



Event Transcript

Project:	Great North Road Solar and Biodiversity Park
Event:	Issue Specific Hearing 3 (ISH3) - Part 2
Date:	4 February 2026

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FULL TRANSCRIPT (with timecode)

00:00:09:21 - 00:00:23:22

Okay. I shall resume the the hearing. And as we've completed landscape and visual matters, I'm going to hand over to Mr. Hobbins to deal with item two, which is ecology and biodiversity.

00:00:24:23 - 00:00:41:18

Thank you, doctor McGinn. Um, so I now deal with items on the agenda, which is ecology and biodiversity. So the issues for discussion today are those related to points raised in the written submissions that we received at deadline one and two and including the local impact reports as well.

00:00:43:11 - 00:00:54:10

So I would ask some questions and for some further explanation from statutory parties here, so principally Newark and Sherwood District Council. And of course turn to the applicant for your response as well.

00:01:01:11 - 00:01:18:12

So turning to item 2.1 and to Newark and Sherwood District Council. So you've raised a number of concerns in your local impact report and your relevant representation related to the methodology undertaken to assess the effects of the proposed development on ecological receptors.

00:01:20:24 - 00:01:44:15

So in your local impact report, you state that you remain concerned about the transparency of the process used to conclude that no significant effects occur for all key ecological receptors. And in your response to the examining authority's first written questions. You stated that your concerns could lead to different conclusions for some ecological receptors and potential under-reporting of these.

00:01:47:01 - 00:02:07:24

So my question is, I think, is, are you able to say how determining these concerns could be and how much the effects have been potentially underreported? So could there be a larger number of significant effects? We're looking at sort of a large number here or sort of smaller localized significant effects. Um. Thank you.

00:02:09:28 - 00:02:40:19

Uh, Mrs. Haley Hurst, the biodiversity and ecology officer for Newark and Sherwood District Council. Um, I will just start off by saying that we have had, um, subsequent, um, meetings since the last hearing in our local impact report, which I think has resolved quite a few, um, concerns in relation to transparency of the baseline. I think where obviously the approach has been different to what was outlined in chapter two. It's followed the same guidance which re-examining that. That is fine.

00:02:40:21 - 00:03:17:16

The design guidance does sort of discourage against using a matrix. And I think a lot of the information is actually contained within chapter eight. It's just I think my main point was the summary table at the very end of the chapter was very concise. Um, and on reflection. Having further

discussions. The concerns were specifically in relation to to possibly just 1 or 2 receptors and how the non-significant effects had been determined. And I think what it came down to was how the how mitigation had been included and where cases.

00:03:17:19 - 00:04:05:07

It had been stated that it was embedded, um, mitigation that perhaps this, um, perhaps should have been considered as additional. This is sort of specifically in relation to, to farmland birds. I was quite surprised that, you know, there hadn't been necessarily a negative effect identified and that there would be no, um, further mitigation required. Um, and where um, I think it's perfectly acceptable to, to consider things like the design where there's sort of large, um, open air compartments that are sort of fenced off from, from the um, solar panel areas and establishing, obviously species which gradually and as part of the design where there's proposed skylight plots, lapwing plots, additional feeding that that should be considered as additional mitigation and should have been stated.

00:04:05:18 - 00:04:26:02

But in terms of actually and that's where it would perhaps lead to a different conclusion of prior to that additional mitigation, there might be a negative effect, but having sort of reexamined, I don't think it would change the outcome where there would actually be any significant effects. It was more the way it had been presented.

00:04:26:14 - 00:04:37:20

And okay. Thank you. And were they were there any other receptors where there were, um, where you had concerns on the potential effects, or was it just the common on birds?

00:04:37:23 - 00:05:10:24

There was the point of, again, it was perhaps more on the way the chapter was presented where sort of those sort of important sort of habitats sort of had been lumped together and not sort of, um, assessed separately, or whether it should have been that those habitats should have been assessed in terms of fragmentation impacts, um, just deposition, those sorts of things. But again, looking back and through further conversations, actually, you know, because those habitats are actually going to be retained if they had been separated out, I don't think that would have actually changed the the overall outcome.

00:05:10:26 - 00:05:30:12

So is that, um, so no, where you referred to in your submissions, the aggregation of habitats. So the, the broadly woodland hedgerows with streams and ponds. Um, so in terms of there, we've been talking about discussions. So where are you essentially in those discussions you say you relatively in agreement.

00:05:30:14 - 00:05:36:00

Yes, yes, I'd say so. And yeah, in the process of updating the statement of common ground to that effect.

00:05:36:02 - 00:05:41:14

Okay. Thank you. Um, and the applicant, Mr. Grey, do you have any any comments to add there?

00:05:43:26 - 00:05:44:11

Uh.

00:05:44:21 - 00:06:15:21

Mike gray for the applicant. Not much to add to that, sir, except to thank your concern for their continued and sort of rigorous engagement has been extremely helpful to think through these issues. And perhaps at deadline three, we anticipate submitting a revised version of chapter eight, which will include some of the clarifications that we discussed with Newark and District Council, principally around mitigation for breeding birds, and including some additional information in the summary table. 8.1.2 at the at the end of the chapter.

00:06:16:19 - 00:06:23:18

And to reiterate the point that these changes won't change the conclusions of the assessment or the significance of effects.

00:06:24:24 - 00:06:25:17

Thank you.

00:06:35:15 - 00:07:09:28

So I'm just going to come back to Newark and Sherwood. So again, maybe asking something you've already covered here, but this is just for the purposes of our sort of considered your, your submission. So where we've discussed there obviously the assessment methodology, you did also have concerns related to baseline survey information as well, which outlines any relevant representation. Um, you know, have these been agreed now as well? Or are these under discussions? I was just wanting to understand, again, if there were potential implications on on the assessment, on on effects and if there would be any, you know, anything sort of following on from that.

00:07:10:00 - 00:07:13:18

But um, yeah. Where sort of where I, where have you got to essentially.

00:07:15:02 - 00:07:57:05

Uh, Hayley Hurst um, representing Newark and Sherwood District Council. Um, yes. Um, so further conversations, um, taking place to sort of understand obviously the the level of survey effort that been put into the baseline assessment. And there is now quite a helpful, um, additional figure that's been included with the, um, Biodiversity Net Gain technical appendix, which sort of shows the areas, um, where the detailed assessments had occurred and where they hadn't. Um, it does demonstrate that, you know, there's there's quite a few of those areas that were subject to detailed survey now fall outside the order limits, but actually the majority of the sites, um, is sort of predetermined value.

00:07:57:07 - 00:08:30:19

A lot of it is arable land. And so the point where I had concerns was in relation to the net gain assessment and, and the accurate sort of valuing of the of the baseline value of the site. And there is obviously a commitment within the requirements to update those surveys, post consent, um, and come to an agreement that, that yes, that the baseline value of the site could change without, you know, doing the further service, we wouldn't know for sure. It may decrease slightly, it may increase slightly, but the actual proportion of areas that would need detailed assessments is quite small.

00:08:30:21 - 00:08:41:17

And so even if the baseline did change the overall outcome of the biodiversity net gain assessment and the overall outcome of the chapter wood would not change significantly.

00:08:41:27 - 00:08:48:23

Thank you. So it can be again, it can be sort of relatively happy then that those those matters are agreed. And we just thank you.

00:08:58:19 - 00:09:13:09

Okay. I think that brings me quite quickly to the end of that particular item. So I now move on to the effects on aquatic invertebrates in birds. Um, so I'd like to ask if, uh, a bug lifer here, please. I think it was, um.

00:09:15:12 - 00:09:16:13

I miss the.

00:09:22:27 - 00:09:26:11

So. Yes. Yeah. Apologies, Mr. Robins. Thank you.

00:09:31:27 - 00:10:02:12

So I'm going to ask you a few questions, Mr. Robins, about your suspicions from bug life. And it's really to get an understanding of the context of your the points you've raised about the effects of polarized light or potential effects. Um, So firstly, from the submissions that we've received, um, I'd just like to understand is your research has that been undertaken on solar farms in the UK or is it sort of on other countries. Is it?

00:10:03:24 - 00:10:35:02

So I suppose it's first important just to, to clarify, it's a, it's a often under-recognized issue. Um, so in terms of the issues on aquatic invertebrates that underpin our concerns about the around horizontal polarized light, it's quite simple. Basically, it comes down to what how aquatic invertebrates see the world. Um, as part of the reproduction, as the name suggests, you know, adults will fly around and find a suitable site to breed in. So they'll, they'll they're fit to be flying around looking for ponds and lakes and wetlands to lay their eggs in.

00:10:35:26 - 00:11:09:11

Um, they see the world slightly different how we do, whereas we do see the visible light they they see. Not only are they more sensitive to different light levels, but they perceive the wavelengths differently as well. So they'll see light reflecting off smooth surfaces such as solar panels, but also car roofs and the plastic sheeting you'll sometimes find in agricultural landscapes. They see that as essentially looking just like the smooth surface of it as a pond or lake. And they'll then land on that and lay their eggs, which, unsurprisingly, being in an unnatural environment, those eggs are unviable.

00:11:09:26 - 00:11:45:02

So there's concerns that when when these surfaces are near to water, that they they will be drawn across, lay their eggs on them. And over time, of course, that will erode invertebrate populations with knock on effects for aquatic ecosystems and everything that relies on them as well. Um, it's worth

saying as well that, um, solar panels are thought to be the strongest source of that horizontal polarized light. So on a sunny day, they may attract them across more than a natural water body next to them. Um, in terms of this research, this research has been done.

00:11:45:04 - 00:12:15:22

It's a long established mechanism is probably the best way of describing it. There's a there's a very long evolved, uh, approaches for invertebrates, literally, as I said, you can have, um, a whole range of invertebrates from diving beetles and dragonflies and caddisflies and horse flies, a whole range of them. They will all look for breeding sites in the same way. It's a very primitive ecological approach, which so we understand the mechanism as what I'm trying to say, that that research itself has been done at a global level. So it's not a uniquely British thing.

00:12:16:03 - 00:12:47:03

Okay. Um, in terms of the, the impacts, um, of, of solar farms, that's something that hasn't been particularly well researched. Um, I should add that actually that mechanism where I talked about the potential impacts of horizontal polarized light attracting them across, is something that we've flagged up in research as long ago as 2011. And that research was part of a paper called A review of the Impact of Artificial Light on invertebrates. And that's been used by the lighting industry.

00:12:47:05 - 00:13:08:27

Ecological consultants in the UK planning system. International research has been using evidence submitted to Parliament on invertebrate declines. So it's well accepted. Uh, the phenomena itself is well accepted. Uh, what's not particularly well understood is, is the impact on the landscape. Uh, on the on invertebrate populations across the landscape. Sorry.

00:13:09:04 - 00:13:40:11

Okay. Thank you. That was going to bring me roughly to my next question, I think. So I was I was interested in understanding if you had, um, you know, any specific concerns related to the Great North Road solar project? Uh, you know, perhaps the layout of the panels or was there any, you know, did you, for example, identify, you know, a certain area or you know, where there could be a potential potential effects that would be stronger than others on the invertebrates? Or was this more of a kind of generalized concern about the effects of from the panels in general?

00:13:40:29 - 00:14:14:03

What we were I was discussing this with the with the ecologist for the scheme and actually, um, not as a result of our concerns on horizontal polarized light, but I think largely due to other concerns around flooding. Uh, the configuration of the scheme has moved, as is often the way with these schemes, as they develop from an initial embryonic idea towards the detail we've got now in the DCO, the scheme has been reconfigured in a way that, in effect, is in line with best practice for mitigation hierarchy. You know, the mitigation hierarchy would be the first thing you'd like to see is avoidance.

00:14:14:09 - 00:15:03:20

And our principal concerns at the earliest stages of the the application around the the polarised horizontal polarized light, sorry, were towards the east of the site of the of the red line boundary, where it was bordering the the River Trent corridor and the network of wetland habitats alongside it. Over time, largely as I understand it, due to flooding, the scheme has been reconfigured largely so a

lot of that has been moved away from the Trent, which which definitely relieves some, alleviates some of our concerns about potential impacts. We we like to think about the impacts potentially being greatest within 300m of, of wetland habitats because it's weather like that's based on kind of long established again, global research on dispersal distances of invertebrates from wetland habitats, although more mobile things like dragonflies and high flying species like diving beetles.

00:15:03:22 - 00:15:32:21

Wolves will look over a wider area with that without going into that detail. There are still a couple of areas of the site where we suspect that there will be more of an impact around Maple Beck and Moorhouse Beck, and the very northeast of the site near the Trent. However, it's important to note that this is very much reduced from the initial iterations of the scheme. We were much more concerned about the impacts on that Trent corridor. So the the change in configuration is a is a is a positive outcome as the schemes developed.

00:15:32:26 - 00:15:34:10

Okay. It's helpful. Thank you.

00:15:38:24 - 00:16:10:29

And then just coming to you in your representations. You've also suggested, um, you know, certain mitigations. For example, I think it was, you know, support grids that you can place on top of the panels, which I think changed the polarity of the lights. Um, but just wondering, firstly, would you be able to submit any details of those, um, into the examination? Just that there's something we have that we can see. Essentially. So yeah, it doesn't have to be reams of information, but just the general principles of how these would work, or if there's any particular products or industry products that you would use.

00:16:11:17 - 00:16:13:05

We can certainly. Sorry.

00:16:13:18 - 00:16:32:18

I was going to ask as well. I think one of the applicants. Um, I will come to the applicant soon as well. But, um, one of the applicants responses to your, um, submission was about the fact that, you know, this is very much an experimental or sort of a very much a research and development stage. And I just wondered if you wanted to come back on that and sort of have anything to say. Okay.

00:16:32:20 - 00:17:05:02

No, I won't challenge that particular, but I will point out that, um, in terms of the applications we've been. I'm quite pleased it's being examined here because generally we've found most of the solar applications we've been responded to have been in Town and Country Planning Act decisions. And we often find that environmental impact assessments, as was originally the case here, don't necessarily pick up on the horizontal polarized light issue. Um, in terms of those mitigation measures, there's two measures. As you as I think you touched on, one was uh, it's a non reflective white tape on the grid of panels effectively breaks up that reflected light.

00:17:05:08 - 00:17:43:10

So that's not something that, as I understand it comes designed within panels that something could be laid over panels to effectively break up what would otherwise be perceived as a large expanse of surface area of water. And the other is an anti-reflective coating. So there are some commercially available anti-reflective coatings, but that's more based on the visible spectrum of light. So not with invertebrates in mind at the moment, we're not aware of any commercially available product that necessarily fulfils this criteria. Um, that's something we've flagged up recently actually in, a knowledge review exercise is being undertaken by Natural England and something we intend to progress with the with the solar industry directly.

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So although we've been engaged with, uh, perhaps don't hold me to this. I think 5 or 6 solar schemes where they've been protected are impacting on either local wildlife sites, statutory protected sites or priority habitats. Those that have been decided, we're not aware of any that have implemented mitigation measures as we've outlined. What we have seen is that when the when the risk is so when the impact is identified, the best effort we're seeing is again, reconfiguring panels to move them away from the most ecologically sensitive areas, which is regardless of the cause, what what we're seeing with the Great North Road application here.

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Okay. Um, well, thank you very much. I think that's, um, really helpful. Um, what you've said there. Um, and, um, yeah, I'm quite clear, sort of, um, on your position there and things. So I would just come to the applicant if you have anything that we'd like to comment on or respond to. Thank you.

00:18:38:14 - 00:19:15:29

Mike gray for the applicant. Yeah, I'll not go over the research. That bug life of quote is really interesting. I think it demonstrates the mechanism that was outlined. It might be worth summarizing how we have addressed the issue of invertebrates and polarized light in our assessment and in the development. So, so invertebrate baseline was considered in section 8.5.1, 2.2 of chapter eight, and the potential effect of polarized light on invertebrates was considered in that chapter in section 8.7.7, in scoping them out of the assessment.

00:19:16:15 - 00:19:55:14

This was based largely on 2019 review, a comprehensive review of the ecological effects of ground mounted solar photovoltaic solar photovoltaics, uh, published by BSG consultants. You described the mechanism and did note that despite this mechanism, there is no evidence of landscape scale ecological effects on invertebrates. Went on to make some advice about how about sensitive design of developments, particularly recommending that it's important to site solar farms away from potentially important aquatic invertebrate populations, which is what this department has done.

00:19:57:03 - 00:20:31:16

This includes mitigation and enhancement for invertebrates. The specification of the panels is a really interesting point. As noted, we're not aware of any commercially viable system that that hits all those targets, that bug life outline, but they do have a form of gridding inherent on them. They have an anti-reflective coating. This does help to reduce the the adverse effects on some invertebrates. Not all. The development design. The Simp and the lamp include a lot of other measures to safeguard aquatic invertebrates as well, particularly the avoidance of high value habitats.

00:20:32:05 - 00:21:05:11

Terrestrial habitats such as ancient woodland, but aquatic habitats as well, and the point was raised about Moorehouse Beck and the Beck and Maple Beck. Two of the principal watercourses in the order limits. Both of these have what we have termed riparian corridors around them. Large swathes of undeveloped land, land without solar infrastructure in them, which we manage sensitively for habitats and and invertebrates. And that, that that margin around those is quite large varies. I don't have the numbers, but, you know, up to several hundred meters in places.

00:21:06:11 - 00:21:33:26

Uh, and as noted, uh, solar infrastructure has been removed from the southeast part of the part of the old limits as well, which was a sensitive area, notably in that area, we have retained areas of mitigation and enhancement, including along a local wildlife site, which is watercourse drain. I think it supports notable water beetles. So we've removed infrastructure from that area and have designed in enhancement Four for invertebrates and other ecology around that.

00:21:36:08 - 00:21:55:21

There are other embedded benefits in the scheme in terms of reduction in agricultural inputs, pesticides, which which will directly benefit the water quality and aquatic invertebrates community. Most of this is set out in the chapter, but I thought it was worth running through these things again specifically in response to that. So thank you.

00:21:55:23 - 00:22:06:27

Okay. Thank you. Um, you know, I'm, I think I'm sort of relatively clear now on both your party's positions. I just asked Mr. Robbins if there's any any last comments you wanted to make. Um.

00:22:08:07 - 00:22:41:01

Um, no, I think all I'd like to highlight is that, you know, bug life is supportive of well sited solar schemes, recognising they've got an important role to play, and that includes in them being able to have positive biodiversity outcomes. And I will recognise that the scheme has got a third of its area roughly, you know, um, being earmarked for land uses that have a positive biodiversity outcome. So I will support some of what the applicants ecologists just said there. I think there should be some should be biodiversity outcomes overall. We're just pleased to see the polarised horizontal light issue addressed.

00:22:41:03 - 00:22:43:00

And, uh, yeah. Thank you.

00:22:43:06 - 00:22:48:01

All right. Well, thank you very much for your contribution there. Thank you. Um, Mr. Northcote.

00:22:49:13 - 00:23:23:24

Thank you, Aunt Northcote, for JPEG. I just wanted to pick up one point the applicant just raised there. They were talking about, um, being away from ancient woodland. Um, but of course, uh, in some areas, the scheme actually immediately abuts ancient woodland. So one example is chevron wood, which contains a very large pond within it. And that is going to be surrounded within ten

metres on three sides with solar panels. So, um, what the applicant talked about in terms of being away from nature.

00:23:24:00 - 00:23:42:05

I'm not not certain. That's entirely, um, correct in all areas, so there perhaps is still some micro siting issues to be considered in terms of further standoff. From an ecological perspective, and the relationship with the ancient woodlands that are around. Thank you. Thank you.

00:23:42:11 - 00:23:45:11

And Mr. Grey, do you have any anything to comment there?

00:23:48:14 - 00:23:49:03

Thank you sir.

00:23:50:24 - 00:24:21:29

My point about ancient woodland was principally we have avoided any direct impacts. There would be no loss of ancient woodland. And we've also carried out a number of cultural studies, and we've designed the scheme in accordance with statutory guidance for ancient woodland and veteran trees, which included, from a very early stage in the development, incorporating development exclusion buffers around ancient woodland. And these have been achieved at all stages of the design. So there will be no no adverse effects on ancient woodland or direct adverse effects.

00:24:22:19 - 00:24:42:29

It's worth noting also that the the current baseline habitats surrounding ancient woodland is principally arable land, which is known to have adverse edge effects on ancient woodland and by converting that into grassland. The edge effects that affect or in close proximity to ancient woodland be greatly reduced across the order limits as well.

00:24:45:22 - 00:24:46:11

Thank you.

00:24:51:06 - 00:25:09:08

Okay, that brings me to the end of the particular discussion about aquatic invertebrates. So I'm just going to come back now to Newark and Sherwood because I had put it on the agenda effects on on birds and farmland birds. And I appreciate I think we sort of made this discuss this. We'll cover this, um, earlier. Um,

00:25:11:05 - 00:25:18:14

I will, however, just ask a few questions. Um, apologies. My my notes have just disappeared on me. Um.

00:25:20:22 - 00:25:42:27

That's right. That's fine. Uh, yeah. Yeah. So. Yeah. Coming back to that. Um, so were these concerns related to the survey? Were you concerned about farmland? I think you had some. Right. You had concerns related to this survey work. Um, and is that correct? And those concerns are addressed, essentially.

00:25:44:27 - 00:26:19:09

Uh, Haney Hurst representing Newark and Sherwood District Council. Um, no, I don't think we did have concerns in relation to, um, the survey level. I think, uh, in previous, um, hearings or within our relevant representations. I think there was a concern of there being an absence of a nocturnal, um, element, um, which has been clarified through further discussions with the applicant that there there was, um, actually a targeted survey for um, for barn owls, principally was where the concern was come from.

00:26:19:11 - 00:26:30:16

And obviously then over a range of sort of bat surveys that had happened. Obviously then there was another opportunity, although not directly sort of specified. You know, there was opportunity there to and any findings were reported.

00:26:30:18 - 00:26:35:06

So okay. So I'm satisfied with those. Okay. Thank you.

00:26:41:01 - 00:27:00:24

And then I'll just come on again. Um, with regards to some, some of the wider, um, questions where there were outstanding areas of disagreement or noticed, for example, effects on great crested newts, uh, also the impacts on mature trees. Would you be able to just sort of summarize where you are as well with some of those discussions, please?

00:27:02:10 - 00:27:34:16

Hayhurst representing Newark and Sherwood District Council. Um, yes. In relation to the great crested newts. Um, we've had received revised documents at deadline two, which further clarifies that, um, where the newts were found and it wasn't clear from one of the figures, um, where positive eating results. Um, where and there were sort of concerns, possibly about fragmentation of, um, potential meta populations. Um, having another review of how the landscape lies as a baseline.

00:27:34:18 - 00:28:04:17

Um, the ponds that are perhaps there were concerns, only ponds that were considered to be of average, um, potential to put crested newts where were surveyed. Um, so there was criticism that, you know, there were other ponds where they perhaps could be, um, within commuting distance that had, you know, we just didn't know. Um, but those cluster of ponds are together within a woodland which is surrounded by arable land. So, um, there is already separation to other ponds where there's been a positive result.

00:28:04:19 - 00:28:23:06

Um, and in terms of the design of the scheme, yes, there will be, um, solar panels, but there will also now be sort of the hedgerow, um, network and margins so that there would still be, um, a corridor of movement should they be moving so that that point has been resolved?

00:28:23:08 - 00:28:36:03

Okay. Thank you. Um, and so I would expect, obviously, to see that the updated statements of common ground. Okay. Thank you. And I'll just if there are there any comments from the applicant or anything you'd like to add or is that okay?

00:28:38:08 - 00:28:46:06

I agree with the applicant. No, nothing. Nothing much to add except, uh, fully, fully expect to sort of resolve this through the statement of common ground.

00:28:46:08 - 00:28:48:03

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

00:28:50:14 - 00:29:17:01

And I'll turn similarly to, um, Nottinghamshire County Council because you had some areas also that were under discussion. I noted I didn't want to go in too much detail today on these. I think these are things that were, as I understood, sort of ongoing, but they're concerning the effects on fish. And, um, he also had some concerns with regards to the baseline for decommissioning surveys. Is there anything that you'd like to add and certainly be able to sort of update again on where you are with discussions, please. Thank you.

00:29:17:09 - 00:29:46:05

Well, Lawrence, Nottinghamshire County Council, Our position is pretty similar to the district councils on this. The issues were raised in the Local Impact report. Our ecologist has had further dialogue with the applicants, and we're we're fairly confident that the issues we raised can be resolved. And the further submissions that the applicant has made or intends to make haven't been fully reviewed yet, but clearly we will do that and report progress in the statement of common ground. So I don't suppose we need to go into particular detail on those points down really, if that's okay.

00:29:46:07 - 00:29:47:21

Yeah. That's helpful. Thank you.

00:29:54:08 - 00:30:17:27

So I'm going to come to item 2.3 which is the biodiversity net gain assessment. Um and again I think I'll come back to Newark and Sherwood. Um, you did have um, in your deadlines, in your statement of common ground that day, 92, there were a number of technical issues to be addressed concerning the assessment. So again, would you be able to summarize where you are those places?

00:30:18:02 - 00:30:49:24

Thank Haney Hurst, representing Newark and Sherwood District Council. And yes, we there was a revised net gain assessment received at the deadline. Two um, obviously, due to the time frame, not all of those issues were addressed, but they will be, um, through deadline by deadline. Three is in sending, um, discussions with the applicant. Um, obviously raised just had conversations around those technical issues and they can all be resolved. But our position would be until we've reviewed that further documentation.

00:30:49:26 - 00:30:53:08

It just will remain under discussion. But I envision they I.

00:30:53:10 - 00:31:04:11

Think it's helpful. And I'll just pick up on with regards to biodiversity net gain. Um, I just wondered if you could comment two on requirement eight. Um, in the DCO,

00:31:06:09 - 00:31:13:02

just like to understand if you feel that that was, um, sort of appropriate set out and worded that robust enough. Um.

00:31:15:24 - 00:31:52:24

Um, any Hurst representing Newark and Sherwood District Council. Yes. I noted the the change in that. There's now a requirement for landscape and ecology management plan and biodiversity gain strategy. My understanding was that was introduced to try and separate the biodiversity net gain assessment, perhaps from the landscape and ecological management plan. Um, the way the wording is phrased to me initially implied that, um, the biodiversity net gain assessment has been provided on the site as a whole.

00:31:53:06 - 00:31:59:08

Um, and obviously understand that the lamp will come forwards in phases. Um,

00:32:00:27 - 00:32:36:25

to me, it sort of almost implied that the biodiversity net gain assessment perhaps should also be phased where you would have an overarching, um, Ibis net game plan, and then you would show how each phase is contributing to that, that overall percentage. Um, appreciate that there is going to be potentially a two year build period. Um, but also noting that this, uh, the assessment is a voluntary contribution. It's not yet mandatory. Um, and in terms of the impacts of the scheme, where, where it would be important what you would have a phased by this, a net gain assessment would be where the impacts are quite significant.

00:32:36:27 - 00:33:09:10

So for example, for a scheme where there was sort of large sort of permanent buildings where sort of large proportions of the hedgerows would be taken out, or you had significant, um, changes in land levels where potentially the whole site would need to be cleared and the whole a much of the hedgerow, um, network removed in one go. And so there may be a delay in terms of the mitigation. So the site will be lost, so habitats will be lost. There would be an impact and it might take sort of five years until mitigation could be put in place for this scheme.

00:33:09:18 - 00:33:44:27

Um, I think it is okay that there is an overarching net gain assessment because the impacts are not quite as high. There's not going to be such a delay. Um, I think it is okay for it to be in in one document. I think it can get confusing when there are multiple documents covering the same elements. Um, in terms of the net gain, the biodiversity strategy, um, you know, we'd want to see, um, how the management sort of what the management would be for a certain habitats, for how they're going to achieve their target condition.

00:33:45:07 - 00:33:52:26

Um, and that's perhaps a part of the long term monitoring aspect as opposed to the initial establishment. Um.

00:33:54:29 - 00:34:06:00

Okay. Thank you. That's very helpful. That sort of sets out a bit of a context there, and I'm quite clear and clear there, so thank you. Um, the applicant, did you have anything you want to come back to you there?

00:34:06:26 - 00:34:07:11

Um.

00:34:07:29 - 00:34:39:21

Matthew Sharp for the applicant. It was just to confirm. Sort of. Certainly from our intention as Miss Hurst is sort of set out. That's how the requirement, as revised is intended to work. So the precedent for this is, um, uh, Stone Street Green. Um, uh, DCO um, the landscape and ecological management plan has been split into two parts. So the first is the Biodiversity Design strategy, which sets out an overarching sort of framework for the site.

00:34:39:25 - 00:35:09:00

It gives clarity to, um, how the, you know, the overall, um, minimum targets are achieved that responds to one of the written questions provided by yourselves. Um, and then it allows the, the MPs to then demonstrate how they're contributing towards that overall strategy. So I think splitting it up is intended to sort of provide greater clarity in terms of how it sort of knits together. So that's certainly the intent. So happy to take comments on that.

00:35:09:14 - 00:35:29:17

Thank you. Um, something that's not quite clear to me. I think it might be sort of quite obvious to me, sort of dealing with it, that biodiversity design strategy, is that something obviously we would see or that would obviously be I assume that's at a later point. Would we be able to see any sort of draft or, you know, sort of preliminary iterations of that?

00:35:31:12 - 00:36:03:06

Um, Matthew Sharp for the applicant, um, we can certainly look at, uh, providing a sort of a structure or framework for it so that you've got an understanding in terms of, you know, what are the headers within that document? What, what what is it intended to do? Just so you've got clarity, um, um, over its sort of content. So it's intended to be a document that's produced postcode. But you know, I hear the sort of point you're making. And so providing a structure, um, um, with the sort of explanation of what it's intended to do.

00:36:03:08 - 00:36:03:23

Yeah.

00:36:03:25 - 00:36:06:00

That would really help you understand its purpose.

00:36:06:02 - 00:36:15:12

Yes. That'd be. Yeah, very helpful because it's yeah, it's there. It's referred to obviously. And it sort of came in at this point. And it'd just be helpful to have that clarity on there. So thank you.

00:36:15:14 - 00:36:16:18

No, no. Did I hear.

00:36:16:20 - 00:36:22:04

That? Um, before I move on, are there any other comments from anyone in the room or online?

00:36:24:02 - 00:36:45:12

No, I don't see any hands. So I will now move on to item 2.4. And this concerns the Humber Estuary Special Area of Conservation and relates to Habitats regulations assessments, regulations. So in um in section three to the applicant. So in section 3.3 of the shadow habitat.

00:36:47:14 - 00:36:48:04

Please. Yeah.

00:36:56:07 - 00:37:06:15

Sorry I'm a bit short at the back. Um, it was just regarding some of the, the points that have just been made. So we're talking about increasing the biodiversity.

00:37:08:02 - 00:37:40:25

Um, but how are we going to manage and try and retain what is already there, given us? Um, JPEG have already mentioned some of the panels are going up to the ancient woodland that's already well established. We have got that situation at Carlton. Um, the the disruption, the disruption during construction is going to inevitably see some of that be displaced. So how is that going to be maintained? And it's the ability to measure that.

00:37:40:27 - 00:37:56:07

We have questioned some of the baseline assessments of the wildlife that's already there. I don't know if that's been reassessed given some of the information that's been submitted by the local residents. Um, local knowledge is key. Okay. Thank you.

00:37:56:09 - 00:38:00:05

Thank you. And, Mr. Grey, would you like to respond? Thank you.

00:38:01:24 - 00:38:40:29

Thank Greg, for the applicant. I think some of the concerns that have been raised in the relevant representations and and and deadline one have been addressed in our subsequent submission, so perhaps don't want to go with those other than to reiterate that the the species and habitats that have been raised have all been thoroughly assessed in chapter eight. And and the studies to establish the baseline for their assessment were all done according to industry good practice and are reported in full in the technical appendices that support chapter eight on the matter of how retained habitats will be safeguarded.

00:38:41:09 - 00:38:54:05

This is principally a matter for construction, and the Outline Construction Environment Management Plan includes various measures to safeguard habitats. We've already talked in relation to each one about the

00:38:56:02 - 00:39:26:09

the construction exclusion areas around those. Principally, these are route protection areas in accordance with British standards. Further studies will be done during during construction to to make sure that those are appropriate buffers around watercourses and all achieving the same thing as. So yeah, I think to summarize, the measures in the construction environmental management Plan are sufficient to safeguard the retained features, habitats and species.

00:39:26:14 - 00:39:45:10

The outline, Landscape and Ecological Management Plan is sensitive to the retained habitats and includes prescriptions to manage retained habitats, to enhance some of these retained habitats and to create new habitats. So hopefully those two documents will provide all the information to to a necessary reassurance.

00:39:45:12 - 00:39:45:27

Okay.

00:39:45:29 - 00:39:46:20

Thank you, thank you.

00:39:51:08 - 00:39:52:18

If you want to come back at all.

00:39:59:20 - 00:40:30:03

Thank you. Liz Hopkins, Carlton on Trent Parish Council. Um, it's just ensuring work with Newark and Sherwood and ensure that those baseline assessments are correct. Um, I appreciate it comes back to you've gone to guidance that was there before. But as we've already said, this is not your typical project. And, um, you'll have seen in our submission you've got one tawny owl. We've got tawny owl chicks. That's more than one tawny owl over this project.

00:40:30:05 - 00:40:39:12

So the whole there is a question over where your figures have come from. Um, we're just trying to safeguard what's there. All right. Thank you.

00:40:39:20 - 00:40:42:19

Thank you. Did you have any further comments, Mister Gray or.

00:40:47:06 - 00:41:17:08

Mike Grove, the applicant? Nothing much to add to my comments. I do appreciate the concern of residents to their local wildlife site. Local wildlife. Uh, another thing that we'll be doing and is, is a measure in the construction ecological management plan that is, is part of the outline. Samp is further pre-construction pre commencement surveys to establish the locations of sensitive species and to take necessary precautions to safeguard them. And that particularly includes, uh birds.

00:41:17:12 - 00:41:23:22

Schedule one highly, highly protected schedule one bird species which includes some owls and raptors, etc..

00:41:23:27 - 00:41:24:26

Okay. Thank you.

00:41:27:21 - 00:42:04:23

So yeah, I'll come back now to item 2.4 which was concerning the the Humber Estuary Special Area of Conservation. Um, coming back to the applicant, um, in section 3.3 of the Shadow Habitat Regulations Assessment report that you submitted a deadline to um itself, which was a change from the habitat regulation screening reports, which you submitted with the application. You outline that notwithstanding the low likelihood of occurrence of river lamprey within the proposed development, you consider that there could be significant effects in an appropriate assessment that will be needed.

00:42:05:17 - 00:42:23:27

So noting that explanation, um. Just like to understand why why this position on the Special Area of Conservation and the occurrence of river lamprey has changed, and why you consider that this now requires an appropriate assessment. Um, and shadow habitats regulations assessment.

00:42:27:06 - 00:42:36:16

Sir Peter Nesbitt for the applicant. Um, I wonder if Mr. Gray might explain the issue a little bit. And then if there's any questions on the legal aspects, I can pick those up afterwards.

00:42:36:18 - 00:42:37:03

Of course.

00:42:37:05 - 00:42:37:24

Yeah, thanks.

00:42:42:05 - 00:43:16:12

I agree with the applicant, as you point out. So, yeah. Information to support the habitat regulations. Appropriate assessment was submitted at deadline to in respect of the Humber estuary, SAC and Ramsar. Uh and the assessment concludes that the project will not adversely affect the Humber HCC either alone or in combination with other projects. Which is the same conclusion that we arrived at with the. With the previously submitted screening report. However, the information to support an appropriate assessment was produced to eliminate any concern that may persist regarding the reliance on mitigation at the screening stage.

00:43:16:26 - 00:43:48:21

And this precautionary approach is supported by guidance by the Planning Inspector. Its advice on Habitats Regulations assessments, which states that applicants may consider that measures are integral or incorporated within the application and not intended to specifically to avoid or reduce effects on any European site. However, applicants are encouraged to take a precautionary approach and progress

any such measure to HRA stage two. So that's the position we took with the Revised Habitats Regulations appropriate assessment at deadline two.

00:43:49:27 - 00:43:50:27

Okay. Thank you.

00:43:59:06 - 00:44:29:14

Okay, I have no further questions. I have no further questions. Um, so I'd just like to turn to any other parties in the room to see if there are any final, uh, questions or comments regarding bio biodiversity and ecology matters. Um, okay. Um, and I don't see any hands. Uh, virtually or in the room. So I think I will now hand over to and just to thank you all for your contributions, and I will now hand over to, uh, Doctor Brewer for item three on the agenda, which is construction effects. Thank you.

00:44:31:12 - 00:44:33:24

Thank you. Thank you, Mr. Hobbins. Um.

00:44:34:20 - 00:44:35:10

Oh, sir.

00:44:35:12 - 00:44:40:03

Apologies. Um, might we just have a moment for a quick changeover of witnesses?

00:44:40:05 - 00:44:40:20

Yeah.

00:44:40:22 - 00:44:41:07

Of course.

00:44:41:09 - 00:44:42:16

Klaus won't take a moment.

00:45:08:11 - 00:45:29:17

So whilst he sets up, would you like me to just introduce who's just got a good idea? Thank you. Um, so, uh, just joined us is Martin Stevenson, director, um, uh, an acoustic consultant at Metric Environmental consultancy. Thank you. Thank you for that.

00:45:31:08 - 00:45:32:09

So I just got a few questions.

00:45:32:11 - 00:45:56:21

Really. I'm going to go through some questions on noise and, um, land water contamination and traffic and transport. Um, we may not get through them before lunch, but we'll make a start and see how we go. Yeah. So I'll just press on with that. So I'll start with the applicant on the issue of construction noise. What what is in fact your proposed airborne noise construction noise effect threshold.

00:46:00:04 - 00:46:05:21

Um, it's, uh, 65dB at the nearest receptors, uh, subject.

00:46:05:23 - 00:46:16:01

To, um, uh, a duration of ten days. So if the 65dB is exceeded for ten days, then that's, um, that's a medium magnitude.

00:46:16:12 - 00:46:20:24

Okay. I think that's, um, because I've got a follow up question. Um.

00:46:23:01 - 00:46:25:19

And where do you where do you source that from?

00:46:27:15 - 00:46:59:10

Um, it's a it's a combination of, um, BS 5 to 8, um, which provides guidance on the assessment of construction noise. Um, so in general, it says that, um, uh, 65dB, um, for a duration of one month or more. Um, subject to, um, I've got it here. So, um, unless works of a shorter duration are likely to result in a significant effect. Um, so we took that 65dB threshold.

00:46:59:16 - 00:47:30:25

Um, and then, uh, dm rb the design manual for Roden Bridges, um, also provides guidance on construction noise. Um, as part of that, it says that, um, uh, it can be significant if, uh, 65dB is exceeded for a period of ten days. So, so rather than taking the 65 DB for one month or more as part of BS 5 to 8, we've we've applied that ten day, um, duration instead as a worst case.

00:47:33:13 - 00:47:53:09

Thank you. Okay. Um, you definitely referred to BS 5228 there, didn't you? So can I just ask because that's not freely available? Um, could that be entered into the examination along with any other guidance that you rely on that is not freely available? Just so people can scrutinize what you've what you've just said and understand what you just said.

00:48:01:00 - 00:48:03:23

An issue, Mr. Nesbit? I'm not sure, sir.

00:48:03:25 - 00:48:10:20

I think there was a question mark over whether we were legally allowed to submit that document. If it's a paid for document. So we we just need to.

00:48:10:22 - 00:48:11:25

Can you come back to us on.

00:48:11:27 - 00:48:12:12

You certainly.

00:48:12:14 - 00:48:43:05

Will. Yeah, yeah. Because I think what we're trying to do, obviously, I appreciate, is when people use guidance that's published and freely available, then they can examine and test your approach where it's not freely available. It tends to become the the, the what should I call it then? The only the privileged few. Um, no doubt the council, including the council, um, have that ability to sort of scrutinise it. And um, as I said, interpret it, test it, and really sort of get underneath it.

00:48:46:20 - 00:48:55:08

Thank you sir. Yeah, we understand the point. And um, we'll give some thoughts that come back to you. Um, If if we have any issues, we'll, we'll try and think of an alternative that.

00:48:55:26 - 00:48:59:18

Possibly, possibly relevant access or something that you are able to do.

00:49:00:12 - 00:49:01:03

Thank you.

00:49:03:20 - 00:49:05:24

So just moving on. Um.

00:49:09:11 - 00:49:42:00

I'm interpreting that, uh, figure you said. I mean, I know you I know you provided various sort of qualification to it, but but the principle of the 65 decibel EQ daytime, okay, for certain numbers of days, um, as being what you might call in noise policy terms or lowest observed adverse effect level, um, which is the basis for noise um assessment in the context of again, one is that is that is that correct? Is that your sort of position?

00:49:42:28 - 00:49:46:04

Uh, Martin Stevenson for the applicant. Um, yes. That's correct.

00:49:46:08 - 00:50:02:15

Thank you. So having done your baseline your predictions, your assessment, using the methodology that you just described. Um, could you just tell me what's the overall assessment of construction airborne noise in EIA terms as set out in your application?

00:50:04:07 - 00:50:05:26

It's not significant.

00:50:09:24 - 00:50:21:02

Could you. I mean, could you? Um, I mean, I've noted down negligible to minor adverse, I think at 12.9 of your noise chapter. Is that is that just a bit more detail? Is that is that correct?

00:50:21:12 - 00:50:38:09

Uh, Martin Stephens for the applicant. Um, yes, that's that's correct. I mean, essentially what we found that, um, is that the 65dB threshold could be exceeded. Um, but it's very unlikely that it would be exceeded for more than ten days.

00:50:39:25 - 00:51:22:15

Okay. That was just a bit. That's a bit more. Bit more detail. Thank you. Um, so the question obviously, we're faced with as an examining authority and I'm going to try I'm drawing here a quite sort of distinction between. I mentioned in some terms in that question quite deliberately. And then so what do you consider that would translate to in policy in one terms. Um, and you may wish to refer to page 175 of the M1 in terms of a, in terms of a waiting for or against the um, or in favor or not in favor of making the job the DCO.

00:51:24:06 - 00:52:04:00

Martin Stevenson for the applicant. Um, so, um, again, one um, states that obviously significant impacts should be avoided. Um, and, um, other impacts of life, um, other adverse impacts on life should be, um, should be avoided. Um, so in terms of, um, Ian one um, the medium magnitude. So that's 65dB is equal to the the lower level. Um, and um, we've gone subject to the uh, ten day duration, as we've already mentioned.

00:52:04:13 - 00:52:15:22

Um, so as we've said that because we won't exceed the 65dB at any receptors. Um, that's, that's, um, kind of below the, the lower level.

00:52:18:00 - 00:52:30:11

So kind of just be clear on this because it is, uh, another really. So are you saying that in policy terms they're unlikely to be any adverse effects

00:52:31:27 - 00:52:32:21

at all?

00:52:38:00 - 00:52:39:23

No, there would be.

00:52:40:13 - 00:52:43:03

Okay. I think that's what I was just trying to just try and really.

00:52:43:05 - 00:52:43:20

Find.

00:52:43:22 - 00:52:44:07

This.

00:52:44:09 - 00:52:44:24

No, no no no.

00:52:44:26 - 00:52:45:11

So.

00:52:45:13 - 00:53:07:26

Um, so in terms of the policy. So, um, the there would still be residual adverse impacts because the, the noise will still be audible at the nearest receptors, but because it would be below that 65dB level, it's not going to be, um, um, um, you know, high magnitude or medium magnitude.

00:53:07:28 - 00:53:15:08

Okay. I think, I think, yeah. I'm not trying to tie knots here. I mean, so, um, so I think we got I think we got to that point. Um.

00:53:17:18 - 00:53:34:13

So then would you then back to my m one question. Really? Um, and maybe, maybe Mr. Sharpe might want to support you on this. Um, so would you if you were if you were looking at this, would you then give that limited weight against the the order?

00:53:40:01 - 00:54:13:09

Um, Matthew Sharpe for the applicant. Um, so I think in summary, in terms of what Mr. Stevenson has said and what set out within the assessment, um, there's no residual significant adverse effects. And so in terms of the policy test set out in in one particularly paragraph five 1217, um, we would be consistent with that policy. So we've avoided significant adverse impacts, and we've taken reasonable steps to mitigate and minimise other adverse impacts.

00:54:15:04 - 00:54:50:05

I could see I think I can see what you're saying. You're saying you you've you followed the policy, um, process assessment. You've done what policy requires of you. It's like a lot of these things that you still do or you reasonably can do. So so we're not sort of saying, well, there's a, there's a, there's a real breach here, but saying you've done all you reasonably can do, you've avoided as you've said, and I don't think there's any evidence that suggests you haven't avoided or all the significant noise effects would be likely. So that so you're so you're so you're certainly you know there's nothing to suggest that that has to be the case.

00:54:50:07 - 00:55:26:29

It's that it's that next level isn't it. So your position is we've done everything through through things like the center and so on and so forth. Um, best practicable means and things like that, which are all enshrined anyway in um Control and Pollution Act and BS 5228. Um, you would reduce the noise level as far as you can do. Then the real the, the, the real nub of it is, well, there's still be some adverse effects. So that to me means there is some, albeit limited, albeit limited weight against the.

00:55:29:00 - 00:55:30:07

Development, if you like.

00:55:31:13 - 00:55:31:28

Uh.

00:55:32:12 - 00:55:51:08

Matthew Sharp for the applicant. Um, I think on that particular point, it's. Yeah. In terms of the, um, precise policy test in relation to noise, um, we're sort of content. We're consistent with that. There are clearly still some impacts which, you know, would have.

00:55:51:10 - 00:56:30:26

I think I think as well. I suppose that's what complete my sort of position. It would be neutral. I carry no weight. If you'd say, we've done all these things and there's no evidence of anything above 65 anywhere for even even a day or something. So, so, so we aren't getting too much in the depth without. Without sort of without. Um, if you like getting into the precise interpretation of BS 52 today and numbers of days and things like that, and the guidance there would become a point I accept that would come on point where you if you were, if you were lower, really way, way down, then I would say that would be neutral.

00:56:30:28 - 00:56:35:04

But you're not you're not claiming that. Oh, you're not claiming that, as I understand it.

00:56:35:14 - 00:57:11:19

Uh, Matthew Sharp for the applicant. Um, I think the simple position would be in one. When taken as a whole, it's clear that you know, in constructing an end sip. Um, you know, impacts, particularly through the construction process are inevitable. And that's baked into to, to policy. And so, um, I suppose the starting position is that the policy is not a no harm starting point. So, um, you know, my position, just from a sort of planning perspective, is that I can see that the measures that we've taken sort of addressed the policy.

00:57:11:24 - 00:57:29:09

Yes, you're right. There are still harms in, you know, not to suggest that they're not important, but from an in one perspective, in constructing the type of projects we're talking about, um, you know, we're consistent with what the policy set out to do. That's not to say you can't have, you know, attribute.

00:57:29:11 - 00:57:31:21

Stance that I take. I'll take your point to point.

00:57:33:11 - 00:57:43:02

Right. I think I've probably said enough. We've said enough. I mean, um, you can sure. Would you do you have any I mean, do you agree with do you agree with where the applicant or where we seem to have landed with this

00:57:44:20 - 00:57:52:18

brain for environmental health that you can share with online sites on some of your colleagues online? Yeah. Yes. Apologies. Yeah, yeah.

00:57:52:20 - 00:58:24:15

Um, yes. We are broadly sort of in, in agreement with the the approach they've taken. Um, the 65dB is kind of modeled from the, the sources that they've got. Um, one sunny is it. It's worst case assessment as well. So it's all plant operating all the time. Um, for the continuous period, which, you know, um, prior to any mitigation they're going to put in place in the management plan and noise management plan and levels potentially are going to be lower than that anyway.

00:58:24:17 - 00:58:28:06

But um, yeah, as a whole, the approach. Yeah. I'm happy with you.

00:58:29:18 - 00:58:42:00

Thank thank you for that, I don't think I don't think that needs to respond to that as I think you're in agreement on this, so it's fine. Um, Anybody else got any comments, Mr. Knowles? Yes. Fine. Go ahead. Yeah.

00:58:42:28 - 00:59:17:17

Um, it's just a point that become apparent in the last couple of weeks. Um, and this issue of whether piling will be needed on any of the sites, um, currently piling is being undertaken on this day Thorpe Bess site and is actually creating much more noise than you would anticipate. I went past at the other day, and it was the exceedingly noisy, the piling activity that was undertaken being undertaken. So I don't know where the piling is actually envisaged to be necessary on the best site, for example, and on the intermediate substations.

00:59:17:23 - 00:59:37:23

Um, and forgive me, I've not I'm not a noise expert. I'm not certain whether that's being taken into account, but it does seem to be a particular construction impact that can go on for several weeks. Um, and as I say, it's become apparent on the stay Thorpe best side that actually it's being quite a bad neighbour just at the moment.

00:59:39:14 - 00:59:44:05

I think. I mean, it seems a fairly straightforward question. I mean, I think the applicant can respond to that, I'm sure.

00:59:45:18 - 01:00:18:07

Um, yes. Martin Stephenson for the applicant. Um, yes. Piling noise has been assessed as part of the, um, the assessment. Um, so you're right over the the whole site. The, um, the construction could take a long time, but any in any kind of one area, certainly close to people's houses. Um, during the construction of the the solar panels, um, the works would progress very, very quickly. So yes, while they'll get, you know, relatively close to people's houses, it wouldn't be for a very long period of time at all.

01:00:21:13 - 01:00:53:01

Thanks. Thank you for that. I'll, um, if there's no more comments on this watch, just we do is we are we are 5 to 1. I think I'm I'm inclined to do my next section, which I think should be quite short, which is on land and water contamination. And then we'll start with traffic and transport after lunch because of the. Otherwise I think you might end up with a late lunch. Um, and we certainly got more mostly this afternoon. So I'll carry on onto my 3.2, which is land and water contamination.

01:00:53:03 - 01:01:12:22

Um, and if the Environment Agency are here, um, and they may well be able to resolve these issues because we had some discussion yesterday. But would you like to just say something about this so we can see if we can discuss it and move on? Fairly fairly quickly. Thank you.

01:01:12:28 - 01:01:46:01

Oh, yeah. Uh, Ryan Smitherman from the Environment Agency, uh, just online. So, uh, just to give a bit of background in the applicant's latest updates or in our latest response at deadline to get to one, two, four, uh, the applicant had resolved two outstanding issues regarding the camp. That was what we would have outlined as EO 15 and EO 22. Those are specifically related to the outline camp.

01:01:46:16 - 01:02:26:05

Um. At deadline two, the applicant updated the O camp, which was document reference rep 2051 uh, where they made updates to that document regarding EO 1 or 4 of our concerns that were outlined in our relevant reps. Um, so we'll be providing comments on those four issues. It at deadline three. Um, outside of, uh, outside of the written process, the applicants approached us, uh, regarding another two issues.

01:02:26:09 - 01:03:00:14

Um, which is EO 14 and EO 24 of our relevant reps. And those discussions are ongoing, and they've provided some information in detail, uh, on how to resolve those matters. And they should be updating that, uh, updating the outcome for deadline three, and we'll review it at that stage. Um, in terms of outstanding issues for the outline, Kemp, we've got two, uh, matters that are still under discussion, which is EOW 16 and EOW 17.

01:03:00:16 - 01:03:37:24

Um, so those EO 16 specifically, we're asking for extra information, additional information regarding HDD launch pit locations and then a drilling fluid breakout plan. Um, EOW 17, we're just requesting some clarity on what Suds, uh, will be proposed for construction compounds within the outline camp and then, uh, to also include a maintenance schedule, uh, for that. So those are that's a summary of our outline camp issues related to growing water and terminating land and water quality.

01:03:38:29 - 01:03:56:11

Thank you. Um, can I just ask you, um, is that what you've asked for? Is that widely presented, widely present in comparator outline construction, environmental management plans? Do you consider it reasonable in all respects?

01:03:57:04 - 01:04:02:05

So what I'll do is I'll pass over to our water quality specialist, Lucy Hutton. Um.

01:04:03:14 - 01:04:37:01

Hi. Thank you. Um, yeah. So just very quickly. So with regard to, um, details of the horizontal directional drilling, it's not uncommon for them to provide us with a distance to the kind of closest water environment receptor. So that's what we're asking for, kind of the, um, distance where their launch pit is going to be proposed. Um, with regard to a drilling fluid breakout plan, we're not necessarily requesting to see the details of that. At this stage. We recognize that that often comes at detailed design, but we would like to see commitment and then reference to that breakout plan throughout the relevant documents.

01:04:37:03 - 01:05:10:18

And with regard to the suds, again, quite often, and seeing schemes similar to this, we do see the type of suds that they're proposing to use. For example, is that going to be swales, filter strips, permeable pavement, etc.? I'm not sure we've seen that detail at this stage, and therefore that's the sort of things we're expected to see. And on the reference of the Suds maintenance, again, we're not necessarily requesting exactly what they're going to do for that maintenance at this stage, but we're simply requesting that they would propose a maintenance plan and that they would have kind of relevant frequencies associated with that.

01:05:10:20 - 01:05:19:12

For example, if they were using some kind of filter strips, maybe monthly inspection, walk over, make sure they're doing their job, that sort of commitment.

01:05:21:11 - 01:05:27:29

Thank you for the details. Very helpful. Um, I think we've got enough there for the applicant just to sort of come back on those things.

01:05:29:01 - 01:06:02:06

Um, thank you, um, Matthew, for the applicant. Um, in terms of the sort of characterization of the sort of comments from the Environment Agency, um, we had a very constructive conversation last week with Mr. Harrington, who appeared at the hearing yesterday. Um, in terms of those outstanding points that have been sort of summarized today. Um, certainly from my perspective, they're sort of minor technical clarifications that are refinements of how those measures in the sample, um, can be set out.

01:06:02:08 - 01:06:31:13

And so we had a good discussion. We've agreed what those actions for D3 would be in order to resolve those points. And so certainly from the discussion held last week, um, we're clear in terms of what's intended and how to actually turn that into precise changes to those documents. And so, um, what we expect to provide at D3 is updated versions of the same. The statement of common ground will still show a number of days.

01:06:32:05 - 01:06:33:07

Do you mean the outline?

01:06:33:09 - 01:06:33:24

The outline?

01:06:33:26 - 01:06:38:15

I mean, sorry, it's just I'm just being really. I'm a bit picky, but but it's just so.

01:06:38:29 - 01:06:39:14

It's.

01:06:39:16 - 01:06:42:24

Good to. I tend I tend to fall into that trap myself. So I think.

01:06:43:04 - 01:07:17:10

The, the outline will be updated to, to cover those points. Um, I think in terms of where you may go to, um, a lot of the details that are being talked about are things that would be captured at the detailed stage. So a lot of the, um, commitment will be making sure it's clear and precise in terms of how that outline secures those matters where they're relevant, because in a lot of instances, um, it's about making sure it's, you know, proportionate, which picks up on your earlier, um, points. Um, we're providing an updated version of the Statement of Common Ground in addition.

01:07:17:12 - 01:07:27:13

So a lot of those matters will be under discussion just because the EA won't have seen those those points. But we're sort of confident they're capable of resolution quickly.

01:07:28:09 - 01:07:47:26

Thank you for that. Um, I, I don't know if the Environment Agency wanted to come back on any of that. I mean, it all sounds as though you're you provided your detailed, um, changes, additional information. Um, and it sounds to me as though the applicant are willing to, to do that in the next version of the outline. Is that is that the way you see it as well?

01:07:48:25 - 01:08:06:23

Oh, yeah. Ryan Smitherman from the Environment Agency. So yeah, we're anticipating seeing those additions or the additional updates to the outline camp at deadline three. And we believe all these issues can be resolved as we go through this examination process.

01:08:07:20 - 01:08:17:23

Thank you. That's that's helpful. Um, before I make a final question or any final comment. Well, um, anybody else in the room want to comment on this at all?

01:08:19:09 - 01:08:21:02

Uh, Mr. Northcote? Yes.

01:08:21:19 - 01:08:56:24

Um, Anthony Northcote for JPEG. It's largely a matter I want to come under item five so when we get to drainage. But one of the issues that, um, we will be raising there is relevant here, which is at present some of the land that's within the site and some of the accesses that proposed use, they are actual sources of surface water runoff that come off the order limit site, bringing suspended solids into all the watercourses. And so I think it's predominantly a matter I want to return to about the drainage strategy and how that's addressed to.

01:08:56:28 - 01:09:05:15

But it does have an overlap here. I don't want to go into detail now, because I think it's better to deal with it in drainage strategy, but I didn't want to lose sight of that being a sort of overlapping issue, really.

01:09:06:00 - 01:09:37:11

Thank you for that. I think, um, I think you've helpfully suggested perhaps if we come back to that later because there's an item on, on water environment. So I think it seems more relevant. Um, I've got a sort of final question. They always tell us there's no such thing as a stupid question. Um, um, I know

you've you do abysmal worst case assessment and you Rochdale envelope and all that. I mean, will there be opportunities to avoid directional drilling underwater courses? Because you could have, say, a cable bridge over watercourse.

01:09:37:13 - 01:09:43:05

Is that something that you would consider, or is there some reason why you would never do that? I'm not aware of.

01:09:49:09 - 01:09:50:25

Thank you, Mr. Short, for taking that one.

01:09:51:13 - 01:10:07:25

Yeah. Sorry. Matthew Sharp for the applicant. Um, sorry. That sort of, uh, blank expression. Um, certainly. Take that away. I don't know. The answer is, is the honest, um, response? Um, happy to take that away. And if we can come back to you after the break, we will do that.

01:10:07:27 - 01:10:39:13

I think I think, I think I'll sort of close around this is, I think, um, and we've all been through these things ourselves, I think. And, and, um, the way you do the assessment, reasonable worst case, etcetera, etcetera. And then we often get tied into horizontal directional drilling as the de facto method of crossing everything watercourses or open cut. If it's if it's a dry, if it's a road or something. Um, I'm just trying to just stimulate a little bit of innovation. Possibly I the agents do.

01:10:39:20 - 01:10:55:24

I mean, the EA is still on the line. I mean, there may be other reasons why he wouldn't do it, but on a case by case basis, when I imagine there could be cases where it would be a better environmental option if I can use that sort of. Thank you. Yeah. Mr.. Mr.. From the agency. Yeah. Go on.

01:10:57:27 - 01:11:01:20

Um, sorry. Could you just clarify the question again for me?

01:11:01:22 - 01:11:20:24

I think the question was, would you have any concerns or there may be different concerns if the applicant, on a case by case basis and no doubt through the the the the the the the project site specific camp actually proposed to do cable bridges rather than HDD to cross a watercourse.

01:11:22:19 - 01:11:49:13

Um, so I think that would obviously depend on the, the crossing location itself and the individual impacts that, um, at that location, uh, without going through the documents at this point. I couldn't, I couldn't assess what the current crossing register looks like, um, or the impacts, but we presume that the, uh. Yeah, that'd be something. I have to go away and have a look at.

01:11:49:15 - 01:12:34:27

That's fine, that's fine. I don't yeah, I'm not trying to sort of pin you down on that. I just want to see if the applicant can give this some thought. And, and I think what I'm trying to do in the outline camp is to sort of have some method in there of, um, I think in my notes, encourage, incentivize

promotes something closer to a, a BPO or something that was the best practical environmental option subject to all these approval approvals and so on. But but not to be blind to other things and not to get to, you know, to entrenched in the worst way of doing something if that's that's not and I think on that and they are probably time to adjourn for lunch and we'll, um, can we all reconvene at two at 2:00?

01:12:36:15 - 01:12:37:02

Great. Thank you.

01:12:37:04 - 01:12:37:19

So great.

01:12:37:29 - 01:12:40:09

Just just before just hand you back before we do. So for.

01:12:40:11 - 01:12:40:26

A moment.

01:12:40:28 - 01:12:41:13

Um.

01:12:41:15 - 01:13:12:08

I'm just just conscious of the fact that we're progressing quite well through the agenda and that we'll be getting on to item four, cultural heritage and archaeology. Um, in sort of a very, very quickly after lunch. And I just wanted to check, um, with, um, Nottingham County Council and Newark and Sherwood that the heritage relevant, relevant, relevant heritage people will be available. Is that right? I've got a thumbs up there from you and should and yes. Lovely. Thank you very much. Thank you. Yes. So we'll adjourn for lunch until 2:00. Thank you very much, everyone.