

The applicant is is considered those inset projects, and they're satisfied that there isn't a suitable, uh, connection, uh, in very sort of general terms. But I don't think it changes our position in simple terms. So, um, we were we were seeking for projects to be considered for assessment because they haven't been carried forward from the long list. But all the previous points that we've made in terms of the wider landscape effects. I think they are still, still the case.

02:35:43:19 - 02:36:37:13

And I don't see that as a matter that will change. And I would expect that to be an area of disagreement that's reported in the the next iteration of our statement of common ground. If I can just touch upon BMV, I think in the previous previous hearings, we've advocated an approach of looking at things from the from the bottom up rather than the top down approach. I appreciate the discussion that we had previously around national policy. Again, we've made written submissions on that as a follow up to the last hearing issue specific hearing to I think the way the information has been presented is still, um, considering things at a county scale and then looking at, um, the loss of cumulative projects, uh, taking account of, um, the overall availability of BMV land within the county level.

02:36:37:15 - 02:37:28:04

But our, our focus as a local authority for our district is really about the the impacts at a local level. So taking the two, for example, the two set of projects within our district. Um, combining that with some of the other applications that are, uh, consented or advanced under the town country planning regime and what that means at a local level. Um, so I think we'll continue to, to maintain that concern, notwithstanding the further works, I think, I think the way the data is, how we've asked for the data to be presented, I don't think it's been, um, split down on, on a purely sort of district level and then worked up with I think the, the, the data has been presented in a combined way with, with a list of projects.

02:37:28:06 - 02:37:53:02

So it's not necessarily tallied up and split at a district level and then worked upwards. So as I say, I think it's uh, in my view it presents perhaps a rosier picture by just looking at it as a proportion. At a county level, what that or that overall loss means in respect to the wider county? So again, I don't think our position will change significantly in that regard as well.

02:37:54:14 - 02:38:04:00

Okay. Now that's helpful to understand. And do you have sufficient information, uh, that you're able to

02:38:05:24 - 02:38:19:21

provide clarity into the examination of a final position with regard to BMV? Or is it a you still after something else to assist you in providing that clarity to us?

02:38:20:23 - 02:38:45:19

I mean, if the applicant were able to just break it down into a table that looks purely on districts, so they've probably got the data already, if they presented that in a, in a simple table for, for the district, for our district, that would be that would be helpful. Um, if not, we could probably take the existing information and look at it ourselves. Um, but if they're able to do that, then, yes, that would be that would be helpful.

02:38:46:16 - 02:39:00:28

Okay. And I think we touched on this before, but, um, if you get a clarity from the applicant as to the, the quantum of, uh, land that's affected within your district. Um,

02:39:02:28 - 02:39:05:14

what what where does that take us?

02:39:06:27 - 02:39:42:07

I think that I think that gives clarity on on the concerns that we've maintained throughout about the potential loss of BMV land and what that means to the district. The district level. So I think we're we're getting to this sort of clearer answer to the question that we've, that we've asked throughout. Um, but as I said, I think, I think that will probably reaffirm the concerns that we've, we've had throughout the examination on this issue, but I think from my perspective it will provide clarity and transparency of loss at a local district level.

02:39:43:13 - 02:39:44:13

So okay.

02:39:44:29 - 02:40:14:09

So sorry. Sorry. Thank you. Um, this this information breaking down BMV by district is already in the examination. It was submitted by the applicant at deadline three. Uh, rep. The application number is rep three. Hyphen 065. And the relevant table, as requested is on page 15. I hope that helps. Uh, answer those questions.

02:40:15:03 - 02:40:39:18

It's helpful to have that pointed out. Thank you. Um, obviously, uh, Mr. Betts, you'll be able to have a look at that. And, uh, hopefully that will assist you in providing a response to us. Are there any other aspects in the cumulative assessment that you would wish to point out to us beyond the landscape and BMV issues.

02:40:41:01 - 02:40:53:18

No, I think it's fair to say that those those two aspects, uh, two topic areas have been of prime concern throughout, and there's nothing further to add beyond that at this stage.

02:40:54:23 - 02:41:17:29

Okay. Thank you. If I can't come then next to Miss Hall, on behalf of Lincolnshire, can I ask you to clarify Lincolnshire position relative to the cumulative effects and the cumulative assessment and obviously the interpretation and conclusions reached and how your what your position now is relative to the applicants.

02:41:18:24 - 02:41:50:00

Yeah. Thank you. Stephanie Hall, Lincolnshire County Council. Similarly to Mr. Betts I'm suffering the want of my landscape consultant. So I whilst I'm I have instructions that there. There is, I think, some distance between what Mr. Brown's assessment is in relation to cumulative effects, both in terms of methodology and overall conclusion. Um, I think it would probably be less than helpful for me simply to sort of read out notes that Mr. Brown has given me because he'd written those notes without sight of the agenda.

02:41:50:02 - 02:42:22:11

So they're not they're helpful in some respects. But I think what would what we had proposed in writing to the essay before this hearing was that we might be permitted to address these points in writing first, firstly. Um, so just in the headline is that, um, we still have concerns about cumulative effects, both, as I said, in relation to the way in which they are assessed. Um, for example, we have a concern that the report doesn't consider sequential views of multiple schemes. So two receptors passing through the landscape.

02:42:22:13 - 02:42:53:09

And, um, we have a concern about the extent of land use change across character areas that was mentioned earlier. And, um. Uh, I think that that Mr. Brown has a kind of methodological discrepancy between himself and the the applicant's landscape witness, but also, um, that does lead to Mr. Brown finding there to be significant cumulative residual effects, um, on landscape and both in terms I think of visual and character effects.

02:42:53:11 - 02:43:23:24

But I would leave Mr. Brown to tell the examination exactly why he reaches those views, and exactly on what point he departs from the approach of the applicant. But just suffice it to say so we are some distance apart, I think, on the assessment of cumulative landscape and visual effects. Um, the only other topic area that I'm instructed where we have a disagreement with the applicant on cumulative effect is is as Mr. Betts, BMV whilst we don't.

02:43:23:26 - 02:44:10:12

Um, I have a concern about the disaggregation of district level. We welcome the clarity provided and particular percentage provided in the most recent, um, kilos of assessment chapter given to us at deadline for um, and I think we now know that the percentage quoted in the in that report from the applicant is 6.54%, um, of loss of BMV. If all of the projected projects come forward and we would view that statistic as being significant, and we would be of the view that that is, you know, a very high number, uh, in raw terms, and that that has definitely reached a threshold where we would consider that to be, um, entirely objectionable.

02:44:12:18 - 02:44:49:15

Okay. Thank you. In terms of the landscape, um, element, I understand that you're going to put something in writing that would be helpful. I would ask that Mr. Brown makes it very clear to us how he's coming to the conclusions that he is, and why he's coming to the conclusions that he is, because we obviously have, um, a different approach being taken. We need to understand why that is the case. And, and then obviously that will lead in part to understand the difference in conclusions being reached.

02:44:49:17 - 02:44:54:27

But I think we also then need to understand, say, uh,

02:44:56:12 - 02:45:02:11

where it takes us, because if the conclusion is that there are significant adverse effects.

02:45:04:29 - 02:45:08:13

How different is that from what the applicant has concluded.

02:45:09:24 - 02:45:30:27

That I have got the message and I will pass it back very clearly to sorry, Stephanie, holding it together. We'll pass it back very clearly to Mr. Brown. And I will, um, ask for a note to be provided and I'll review that. So we know that it meets what you're asking it to do. I understand the job that it's got to do, and we'll make sure it does that job.

02:45:31:06 - 02:45:32:20

Super. Thank you very much.

02:45:33:04 - 02:45:52:00

So while I'm talking, um, I realize I've got a point. I've been told I've got 2.3 on this list, which is waste if cumulative effects of waste, which is a matter that we've raised before. And I don't think we've got anything necessarily new to say, but it just it deserves a place on the list of, of of concerns that Lincolnshire has in terms of cumulative effects.

02:45:52:09 - 02:45:54:02

Okay. That's helpful. Thank you.

02:45:54:04 - 02:45:54:28

Thank you.

02:45:56:22 - 02:46:09:24

So can I come next to West Lindsey District Council and understand your position relative to cumulative effects, both in terms of the assessment and the conclusions reached?

02:46:25:27 - 02:46:26:22

Okay.

02:46:26:27 - 02:47:08:25

John Barker, on behalf of West Lindsey District Council. Apologies, I was on mute. Um, yeah. Uh, like the, um, the two previous, uh, councils that have spoken, um, uh, West Lindsey District Council has, um, has yet to reach agreement on the landscape assessment and on, uh, BMV. Um, in particular, uh, in terms of landscape, um, the, the sequential views, um, element is still, still something that's, uh, considered to be, uh, considered to be an issue, particularly in West Lindsey with the, uh, the number of, um, uh, solar insects, uh, that are within the district.

02:47:09:03 - 02:47:52:09

Um, and, you know, traveling around the district, um, there will be a number of these to pass to go to somewhere like Gainsborough. Um, from most places within the district. Uh, and they'll be there for, for a number of a number of decades. So, uh, there is there is a potential issue there. Um, on, uh, BMV, um, like, uh, Lincolnshire, we we noted that, um, the, the BMV in paragraph 3.3.4 of the Inter Project Defects report, the, uh, the BMV use across Lincolnshire was, uh, was totaled at 6.54%.

02:47:52:20 - 02:48:22:25

Um, there is also a sentence in the, uh, in, in that paragraph that says, quote, a change in land use in the range 0.05% to 5% is considered to be normal. Um, the source of that is is not given. Um, but, um, if, uh, a change in land use, up to 5% is considered to be normal, then the 6.54% within Lincolnshire would not be considered normal.

02:48:23:03 - 02:48:54:03

Uh, potentially considered abnormal. Um, so, um, we would say that, um, well, when when you also consider that the, um, uh, the one erf um, grey, uh, BMV is 1.28 hectares, uh, sorry, 128 hectares when compared to all the other end tips within West Lindsey, only coming out at 257.64 hectares.

02:48:54:15 - 02:49:08:15

This project's on its own is basically half as much again as uh, the the other uh, solar ends and sips are are taking of of BMV land. Thank you.

02:49:09:03 - 02:49:25:08

Thank you. I know within your statement of common ground You also make reference to cumulative effect of transport projects and timing of other assets relative to on Earth. Is there anything further you can assist with? As are those points, please?

02:49:26:10 - 02:49:58:09

Uh thank you sir. John Barker, on behalf of West Lindsey District Council, um, I the point being made was that, um, there are other, uh, the other projects all identify the A57 as being a, a a route, uh, for, for traffic one way or another. Um, and the, um, the as the, uh, several of the other projects start dates are going to the right.

02:49:58:11 - 02:50:30:00

There is more likelihood that, um, there will be, um, traffic from several different or a number of different projects using bits of the A57 at the same time, um, we would defer to, uh, Lancashire County Council and Nottinghamshire County Council. County council on the detail. But we were just flagging that as a, as a potential issue as the, um. As the programme's as I say, shift to the right the, the um the inter project's effect effects report.

02:50:30:02 - 02:50:41:20

Had a had a little table as a sort of worst case of, of where, where the construction periods would. Would potentially coincide. And I think it's that kind of scenario that that we were concerned about.

02:50:43:09 - 02:50:48:13

Okay. But you're going to defer to the highway authorities in the first instance in any event.

02:50:49:12 - 02:50:50:00

Yes, sir.

02:50:51:00 - 02:51:09:03

Thank you. Okay. Um, well, if I come on to Nottinghamshire County Council first and if you can, uh, just let us know your position. Um, but also respond to that point that West Lindsey had made about the potential in terms of cumulative. Transport issues.

02:51:11:29 - 02:51:45:23

Will answer Nottinghamshire County Council in terms of, uh, BMV. That's a matter that we've deferred to the district council. And, uh, Mr. Betts at Newark and Sherwood has given uh, his position on on that. So I have nothing further to comment in terms of, uh, impact on landscape, as I alluded to under the previous item, that remains an issue for the county council. Whilst we're not disputing that the list of projects now included, uh, is inadequate. We obviously are continuing to dispute the approach to assessing those cumulative impacts.

02:51:45:25 - 02:52:16:01

And, uh, my colleague at Lincolnshire County Council has articulated the issue, and I don't think I need to repeat it. Clearly, anything that we submit from Mr. Brown representing both authorities, well, we'll come from both authorities. So, you know, you'll have that in due course. Uh, the clarity that you need, um, on the particular point of cumulative transport Sport impacts. Uh, that is something, uh, I would need to take a view from, uh, Sarah Hancock on that. She's still on the call. Um, it's not an issue.

02:52:16:03 - 02:52:27:22

I think we've we've raised to date. Um, because of the mitigations proposed in the TMP, but, uh, uh, if she's not on the call and able to comment on that point, then, uh, I can come back in writing when I've had a discussion with her.

02:52:29:12 - 02:52:40:28

Uh, yeah. Appreciate that. Um, I don't think she is on the call or not. Not popping up. So I appreciate if you can just get that clarification for us.

02:52:42:23 - 02:52:43:09

No problem.

02:52:43:24 - 02:52:53:00

Thank you. Um, Mr. White, I know you have your hand up. Is that a legacy hand, or is there another point that you're wishing to raise on this issue?

02:52:53:07 - 02:53:29:06

I do wish to make another point, to be honest, because I think this last point has been, uh, sort of brushed away. Um, first of all, going back to the applicant, uh, this is not about flooding. This is about there's a real potential pollution issue here, whether from construction or operation of the solar farm itself. In the event of a large scale battery fire, it could release toxic substances into the soil, watercourses feeding the Trent. Such contamination could then travel downstream into the Foss Stack and Witham, which is ultimately impacting impacting the Lynx Reservoir.

02:53:30:04 - 02:54:02:14

They'd have to either put up with the pollution, or they'd have to shut off water by leaving a massive reservoir in tip, by the way, with no water supply. You mentioned that you were going to ask the Environment Agency as well. I suspect you were just going to do that, to ask them to respond to that question. But this is about pollution. If there is a big fire event and it pollutes the Trent, it's going to pollute other watercourses, including the supply to this massive, massive reservoir. And it's not even been included in the cumulative assessments.

02:54:02:16 - 02:54:14:04

And we believe that to be a serious omission. And I suspect Sir Edward Lee and Doctor Caroline Johnson will also find it. It's a serious omission and we'd like some response, please.

02:54:15:13 - 02:54:36:03

Okay. Thank you, Mr. White. So can I come on to the Environment Agency and seek your views on the cumulative side? And also, if you're able to assist in responding to Mr. White's points with regard to the reservoir and the the water, uh, connection or hydrological connection.

02:54:45:26 - 02:54:46:15

Uh, James.

02:54:46:17 - 02:54:47:02

Cordell.

02:54:47:04 - 02:54:49:01

For the Environment Agency, this is something we can take away.

02:54:49:03 - 02:54:49:18

And.

02:54:49:20 - 02:54:50:05

Respond.

02:54:50:07 - 02:54:50:22

In.

02:54:50:24 - 02:54:53:00

Writing to. Okay. Thank you.

02:54:57:06 - 02:55:27:06

Okay. So if I can then come back to the applicant, Then um, obviously a number of points there, albeit some of them overlapping. If I could invite you to respond to, uh, the relevant issues in terms of landscape, BMV transport and then that final point from Mr. White with regard to the, uh, the proposed reservoir and the connection to the reservoir.

02:55:28:11 - 02:55:29:17

Thank you. So.

02:55:30:02 - 02:55:39:09

And the pollution. Uh, sorry for interrupting, but importantly, not to do with flooding water, but to do with potential pollution issue. Thank you.

02:55:41:08 - 02:55:42:09

Sorry, Mr. Griffith.

02:55:43:02 - 02:56:07:25

Thank you, sir. Richard Griffiths, on behalf of the applicants. A number of points there. Um, I'm going to start off with, um, bringing in my colleague to discuss the reservoir and pollution. And then I'm going to move to Mr. Griffiths to discuss, uh, landscape. And then I'll come. And it'll come back to me to, uh, draw that together. So we'll deal with the reservoir point first. Thank you.

02:56:08:06 - 02:56:08:29

Thank you.

02:56:09:19 - 02:56:39:29

Mr. Lazzaro, for the applicant. Apologies if I was not very clear and concise earlier when I was talking about why there wouldn't be an impact on the reservoir when I was talking about those existing watercourses and there being, um, maybe no pathway, that that's kind of what I wanted to do to kind of basically be saying that we have in place management plans, including the battery safety management plan, uh, the camp, the Om, etc.

02:56:40:10 - 02:56:58:29

they have measures they're in place. That would mean that there would be no contamination to those existing watercourses. Those watercourses are the ones that go down to the reservoir. So we have um, appropriately managed those watercourses so there wouldn't be likely significant effects on cumulative.

02:57:03:21 - 02:57:34:11

Thank you. And Sam Griffiths on behalf of the applicant speaking to Landscape Matters. Um, I think it's fair to say that to summarize the issues raised, there's two primary areas of discussion ongoing with regard to cumulative impacts on landscape. The first of which er relates to the impact on larger landscape character areas. And that was discussed at length between Mr. Brown and Mr. Gurney at

previous issue specific hearing. And number two, and both of whom set out their positions and as it happens neither of whom are in attendance today.

02:57:34:13 - 02:58:05:14

So I don't propose to reopen that discussion that's already been covered. But the second issue that has also been mentioned today relates to the cumulative sequential visual impacts. I think that was highlighted by, I think, each of the authorities in the discussion just now, um, consideration of sequential cumulative impacts is sometimes included within an LVA, but this is in instances where the impacts identified on promoted routes are relating to cumulative projects in very close proximity to one another.

02:58:05:17 - 02:58:47:14

So for instance, this was looked at in the Tilburg Elvia within the cumulative assessment which considered the impact of cumulative sequential effects with other projects close by such as gate, Burton, West, Burton and Cottam. However, it did not consider one Earth given the intervening distance between the projects, and we would echo that approach that we would not result in sequential cumulative impacts given that intervening distance. That being said, there has been discussion in the past at the issue specific hearings asking the local authorities to highlight routes where they consider there may be sequential visual impacts from cumulative projects, and no routes have been raised to date.

02:58:47:24 - 02:59:28:12

So we have reviewed it ourselves and thought, well, the Trent Valley Way goes through one a solar farm and does extend up north towards those projects. Um, now one of the solar farms has been designed specifically to seek to avoid and where that's not been possible, reduce impacts on the Trent Valley way, um, such that there would be only a minor impact, visual impact resulting from one a solar farm in isolation. And that is illustrated on a photo montage from viewpoint one, which can be viewed at rep two, hyphen 032, and it was also visited as part of the accompanied site inspection, where we walked along the eastern bank of the river following the Trent Valley Way.

02:59:28:20 - 03:00:02:03

And the reason for mentioning that is to make the point that even if a sequential visual impact looking at the cumulative impacts would be undertaken, I don't think it would result in any different findings that are already presented within the Elvia and the cumulative assessment. And so, in order to summarize the applicant's position with respect to cumulative, we would maintain that the current study is proportionate, and it clearly identifies the cumulative impacts that would result from one a solar farm and the wider projects, and therefore we would not propose to undertake further analysis.

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

Okay.

03:00:05:11 - 03:00:41:23

Thank you. And Sir Richard Griffiths on the applicant. Um, just staying on with landscape. Um, and I'm going to refer to, um, the Bridge Examining Authority's report. And of course, for those on the call, the tilt bridge decision was recently, it was recently came out and the development consent order was made by the Secretary of State on landscape. I think it's worth highlighting that, um, the

examining authority and the Secretary of State concluded that whilst there would be residual adverse effects, and indeed we're not disputing there will be effects from on landscape.

03:00:42:05 - 03:01:12:19

Um, the examining authority and the Secretary state concluded that that that there would be no conflict with NPS N1 and NPS N3. That is because N1 recognises that virtually all NPS would have adverse effects on the landscape. And that's paragraph five point 10.5. And in addition, despite the residual adverse effects on a locally valued landscape, that's not defined, but we assume that means a landscape where people value.

03:01:12:27 - 03:01:46:18

So this is not a nationally designated landscape. We're talking about a locally valued landscape. Paragraph 5.10 .12 of n1 states that um, uh, that harm or that those residual effects should not be used to refuse consent as that would unduly restrict development. And that was the conclusion of the Secretary of State in Tilbury. So yes, there may be residual adverse effects and they may be significant, but that's not actually in conflict with policy. Um N1 and N3 in respect of BMV.

03:01:46:20 - 03:02:36:15

MV, uh, just to draw that to a close. Um, again, on cumulative, um, the toll bridge examining Authority report. Um, so I'll just go back to landscape. That all of that is on page 65 of the examining authority's report for your reference. Um, on BMV, on page 111 117 of the examining authority's report, the Toll Bridge Examining Authority and the Secretary of State concluded that even taking into account other schemes in their cumulative assessment, and One Earth was included in their cumulative assessment, and that in it's shown on their cumulative map, the loss of BMV would not be significant, and the ex and the Secretary State concluded that over the lifetime of that scheme, they concluded there's likely to be a moderate beneficial effect on the soil resource.

03:02:36:17 - 03:03:06:18

And that is our argument here on the soil resource that over the lifetime of the scheme, there will be a benefit, but that there would be ultimately a loss, albeit temporary loss of BMV. And again, we are saying that we have a also a temporary loss of BMV and the percentages are set out in our application and on balance. They therefore ascribed neutral rate, neutral weight to soils and landscape in the planning balance, uh, in respect of transport.

03:03:06:22 - 03:03:40:24

Um, we agree with what was said earlier about on cumulative. Um, the that no, um, that um all of the there would be no likely steering effects as the the management plans in place would mitigate those. And so we would contest that the TMP deals with that issue and on waste which was also raised briefly. Um, we have nothing further to add. Uh, that was set out in our previous submissions, but again, referring to Tilburg, um, decision at paragraph.

03:03:40:26 - 03:04:32:15

Um, this time there was a paragraph number, paragraph 3.11.87. The um the examining authority in Secretary state. Uh, note and I quote, we note concern in relation to existing capacity. However, we accept the applicant's rationale that such facilities are highly likely to be developed as the market for such recycling increases over the operational life of the proposed development. And that was our

contention at the last issue specific hearing. And in their conclusion, at 3.11.89, the examining authority and then the Secretary of State agreed, stated that um, the examining authority agree with the applicant that the proposed development would not result in any significant residual materials and waste effects during construction, operation or decommissioning in isolation or when considered cumulatively with other developments.

03:04:32:17 - 03:04:46:10

They therefore applied um, that the scheme therefore complied with the relevant provisions in the NPS. And they said that the materials and waste effects would be neutral in the planning balance.

03:04:48:09 - 03:04:53:28

That's, um. I think that covers all the accumulative topics that were raised, um, just now, sir. Thank you.

03:04:54:23 - 03:05:12:22

Thank you, Miss Ruth. Can I just clarify with you the, uh, first reference? Um, to Till Bridge. You said the examinations report was page 65. Do you have the similar reference from the Secretary of State's decision, whether it's a page or a paragraph number?

03:05:14:03 - 03:05:29:18

Richard Griffiths on path applicant. Um, the secretary state agreed. I haven't got the sector status letter immediately to hand. I'd have to pull that up. And but what I suggest in our written summary of what we said today, I'll put that references in, if that's helpful. Yeah.

03:05:29:20 - 03:05:42:23

Yeah, it will be. Thank you. And obviously you've got cross-referencing between the examination authority's report and then the Secretary of State's decision. So if we can have the the relative positions from each. That would be helpful. Thank you.

03:05:42:28 - 03:05:56:26

Yeah. So we always said the Secretary state agreed with the examining authority. But I'll provide the exact report either or the page number because some of them don't have paragraph numbers or paragraph number. And then the secretary states page number or paragraph number where I can. Yeah.

03:05:57:06 - 03:05:58:17

That's helpful. Thank you.

03:06:02:26 - 03:06:09:20

So, um, can I just clarify then. Does anyone have any further cumulative.

03:06:11:22 - 03:06:17:28

Effect points that they would wish to raise before we move on to any other business?

03:06:22:06 - 03:06:34:18

No. Okay. That's helpful. Thank you. So, um, I don't think I have any other business. I'd just clarify again, Mr. Fox.

03:06:55:15 - 03:06:58:03

I'm not hearing you, Mr. Fox. I'm.

03:07:03:15 - 03:07:34:04

Sorry. I apologize for that. I appreciated the offer earlier. The suggestion that you kindly made about a statement of common ground. But I obviously didn't appreciate the comprehensive way in which it was put down. Having said that, the original. We are here on flood risk at a very late stage because these matters were not addressed when they should have been. I raised substantially all of them. And I don't just mean surface water back in 19, um, 20, 24.

03:07:34:10 - 03:08:19:24

I made them very clear in the relative representations and relevant representations. I made clear that the preliminary meeting, that I didn't think some things were being considered properly at the consultation stage and through, um, stages one and two, I made substantial contributions which were just frankly ignored or treated with contempt. Now, I appreciated very much that you put in sensible questions that after deadline three and that the questions were to be addressed, but they were not answered properly at all.

03:08:20:18 - 03:08:56:00

Now I'm very concerned with what we've heard from the two local authorities and from the Environment Agency. Today. I have put forward straightforward challenges to you to vote all three of those agencies. And I want to be assured that you're going to put them forward to them and ask them for a response. The I didn't come up with my saying my ideas on science. I was prompted to do them by very senior people at red brick universities. I've also escalated the matter up to the Secretary of State, and I do want them to take them seriously because I think it's a very serious threat.

03:08:58:10 - 03:08:58:25

The other.

03:08:58:27 - 03:08:59:12

Thing.

03:08:59:18 - 03:09:17:16

I'd like your assurance. So if we can, that we're not going to be this thing is not going to be judged simply on M3 and its attitude to, um, surface water. Uh, we have to go beyond that. Thank you.

03:09:18:19 - 03:09:54:05

Well. Thank you. I mean, all I can do is reassure you that we do understand and take very seriously the concerns that you've identified and obviously appreciate the extent of work that you've gone to in promoting the concerns that you have. Um, it's not for us to tell the applicant how to respond. It's for them to decide how to respond. And ultimately, uh, at the end of the examination process, we need to be in a situation where hopefully we have clarity of your position, but also the applicant's position.

03:09:54:07 - 03:10:24:08

And we have clear evidence from both sides as to why you are where you are. And, uh, ultimately, if somebody submits something and then someone chooses not to respond to that or the response is, uh, not substantiated, then that will go forward into our consideration and how we report to the Secretary of State. So hopefully that will give you some reassurance.

03:10:24:10 - 03:10:29:12

But fundamentally we have to assess the application.

03:10:32:21 - 03:11:02:00

In accordance with national policy. The Planning Act is very clear that that's the situation and N1 and M3 clearly apply. And they are the policies that we must, uh, consider the application against. So I'm not sure I can say any more, but I'll just see if the applicant wishes to make any further response. Uh, now, before we move on to just going through the action points.

03:11:03:00 - 03:11:14:15

Thank you, Sir Richard, give us on part of the applicant know, um, as you said, sir, the you have a duty to determine the application, uh, pursuant to the national policy statements. And I've got nothing further to add to your comments.

03:11:15:10 - 03:11:22:13

Okay. Thank you. So, um, I'll just move on then. Sorry, Mrs. Fox, you have your hand raised.

03:11:27:24 - 03:11:55:25

Thank you, sir. The Fox resident of North Clifton. This was just in case you were moving on, sir, before any other business. But fear not, sir, it is not the wider sustainable development development objectives. It's really. If you could remind me, sir. Was it a decision made over the consent being given? If the grid connection is now not going to be till 2031?

03:11:57:14 - 03:12:17:23

I had a leaflet through the post the other day that said it won't be operational till 2031, and if one Earth gets consented to and they start building in 2027, will there be certainty? Because I would hate, you know, holes to be dug. And it wasn't. It was wasted for two years.

03:12:19:07 - 03:12:56:18

Okay. There's no there's no decision obviously, at this stage. Um, I wasn't aware until you just said that, uh, there had been leafleting indicating a delay in the, uh, that separate application. Uh, so I think it would be helpful if the applicant can respond to that and, uh, explain if there are any consequences. They see it to a further delay in the provision of that, uh, substation and the connection point.

03:12:57:06 - 03:13:35:20

Amy Sterling, on behalf of the applicant. Yes, I we will be responding and writing in this at deadline five. Uh, I think there's been some unfortunate confusion. The scheme which has been leafleting is not the substation site. There is a different scheme with a similar name, which is actually an overhead line project, which is due in 2031. The applicant substation site is still due and its grid connection is still for 2029, and National Grid also confirmed that in their most recent submissions, so there has been no change to the date of the National Grid substation into which the project will connect.

03:13:35:22 - 03:13:46:21

It is a separate overline overhead line project which will be delivered in 2031. All of this is already drafted and will be clarifying the position at deadline five.

03:13:47:20 - 03:13:56:27

Okay. That's helpful. Thank you. Um, Mr. Fox, you have your hand raised. Is that a legacy or is it another final point?

03:13:56:29 - 03:14:23:00

Hey, no, it's another point. The, um, I just want to emphasize that whilst I'm here doing all this talking, you do. I want to emphasize the strength of local feeling. And the reason that people aren't here talking is because they're just intimidated by the whole process. But worse, they just believe they won't be given a proper or fair hearing.

03:14:24:22 - 03:14:26:08

Just make that point.

03:14:27:22 - 03:14:58:15

Yeah. I'm sorry that that's the impression or the feeling that people have. Um, I think all I can do is try and give people the reassurance that we are listening to what people have to say. But also we must recognize that the national policy is what it is, and we must be obliged to consider the application relative to that national policy. But that doesn't mean to say that people's voices are not heard. They very much are.

03:14:58:22 - 03:15:30:03

And, um, I would seek to reassure you that we are listening to what you're saying, and that's in part why we're going to such lengths in trying to pursue questions, in clarifying matters which are clearly of such importance to you and the local community. Yeah. And, you know, fundamentally, that assists us in examining the case and testing what the applicant is, is saying and submitting.

03:15:30:15 - 03:15:37:14

So I don't question your good faith, sir. It's just the way we've been treated by the applicant from day one. Thank you.

03:15:38:08 - 03:15:46:26

Thank you. Um, Mr. Gross, is there anything further you would wish to say before I just go on to the just going through the action points?

03:15:49:00 - 03:15:55:15

Richard Griffiths, on behalf of the applicant. So I think we can go to the AOB or the action points. Sorry, sir. And then AOB. Thank you.

03:15:56:01 - 03:16:38:06

Okay. Thank you. So I've just got a list, um, relatively short. And, uh, Mr. Jack may have a few others as well as we've been sort of topping and tailing as we go. So if I start, um, updated commentary on

the revised Fra from the Environment Agency, Obviously expecting an update in DCO from the applicant, and you'll also consider looking at the explanatory memorandum, um, as well, in light of the the points we made, uh, Environment Agency, look at the policies used by them in determining the level of tolerance that you used.

03:16:39:01 - 03:17:11:28

Um, and then the applicant to have a look at how the applicant is calculated, surface water runoff. I think that was an additional point. Uh, Newark and Sherwood district, um, to review deadlines for submission in respect of the sequential test and come back to us on that. And then the applicant to respond specifically to the point that West Lindsey was making. Uh, with regard to the sequential test, and AP 16, I think was the specific site.

03:17:12:25 - 03:17:46:15

Um, applicant's going to have a look at the glint and glare and whether a different conclusion would be reached. Uh, if a different angle of repose was there for the panels and all of these to deadline five. Apart from the glinting glare where it'll come to us as soon as it's able to be done, and Nottinghamshire County, um, going to have a relook at the character assessment in terms of landscape.

03:17:46:22 - 03:18:14:07

And I think, um, that's probably in line with Lincolnshire as well. And the other, uh, authorities represented, or Mr. Brown is representing you so that we can understand clearly the position, um, that the applicant will revisit, um, the statement of ground ground with Anglian Water to ensure consistency in language to protect the hedgerow adjacent to gate G,

03:18:15:22 - 03:18:46:24

um, Nottinghamshire County, to provide the road safety audit policy into the examination and then the applicant to revisit and clarify for us in respect of visibility displays and how speed surveys are to be secured, but also, I think, provide us with greater clarity as to how visibility displays that are outside of the highway and outside of the order limits, uh, would be secured.

03:18:46:26 - 03:19:20:14

If not, what, uh, is the consequence? I think also that the applicant agreed that you would revisit the old and damp to ensure that operationally, the visibility displays were to be maintained, that Nottinghamshire County would revisit the cumulative traffic issues just to confirm their position to us on that. And and the Environment Agency are going to provide a written response to the concerns raised by Mr.

03:19:20:16 - 03:19:35:09

White regarding the cumulative assessment, including any possible consequences for the reservoir, the proposed connection to the reservoir and pollution issues. But Mr.. Jack, do you have any others?

03:19:37:17 - 03:19:41:23

I have, um, so

03:19:43:11 - 03:19:52:24

the applicant to provide references to the Tilbury recommendation report and Secretary of State decision letter on the cumulative effects and conclusions.

03:19:54:11 - 03:20:23:25

Um, but the applicant to provide a response in writing to the timing of the substation planning application following that leaflet that was received by the sparks. Um, yeah, it was also going to and this is as soon as possible deadline. Uh, seek a response from the Trent Valley IDB on commissions, um, so that they could make a submission by deadline five.

03:20:26:03 - 03:20:26:28

And I.

03:20:30:29 - 03:20:35:04

Believe that was it.

03:20:37:03 - 03:20:37:18

Yeah.

03:20:37:20 - 03:20:44:18

Okay. Thank you. So any points of clarification that anyone would wish to have in respect of those action points?

03:20:49:19 - 03:21:00:25

No. Okay. Uh, Mr. Fox, your hand is raised. Is there something else on the action points that, uh, you're looking to raise?

03:21:01:01 - 03:21:02:28

No, that's a legacy hand.

03:21:03:13 - 03:21:06:16

Oh, okay. All right. Thank you.

03:21:10:22 - 03:21:14:10

Mr. Corcoran, I think it's the Environment Agency.

03:21:17:27 - 03:21:18:12

Yeah.

03:21:18:14 - 03:21:21:05

That's right. Mark Corcoran, water resources and Environment agency.

03:21:21:07 - 03:21:22:08

Um, it's.

03:21:22:10 - 03:21:22:25

Uh.

03:21:22:27 - 03:21:23:24

Was just an action on the.

03:21:23:26 - 03:21:26:18

Applicant to make available the water resources assessment.

03:21:26:21 - 03:21:27:06

I think we.

03:21:27:08 - 03:21:27:23

Discussed.

03:21:27:25 - 03:21:28:10

Earlier in the water.

03:21:28:12 - 03:21:28:27

Sources.

03:21:28:29 - 03:21:30:12

Section. Uh, whether that is.

03:21:30:14 - 03:21:31:11

Directly to the Environment.

03:21:31:13 - 03:21:32:21

Agency or as part of.

03:21:32:23 - 03:21:36:08

The, um, the examination library. The document library.

03:21:36:10 - 03:21:38:09

Um, either way, will be absolutely brilliant.

03:21:41:04 - 03:21:42:24

Okay. Thank you.

03:21:46:08 - 03:21:57:04

Okay. So following that additional clarification point from Mr. Corcoran, is there anything further that the applicant would wish to say, um, or is is,

03:21:58:24 - 03:21:59:09

uh.

03:22:01:15 - 03:22:05:26

Hopefully that's that action point list is clear.

03:22:06:28 - 03:22:22:13

Richard Griffiths, one of the applicants. Yes, sir. The action points are clear. Um. And we have no further actions from today. Um, we just want to say thank you very much, sir, for conducting all these hearings in the professional manner that you have, sir. Thank you.

03:22:22:25 - 03:22:53:04

Thank you very much. Um, so, uh, it's been a long day. Uh, just we'd really like to thank everyone for their contributions. I know it can be quite challenging at times, particularly for those who are less familiar with it, but, um, I would have to say, for my part, for those of you who've not used this system before, I think you've come across very well and it's appreciated. So I think, uh, on that final point, it is now just 6:02.

03:22:53:12 - 03:22:59:01

I want to just thank you once again and formally close this hearing. Thank you.