



Event Transcript

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

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FULL TRANSCRIPT (with timecode)

00:00:08:14 - 00:00:44:00

Good afternoon everybody. It's now 2:00. I'd like to resume this issue. Specific hearing three. Um, and we'll continue at item 3.3 on the agenda, which, um, is traffic, transport and access issues. Um, with particular reference to the statements of common ground between the applicant and National highways, which is Rep 2-093 if we need to refer to it, and Nottinghamshire County Council, which is rep two that 087.

00:00:45:15 - 00:00:53:16

So could I start with National highways if they're online. Are they online?

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Yes. Um, Oliver Smith, representative, National highways.

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Thank you. That's great. Um, so can I just ask you. Um, as you were seeking additional information and analysis from the applicant, which, as far as I can tell, they seem to have made some progress with. Could you describe where things stand now and what more you think needs to be done to satisfy you with that respect?

00:01:18:22 - 00:01:48:28

Sure. Thank you very much. So, uh, we at National Highways have received and reviewed, um, a number of documents that the applicant submitted to deadline two. Uh, these include? Uh, yes. Volume two, chapter 14, rep two, dash 028, uh, as well as uh es volume for appendix A 14.1, which is the transport statement, uh rep 2-066 and uh, finally.

00:01:49:00 - 00:02:20:19

Yes. Volume four, appendix 14.1 uh appendix G Abnormal Load Report, which is reference number rep 20074. Um, so I think first instance, I'd like to point out that since the Cincinnati line two, uh, the common ground between ourselves and the applicant has progressed, uh, a number of matters have been agreed, um, based on a review of the information just mentioned. Um, and also as alluded to by Mr. Sharpe on behalf of the applicant yesterday at issue two.

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Um, so in terms of the additional information provided, were generally satisfied with the overall approach taken and the conclusions reached, um, within these, uh, revised and additional documents, um, and uh, as a result of the different additional information provided, uh, I think I think as 13 of the 21 issues in the previous iteration of the Statement of Common Ground have now been agreed. Um, these include, within the traffic and transportation section, um, sections 2.1 through two, uh, 2.11.

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Sorry 3 to 2.15, and then 2.17.7 2 to 2.1 11. So the only one that, uh, is still, um, under discussion revolves around the, uh, the TMP. Um, this was discussed yesterday, issue two. Um, and that revolves

mainly around the approvals process that we discussed yesterday. So, um, I don't think we need to go back into that. Um, and in terms of, uh, the, the other sections, uh, construction affects, um, a construction group.

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Sorry, uh, has been agreed at 2.2.2.1, uh, the GMP itself, um, construction, construction traffic management plan. Sorry. Um, a number of points have been agreed in there in terms of signage and abnormal loads. Um, and in terms of the glinting glare assessment, um, the assessment of effects and mitigation measures at 2.5.1 have also been agreed. Um, so largely, um, National highways are satisfied with the technical matters previously regarded as under discussion in the previous iteration of the common ground, which have now been resolved and agreed.

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Um, but however, there is further discussion still required regarding the approval process of the detailed CMP, uh, decommissioning and restoration plans, uh, both of which were highlighted yesterday at issue two. So very good progress made in summary. Um, and like I said, it's the it's the approval process of, um, various documents that that needs to be agreed with the applicant rather than anything technical.

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Thank you. That's very helpful. Um, I'll just ask I'll just ask the applicant to, to sort of respond to that, just just to sort of, you know, acknowledge that or confirm it as appropriate.

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Um, Matthew Sharp, on behalf of the applicant. Um, yes, that's our understanding too. So we've made good progress on that. So thank you.

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I think it's fair to say that the outstanding issue we spoke about yesterday, didn't we, about the approval of the, of the TMP. That is, that is that is that all. That's is that all that's left also. And the other plan. So I was a bit bit too brief there.

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But um, Matthew Sharp for the applicant. Yes. That's correct. So the sort of the single point which applies to a number of the requirements is National Highways requests for for them to be an approving authority insofar as it relates to the strategic road network. And so, yeah, that's, you know, the current area of disagreement.

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Do you want to add anything to that on behalf of National Highways, or is that the way do you see it the same way.

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Oliver Smith, National highways. No, I agree with Mr. Sharpe. Um, that's the the areas that we need to discuss, and we'll carry on discussion, um, through the various stages.

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Okay. Thank you. I think I'll essentially leave that there then. Um, but thank you for your thank you for that update's very helpful. Um. Thank you. I think I'll move on then to, um, Nottinghamshire County Council. Um, and again, we may well be slightly overlapping with some things we touched on yesterday, but, um, if you'd like to tell us what you've got on your, um, if you like, list of outstanding issues, um, and all that.

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Um, positively things that have been resolved, perhaps. And then and then things that are still left to be resolved. Thank you sir. Sarah Hancock from Nottinghamshire County Council. Um.

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In terms of statement of common ground, um, most things remain under discussion. Um, and we there are a couple of points that have um stated to be agreed that I'm not convinced that they are agreed yet. They hadn't taken account of the last, um, uh, observations given. Um, so in terms of a brief, a briefly looked at the, um, transport assessment and the, uh, um TMP.

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And there are some differences there, but I've already spoken to the transport consultant, and we we can deal with that offline and hopefully come to some agreement with that. But there seems to be, um, more significant differences regarding temporary or permanent changes. So in we accept that construction phase will see HGVs using the secondary access as a crossover point. However, and these can be guided by banks and can have, uh, traffic management.

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Um, you know, sort of so that mitigates that. But excuse me. During the operational phase, maintenance vehicles will use some of them as primary accesses because they they are the only point of access to a parcel of land. So there's no choice for them but for them to use it. Uh, the issue with that is that the secondary access points, the majority of them, um, haven't had the same design approach as the primary access has applied.

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So it doesn't appear that speed surveys are being carried out.

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Can you. Can you just explain primary and secondary access just so we understand the differences and why it's important? Okay.

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Um, within the, um. I'm apologies I can't. Uh, I can't recall the document number. Um, yeah.

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I'll say in layman's terms. In layman's terms? What what what what? Yeah, yeah.

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Well, the primary accesses are the ones that have the applicant has considered to be permanent, um, and the secondary accesses are considered to be just in use for construction and therefore, as I say, can be mitigated with traffic management and embankment. Um, if there are any issues with visibility, but we disagree that, um, all of them are secondary and therefore temporary, um, because they form the only access to particular part.

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There are a number of them that form the only access to particular parcels throughout the, um, the development. So, uh, yeah. And this is the temporary permanent thing is obviously reflected in the DCO. Um, so we don't, you know, that we have issues with that, how the list of streets, um, isn't complete to our to our mind. Um, as these should be permanent and they should be designed properly.

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Um, with visibility displays because maintenance people are going to be going in and out of them. There's 15 vehicles a day that do go in and out of the various accesses. Obviously, it's not a, um, an issue of that, that level of traffic creating a problem on the network. It's an issue of safety for that person leaving the leaving the access if they can't see.

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So there's also been discussion on, um, passing places. And I believe that the applicant wishes these to also be temporary and removed. Um, however, we consider them as a necessary feature of the operational phase for if there's ever any large scale replacement or, uh, certainly during decommissioning, um, they will be required. Uh, so we would like to see them as permanent.

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We appreciate that there's, um, probably biodiversity benefits of reinstating a verge, but this is frequently limited due to the deposits of construction material which leave hydrocarbons. So you get a poor quality verge. Um, so, but it is fundamental that we consider them to be a necessary feature of the operational phase. So in terms of adequacy of design in the, uh, passing bays, the information that we've had don't actually show forward visibility displays between it's stated in the text that they're they have, um, forward visibility.

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But, uh, there are a number that don't appear to have that visibility without falling outside of the DCO or outside of highway. So we're not sure how those space can be protected. So, um, the same would apply to the visibility displays that are shown on the access drawings. In terms of oh, excuse me in terms of junction visibility. Some are drawn incorrectly. We can deal with that, but I don't I can't say without them being, um, drawn correctly, whether they fall within highway extents or the DCO.

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At this moment, um, there are issues in terms of the stopping site distance on the approach to junctions, the way that has been drawn. It's not of a sufficient length. So again, um, and this affects junctions that are on bends or past bends, um, that we don't know whether that falls within the DCO area or highway. Um, so we'd need to work through that and understand. But we're not in a position where we can say it definitely doesn't fall outside the DCO or definitely does fall within it.

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Um, so forward we've got there is some issues with the design where the access is skewed on approach to highway, which means that a driver sat in a cab would not be able to see through it. That can be dealt with by banks and TM in construction phase, but some of these are what we consider to be permanent and will be required for access to a parcel during the operational phase.

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Um, we also

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the Nottinghamshire Highway Design Guide, which is our principle um design guide, requires a safety of new or amended accesses to be demonstrated. And we use the state or we expect the stage one road safety audit process to be used to define that. The reason being is because you can draw a visibility splay on a on a piece of paper. And it's it looks as though you can achieve that. But obviously there's vertical alignment as well as horizontal alignment. So it can be. And there are a number of instances that have identified just visually where, say, the bridge deck over an A1 over the A1 obstructs that forward visibility.

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And the stage one audit would pick that up and say, you know, you need to do something else. You need to address this somehow, but that's not picked up on a flat piece of paper, obviously. Um, so there's been

00:14:07:23 - 00:14:24:04

a varied rationale set out in terms of width and two way functioning, which we'll go back to the applicant and get some explanation on that. Um, and a couple of design details, but I think, um, what else we got?

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Right. Sorry.

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It takes much time to.

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Checking my notes that I haven't missed anything.

00:14:45:28 - 00:15:32:20

I think one thing that we raised or was touched upon as well yesterday, um, is, well, the the CMP includes what is effectively what we would know is technical approval. Um, the DCO is currently drafted specifically does not require this for the work specified in the schedules. So there seems to be a conflict there. And, um, we it appears that it would the DCO was drafted would stop us, um, being able to deal with that, whereas the CMP says you could, but it just then seems to create inconsistency between the two documents and potential for ambiguity, um, and misinterpretation, which could lead to difficulties with enforcement.

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Uh, so I think that's the main, main parts. The main concerns with regard to the access design.

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Thank you. That's that's very helpful. Um, I think what I heard, there were a number of things that could be, could be dealt with through some provision of more detailed information in terms of design and potentially the audit process. And there are some things that the applicant might be a little bit more difficult to to resolve easily, but I'll let them. I will invite them to respond to all of those points if they can, in the best way they can.

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Um. Thank you. Um, Matthew Sharp, on behalf of the applicant. So, um, the intention is to, to to split this one just to sort of, um, um, deal with the points. You know, I can start off by dealing the points relating to how matters are secured. Um, and then my colleague Mr. Edwards, who's then, um, a transport consultant then can provide a response to the sort of more detailed technical points that are Beyond. Beyond my skills. Um, I suppose the starting point here is we're having good constructive conversations with the county on, on these points.

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And so we heard the feedback yesterday in relation to the DCO, um, in relation to the outline, uh, construction traffic management plan. Um, in the D2 version of that document, we tried to amend that to include um, responses to some of the points that the county had raised, particularly in relation to the technical approval process. And so there's a new section that was added to, to that to to try and resolve, um, that point.

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Um, I think certainly hearing the feedback yesterday, um, we'd like to put some further refinements in there to make sure that we fully address the county's points. I think certainly from our perspective, the Intention in terms of how these matters are split. Um, so the outline camp, um, is secured by requirement 14 of the draft order. Um, the outline camp sets out essentially the status of the design of those access points.

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So essentially presented illustrative and then sets out the process that we go through in firming up those designs. So a detailed uh CMP that would be submitted pursuant to requirement 14 would set out and secure those matters as agreed with the county that would be submitted to them for their approval. And so from our perspective, that's how those designs could be secured. And, um, very happy to sort of have a conversation with the county to make sure any tweaks to the CMP are sort of covered.

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And so certainly from our perspective, in terms of how those points are intended to be secured, That's. You know. You know how we've, you know, designed that process. Um, if it requires refinement. Happy to do that. Um, I'll hand over to Mr. Edwards to sort of cover the sort of the technical points. Okay.

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Thank you.

00:18:46:19 - 00:19:26:18

Thank you. Sean Edwards, on behalf of the applicant. So there's a number of things to, uh, to jot down there to go through. Um, I think since the, um, deadline two submission, um, we haven't been able to secure a I find a slot with lots to, um, to talk over these, these comments and the outstanding issues. But as a demonstration, similarly, we were able to get the opportunity to sit down with the national highways and resolve those matters. So I'm hoping that a similar trend will follow with nothing, um, picking up on the firstly on the point of um, secondary access points, um, being temporary.

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They they're not supposed to be permanent. I think that should be reflected in here in the schedules as being a permanent, rather than a temporary measure. Um, do acknowledge the point in terms of them needing to meet the criteria, and we will pick up those on an individual basis and suggest that we we pick up each access in turn on the screen now and talk them through, but we will certainly work with them to make sure that they're satisfied in all their design requirements in that manner. Uh, we have looked at ourselves and we are confident and consensus that that can be delivered within your limits and in the visibility space required can be, can be achieved,

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um, on passing places. Um, we propose it's currently proposed that, um, they will be a combination of temporary and permanent. Um, from the applicant's point of view. The the the temporary ones, um, would be only required for the construction process. Um, and those being ones typically are on, um, Highway links, which currently operates two way flows. So most of the all the construction routes to a certain degree, but various different degrees carry HGV traffic already um and on two way on roads which already have two lanes of traffic that movements of the easier and currently accommodated.

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So our proposal is so whilst we are as part of the scheme, um, looking to introduce passing places on these links to ease those movements and increase driver confidence in passing, uh, the higher frequency of HGVs. Um, would argue that during the operational phase, those occasional instances when HGV might be required, then they won't be necessarily there, operate under normal free flow conditions as they do currently. Um. However, acknowledging that on on um the roads which currently operates as a single lane effectively then there is a wider benefit, um, to them being a permanent basis.

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Um, because, yeah, we'd have to reconstruct. They they don't they aren't currently sufficient width to to accommodate two way traffic comfortably, even though in their current circumstances they do. Um, and just on that, on that point, that is probably worth noting that, you know, the the applicant has taken not only a pragmatic view, but it's seen to benefit wider, the wider users where appropriate. Uh, as an example, at the Western Road, which was used for the Edmonton um, solar farm that used the same link that we're proposing, um, but didn't put any passing places on, but we are as part of our scheme and intend to lead them permanent.

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Um, again, in terms of the, uh, the visibility and access drawings, again, we'll pick that up separately and resolve those separately. Um.

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Then the other matters are similar design matters. And he's picked up the road safety audit. Um.

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Yeah, I think that's the ones that I noted done. No. Thank you. Um.

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Well, it sounds as though you're, I'll say, converging rather than diverging. Um, if I can use this bullet like that. So there, in terms of, you know, the provision of information or detailed design, more, uh, data control, some of the, some of this distinction between, um, some permanency and some temporary provisions, if you like. Um, is, uh, I just asked oh, before I come to you Mr.. And also I just asked Nottinghamshire.

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Do you see the progress being made towards agreement on these matters that you've been you've raised? Um, and then in your mind, the applicant's response and the ongoing discussions.

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Sarah Hancock, Nottinghamshire County Council, um, I hope so. Um, I think one response that was made was that the, um, matters of detailed design are secured by the DCO. Um, but at that point, it's too late to secure it if there is visibility not available. Um, if it falls outside of the highway or the DCO, it can't be secured. So you potentially then have an unsafe access, and we have a disagreement over what is permanent and what is secondary.

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Um, so those ones are the ones that concern me the most. There are definitely visibility displays. Um, regarding the passing bays that fall outside of the DCO and highway. Um, so I'm not sure if we're going to meet on that. Um, if it's believed that we can secure this after this event. These are the key principles. Or visibility is a key principle of achieving a safe access, and I think that needs more and more work.

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Definitely. Thank you. Thank you.

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Can the applicant just I mean, I look to this a bit myself. Can you. I mean, really. I mean, are you sure you've got the powers that you need to to create these safe junctions or these safe access points? I mean, you're really confident that you haven't missed something. Yeah, sure. If it's from the applicant. Yes, we're sure we're comfortable. We we looked at those and we will continue to work with them not to resolve those matters. Okay. I hope you're, um, you're, you know, confidence is is is justified.

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Yeah. Yeah.

00:25:02:24 - 00:25:36:00

Just to add to that point. So Matthew Sharp, on behalf of the applicant. So some additional drawings were submitted at deadline two that demonstrated the sort of the visibility displays. And, you know, we have checked to ensure that, um, things like visibility displays and the associated vegetation clearance can be done within the order limits. And so we have done those checks in response to the points raised. And we are confident that, you know, we've included sufficient land within the order limits. And so yes, certainly happy to continue that conversation.

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But we have listened and responded to that point.

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But I think, I think the point's been well made, um, about the issue from the, from the highways perspective. Yeah. No, I'm just sort of give it some extra weight if you like. Um, Mr. Northcott, you did want to come in.

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Thank you, Sir Anthony Northcote, for JPEG. And I think the disagreement here is on what are matters of principle that need to be resolved now versus what our technical details for later on. And the concern that we would have with the applicant's approach is they wanting to leave too much to later on. Um, because with the greater respect, access visibility generally has an impact on other things. So to create a visibility display you often have to remove. Hedgerows has an impact on ecology.

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It has an impact on Atlantic mitigation. Lots of issues that are of grave concern to local people. These stay Thorpe Bess is a classic example. To create the visibility splay there, they've had to translocate the hedgerow that wasn't indicated on the application document. First of all, because that was a matter dealt with later on. And so I think the concern is that these are matters of principle that need to be resolved now in terms of dealing with the acceptability and assessing the full impacts of the development.

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You know, there are some matters and as the county council have identified, you know, a stage one road safety audit is required for some of the access routes proposed. We specifically identified the one at Sutton on Trent, which is onto the bee. I'm sorry, I can't remember the name the Bee Road. Um, and that's the one where any person that's ever driven down that road rather than looked at it on a map. Well, no. When you get to the end of it, you can see absolutely nothing because the A1 overbridge is two metres to your right. You've got no visibility.

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Um, and to suggest things as they've done, it appears to be a desktop analysis. And that's clear because as we pointed out previously, they had incorrect speed limits written down. The only place you could have got those from was from using Google Earth. Um, because the speed limit in South Moscow

changed ten years ago, but they had the wrong speed limit. And I think for us, the concern is these are matters that have knock on impacts and therefore, you know, need to be assessed.

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You know, we would support the county council in that aspects like, um, the passing places wants to put in really the need to remain, not be removed. We have a terrible road network. It's difficult to maintain whenever you get intrusions in the verge adjacent to the carriageway and you try and remove it, the carriageway then starts to fall away. It puts a long term liability back on the county council, I think, which is unfair. Whereas if it was remain that that long term impact would not arise.

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And there are some elements and some concerns I think, that can legitimately be dealt with later on, for example, like the phasing and overlapping of things like road closures, traffic management measures that might impact on communities that can be dealt with through the construction and environment management plan or traffic management plan. And but I do support the county council in that a lot of these matters that they're saying to be dealt with later are actually matters of principle that need to be resolved now.

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Thank, thank you for that. Mr.. I'll ask the applicant to to respond to that, if they may.

00:29:08:04 - 00:29:38:15

Yes. So Matthew Sharp, on behalf of the applicant. So as I said in my previous response, um, we we have provided additional information at deadline too. So we've got a good degree of confidence, um, that we've provided enough information to ensure that we've got enough land and the powers to deliver those access points. And picking up on the point of, you know, has it been covered within the Ecology and Biodiversity chapter? Yes, yes.

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Those points, um, have also been picked up, um, already. So we're confident that those, um, points have been dealt with to a sufficient degree. Um, along with the additional controls that are set out within requirement 14. So I think certainly from our perspective, um, we think that's a, you know, an appropriate position.

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To say something more. Mr. Edwards. Yeah. Shaun Edwards from the applicant. Just to just pick up on the one comments there in terms of the the access, um, onto the B11 64, which I think was being referred to. Just to clarify, we're not proposing a new access on onto that road that's an existing junction, so that that wouldn't actually be part of a road safety audit, because we're not making any members to that junction. Thank you for that bit of detail. I think it was helpful to try and resolve matters like that if we can. Um, so I would make my usual statement that I'd encourage, uh, county, uh, authority, highways authority and, and the applicant to continue what appeared to be constructive discussions and reflect that in your statements of common ground as you as you make that progress.

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Um, and as most of these things encourage you to sort of try and resolve these things quickly and efficiently. Um, so they're not left, um, with loose ends at the end, which creates issues for us and of course, issues for the Secretary of state when they receive their report. Um, is there anything else from anybody in the room or online on this Topic. Uh. Yeah. Applicant.

00:31:13:11 - 00:31:47:20

Just a very final point. Um, so, Matthew Sharp, on behalf of the applicant. Um, just to sort of pick up on, um, I think from the county's perspective, they flagged a, um, an error in the statement of common ground. And so if you could flag that to us, um, um, in terms of a matter that's agreed, that should be under discussion. Um, obviously, myself and Mr. Lawrence have been sort of agreeing those documents before they've been submitted. But if there's something that's in that draft that shouldn't be, then let us know exactly what that is and we can correct it as soon as possible.

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Thank you.

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Is that a, um are you happy to do that for the. If it wasn't, if it's not already clear. I'm sorry. I mean, I know this just before you say I did make this, I alluded to this point, but yes, it didn't. The where sometimes the I call it the color coding of the statement of common ground didn't reflect the wording and there was some inconsistency. So the other party, if you looked at the words the other party said, it doesn't seem to. It doesn't seem to sort of match up with the green, if you like using it in really sort of simple terms, it's still under discussion rather than resolved. So it'll be helpful to if you do your own QA, if you like, on that, make sure it's really, um, um, as consistent as it can be.

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Yeah. To avoid us becoming confused and and the other party, frankly, probably becoming a little bit annoyed. Probably. Um, uh, I assume you did nothing more to add to that.

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Sarah Hancock, Nottinghamshire County Council. Um, no. That's correct. There's, um, some detail missing in the discussion. Uh, elements before, uh, the column where it says agreed or disagreed. Um, I would, if I may like to carry on. Yeah. Um, add another comment about the visibility that the applicant is saying that they're confident that, um, the visibility displays can be achieved, but a only where they're shown some are missing and b only when they're drawn correctly and some aren't.

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So I would like that to be noted.

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Well, I think they've certainly heard that again here. So um, no doubt you will. No doubt you will hold them to account on that. I think it's fair to say yes. Um, I think on that at that stage I'll hand over to doctor McGinn to take us on to the next agenda item. Thank you.

00:33:37:03 - 00:33:56:03

Thank you very much, Doctor Brewer. So we are moving on to item four, Cultural Heritage and Archaeology. Um, and in doing so, I'd just like to clarify who we have with us, um, today to talk about these matters. So first of all, from the applicant, um, if you'd like to introduce your.

00:33:56:17 - 00:33:59:00

Thank you, ma'am, Peter Nesbitt for the applicant.

00:33:59:02 - 00:34:10:01

Um, I'd just like to introduce, uh, Mark Turner and David Larkin. from. They're both heritage consultants at Wessex Archaeology. Thank you.

00:34:10:17 - 00:34:16:07

Thank you. And, um, for Nottinghamshire County Council.

00:34:17:02 - 00:34:17:17

We'll Lawrence.

00:34:17:26 - 00:34:37:06

County council. We'll confess that our county archaeologist is on holiday at the moment, but, uh, archaeology questions. Uh, I'm going to cover to the best of my ability. I also have, uh, Mr. Jason Morden with me, who will mainly be talking to four point. Uh, nine with respect to, uh, the Ossington airfield. Okay.

00:34:37:20 - 00:34:42:15

Thank you. Um, and, uh, Newark and Sherwood. Who do we have?

00:34:45:05 - 00:34:54:07

Uh, miss our brass disc conservation officer at Newark and Sherwood District Council. Um, and I'll be covering items 4.1 and 4.2.

00:34:54:09 - 00:35:27:29

Thank you very much, Mr. Estes. Thank you. Um, and I'm wondering whether we have, um, anybody from historic. Sorry. Do apologize. Thank you. Julia Lockwood, conservation officer at Newark and Sherwood District Council. So I'll be dealing with the points 4.3 and 4.4. Thank you. Thank you. And is it. Miss? Mrs.. Mrs.. Thank you. Do apologize. Um. And do we have a representative from Historic England online?

00:35:30:03 - 00:35:33:07

No, no shake of the head. All right. Thank you.

00:35:35:18 - 00:36:20:15

Okay, so, um, the issues for discussion today relate to points raised in the submissions received at deadline one and two, um, including the local impact reports as well as relevant reps. Um, I'd also like to clarify some of the matters raised in the statements of Common Ground with Nottinghamshire and Newark and Sherwood. So, um, the first point on the agenda relates to whether the scoping out of certain heritage assets has been justified. And picking up here, particularly on, um, the local impact

report from the Newark and Sherwood where, um, there's, uh, suggestion that 13 heritage assets identified as potentially sensitive to the effects of the development.

00:36:20:21 - 00:36:59:25

Um, sorry. It was. Yes, it's an additional 11 heritage assets, um, identified as potentially sensitive to the impacts of development have been identified by Newark and Sherwood. And and the suggestion is that they, um, they should be included in the assessment. So, um, at question 8.1.23, um, I asked for an update from both parties on how this point had been addressed. And I do note the the comment from the applicant that and the parties are working together, um, on this point and an update would be provided for deadline three I could I just wonder if I can ask starting with the applicant.

00:37:00:04 - 00:37:05:07

Um, what progress has been made on this particular point? Please.

00:37:06:10 - 00:37:08:14

Mark Turner, on behalf of the applicant.

00:37:09:07 - 00:37:11:02

Uh, we have.

00:37:12:15 - 00:37:13:19

Considered.

00:37:13:25 - 00:37:50:13

We originally scoped some of these things out. We just provided our justification in the settings assessment. Yes. We were aware of the, uh, responses and the common content in the near. We have been in discussion with Newark and Sherwood District Council, most recently on Friday about their views on some of these assets. Uh, and we have come to some conclusions about these. I think we are broad. I don't want to sort of speak on behalf of Newark and Sherwood, but we our understanding is that we've broadly agreed that for those assets, there is unlikely to be a significant effect.

00:37:50:25 - 00:38:03:18

Um, we are still discussing some of those matters in detail about what that means, and we will need to update the statement to common ground accordingly, but there are some matters of nuance and wording. I still think we need to agree.

00:38:06:21 - 00:38:18:18

Thank you very much, Mr. Turner. So, um, I suppose it would be helpful to, to understand, um, a little further what those areas of remaining disagreement might, might be.

00:38:20:13 - 00:38:51:24

Uh, they're not disagreement, I think, substantively on the outcomes of the assessments and whether there is substantial harm or not. I think we're in agreement that there is unlikely to be, uh, harm or substantial harm. So likely, um, significant event effects. Um, I think it's just a question about some of the wording, uh, around that and some of the wording around the the justifications provided for the

original scoping out of these documents of these assets. It's that rather than substantive assessments, I think.

00:38:52:15 - 00:38:59:00

Mr.. Thank you. Any comment from Newark and Sherwood? I said yes. What would you like to say?

00:38:59:28 - 00:39:47:07

I'll be addressed as Newark and Sherwood. Um, yes. So we're in agreement that, um, the potential impact wouldn't likely harm the significance of the heritage assets. But there are still a number of heritage assets that have been scoped out. Um, where the reasoning for being scoped out, um, we feel should be articulated in more detail with clear and convincing justification. So it's just kind of setting out the reasoning in more detail. Um, and following sort of our discussions and um, we've actually been able to go out onto site as well and have a look, um, we've reduced the list from, I think there was 11 that we'd added originally to, um, seven, um, which I have got with me, which I can either share now or I can.

00:39:47:21 - 00:40:04:27

I suppose that the question is, is, um, if you're satisfied that the additional justification for scoping out those assets can be provided, presumably as part of the settings and assessment. And then there's probably no need to go into that in detail now. Are you satisfied that that can be addressed?

00:40:05:24 - 00:40:06:21

Yes. Yeah we are.

00:40:07:06 - 00:40:09:11

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

00:40:11:24 - 00:40:12:15

Um.

00:40:17:28 - 00:40:27:21

I'm just checking through my notes, so I don't think there's anything more I needed to raise about that. The point about scoping out certain heritage assets. Um.

00:40:30:04 - 00:40:38:03

So just just to just to clarify, then for Mr. Turner that that document can be updated by deadline three. Is that right?

00:40:39:28 - 00:40:41:24

Uh, yes, ma'am. That's our intention.

00:40:43:00 - 00:40:44:09

That's helpful. Thank you.

00:40:46:10 - 00:40:57:21

So the next area relates to, um, whether the assessment of the significance of effects on heritage assets has been adequate and reasonable.

00:40:59:27 - 00:41:00:20

Um.

00:41:04:19 - 00:41:54:14

And I'm just I'm just wondering how far we can go with. Because I know we haven't got Historic England here. Um, I'm actually wondering whether, um. So sorry. I'm just just wondering aloud there. So, um, question 8.1. 18, uh, refers to, um, section 11 .5.4 of of chapter 11 on on the cultural heritage and specifically table 11.4 when it talks, where it refers to um, receptors of very high or high value, which includes World Heritage Sites or Grade one listed buildings, and the impact of a low magnitude effect and the way in which the applicant has approached assessing and assessing such an impact.

00:41:54:20 - 00:42:12:09

Um, the suggestion being that a low, such a low level impact would have a um, uh, be equivalent to less than substantial harm, um, to heritage heritage significance, which would not be significant in EIA terms. So, um,

00:42:13:25 - 00:42:39:15

I note that in response to that particular query, there we go. Yes, that's that's helpful to see the table. Um, Nottinghamshire in their response, are satisfied that this framework provides a starting point for assessment by by placing emphasis on professional judgment of effects. Um, and noting that that's, that's clarified um, at paragraph 69 to 71. But Historic England have um,

00:42:41:02 - 00:43:05:08

have made a comment, um, and their suggestion being that this, this approach appears to be somewhat, um, reductive, um, and their position is generally low magnitude. Effects on very high or high value and resources would constitute moderate adverse effects. I just wonder if the applicant can, um, can comment on that on that position. Um, on Historic England's position, please.

00:43:06:27 - 00:43:35:17

Uh, Mark Turner, on behalf of the applicant. Uh, well, we we disagree. We, we think that it is entirely reasonable that a low magnitude of impact on a high designation or even a negligible, uh, impact should generate effects that are not significant. Uh, not every element of an asset significance contributes equally. Or not, every interest in an asset contributes equally. So that's where the professional judgment comes in I think.

00:43:35:26 - 00:44:11:22

I understand thank you. And it's it's um, as we haven't got to historic England here, we can't we can't really go into that, that point in, in any great detail. Um, so I probably need to defer any further consideration to, to written questions. Thank you for that. Um, the next point I wanted to address was around the grouping of heritage assets as part of the, the assessment. So, um, question 8.1.2 refers to the way in which the the applicant has grouped certain heritage assets as part of the assessment, um, noting that listed buildings within conservation areas,

00:44:13:07 - 00:44:27:28

um, uh, haven't been considered individually. And and the question was therefore, um, how the effect of the development within the settings of those, those, those listed buildings had been given specific consideration. Um.

00:44:31:24 - 00:44:33:06

So, um,

00:44:34:23 - 00:45:07:14

there are comments from Historic England, Nottinghamshire, and you can show it about this, um, and questioning this and whether or not this is a reasonable basis for the assessment. Um. and particularly the point that it's not reasonable to, to have situations in which the settings of some designated heritage assets may extend beyond that of the conservation area. And just to give a particular example. Um, in Maple Beck, we've got the grade one listed church of Radhe, and I may have pronounced that incorrectly.

00:45:07:16 - 00:45:31:03

That's how it looks to me. Ruddington. Church of England. Um, and we noted on site inspection, actually, that the spire of that church can be seen from the higher land on the approach to the village from the south. So beyond the immediate setting of the conservation area. And it's how that's that that sort of consideration has been accommodated. Again, I'd like the applicant to address the concerns in that respect, please.

00:45:34:02 - 00:46:06:26

Mark Turner, on behalf of the applicant, I think when we've taken it in the round, we think it is reasonable and proportionate to group assets where assets have higher designations, where we felt they required separate assessment. We did, or we've added text to that effect. There are individual cases where the setting of an asset may extend beyond the conservation area. And to be. And we've often treated the conservation area as the setting within which the individual buildings that contribute to the area's significance or from which it derives its importance.

00:46:07:13 - 00:46:39:14

That that sort of goes together. But there are cases beyond that, and we've considered those on a case by case basis. Uh, what the common comment on that individual case, I would need to go back to our notes and check that, uh, in general, we're content that the level of significance as derived from the interest in the building, its architectural interest, its historic interest are adequately explained. And the assessment has taken into account things like prominence, size, uh, elevation and those things where we consider that to be appropriate.

00:46:40:15 - 00:47:00:13

Okay. That's helpful. Thank you, Mr. Chair. I think, if there are some examples of where that professional judgment has been applied as part of this, it would be just helpful to just just and to clarify and at that point and to alleviate the concerns that that sort of more a general approach might, might generate.

00:47:01:13 - 00:47:12:06

Mark Turner, on behalf of the applicant, would it be useful for us to provide a note that clarifies that process, if you like, beyond the language we used in the methodology statement of the. Yes.

00:47:13:19 - 00:47:19:23

I think so, yes. Some specific particular examples of where that professional judgments can apply that would be helpful to see. Thank you.

00:47:20:07 - 00:47:22:05

Yeah I think we can do that for D3.

00:47:22:23 - 00:47:23:17

Thank you. Sorry.

00:47:27:03 - 00:47:27:27

Okay.

00:47:29:14 - 00:48:03:17

Um, item 4.3 refers to the approach to mitigating the effects of the development on designated and non designated heritage assets. And I'm coming back to Newark and Sherwood's, um, local report here. So, um, at paragraph 14.5 onwards, concerns are raised about the proposed mitigation measures relating to quite a number of um designated and non designated heritage assets.

00:48:04:03 - 00:48:04:22

Um.

00:48:08:09 - 00:48:25:05

So I'm aware that conversations are ongoing, um, between the parties. So, um, is there an update from maybe starting with the, the applicant on um, on how those those points have been addressed?

00:48:26:21 - 00:48:27:18

Please.

00:48:30:09 - 00:49:07:09

Mark Turner, on behalf of the applicant. Uh, at the moment, we are content that by and large, some of the screening proposed by way of mitigation for specific views or effects around some of the. The assets are appropriate. However, we are in discussion with NSCDC about a number of specific issues, one relating to Kersal and one relating to perhaps effects in the Kelham area around the bears. We, in our recent discussions, said that we would take that back to the team and discuss with the consultant and the applicant

00:49:09:00 - 00:49:33:03

the justification for what is proposed and where the consideration could be given to the points raised by NSCDC in our meetings. We are hoping to resolve that and provide an answer for D3 with a little bit more detail where that is possible. Bearing in mind the other constraints of the development. So I would say that's under active discussion at the current time.

00:49:34:11 - 00:49:59:14

Thank you, Mr. Turner. So I'm just going across to Newark and Sherwood and to your, um, understanding of the progress of those discussions. Um, I appreciate we haven't got the the detail of what we're what will be produced at D3 in front of us. But in terms of your position, are there any particular areas of concern that are outstanding? Uh, no. Uh, sorry. Julia Lockwood, Newark and Sherwood.

00:49:59:16 - 00:50:00:10

Um, yeah.

00:50:00:12 - 00:50:30:22

I agree with what the applicant said, that we have identified those two particular areas where we still have concerns. Um, and we are in discussion with that to, um, to further mitigate that. Um, those concerns and, um, we're also going to be working on the, uh, statement of Common Ground next week to agree the areas that that, uh, the matters that are agreed between us. Okay. Thank you. And just, just, um, so I understand a little bit more clearly.

00:50:30:29 - 00:51:02:18

So the two areas of concern, I heard that. So it was Kersal Conservation Area, wasn't it? What was the what is the other area of Area of Concern. The other area was was to do with the proposed base, um, between Aaron and Aaron Park House and Callum Conservation Area. Just in terms of again, you touched on it this morning about what what infrastructure will be in the best and what what effect is that going to have and therefore what mitigation is required.

00:51:02:20 - 00:51:34:13

Um, it's it's the unknown ness of, of the best. So trying to understand that better in terms of the level and scale and height of development and therefore the impacts on, on heritage assets around. Okay. Thank you. So so was that is that that a around Abraham Park is that is that the area of concern particularly so that it's the it's the edge of Kalam Conservation area that is of concern and um Aaron park uh and registered park and garden.

00:51:36:18 - 00:51:47:08

This is just so. Is that how is Aaron spelled? Is it a v e? Hmm. Is it that one? Yeah. We are pronunciation, so thank you.

00:51:52:29 - 00:52:24:02

Just bear with me a second. Just checking through my notes. So, um, I mean, it sounds like the discussions are progressing, and we look forward to seeing further detail of that at, at deadline three. Um, so I suppose I'd ask, um, uh, Miss Lockwood, are you are you satisfied that these issues can be addressed before the end of the examination, do you think? Yes, yes I do.

00:52:24:05 - 00:52:26:29

Thank you. That's helpful. Thank you very much.

00:52:31:20 - 00:53:15:28

Okay. I'm just going to move on to, uh, to the next item, then 4.4 and this was whether the historic landscape context, including unregistered parks and gardens, have been adequately recognized. And this partly picks up on a point raised by Newark and Sherwood in terms of the some of the non designated heritage assets they've referred to. Um but but a question 8.1.22 um, we referred to some of the early comments by Historic England, um, uh, in which they noted that the distribution of the array's proposed May and May pose particular challenges in respect of how settlements sit and are experienced in their historic landscape context.

00:53:16:06 - 00:53:34:28

And they suggested that there needs to be consideration of setting issues around, particularly the kinetic experience of moving through the space. And in response to that question, the applicant indicated that visits to historic settlements, around the order limits were undertaken um at.

00:53:37:15 - 00:54:14:04

Um and in response sorry. Um and there's also reference to continuing engagement with historic England around the draft statement of Common Ground. And I know I note that in the statement of common ground with Historic England, this matter is, um, it appears to have been agreed, but I would like to understand how that assessment of the historic landscape context and how the development would sit in that has been undertaken. Just a little bit more detail, just to clarify how that's how that's been undertaken and and how it's impacted on the the scheme design.

00:54:14:12 - 00:54:16:04

I don't know who's going to address that Mr. Turner.

00:54:16:06 - 00:54:46:13

I'm Mark Turner on behalf of the applicant. I think some of the issues around the historic parks and the contribution by them where the designated are designated largely been substantially agreed. So I just wanted to make that point to begin with. The issue arising from Historic England's initial comments. Way back. Way back. I think on scoping haven't been subsequently repeated to us at pier or in relation to the full submission. Uh, I would like to make some comments about it.

00:54:46:24 - 00:55:21:20

Just a few ways and we can hopefully clarify matters. We we are required to consider the impact, uh, in terms of the interests from which significance is derived for a, for a given asset. So following that guidance, you know, the GPA three guidance for issued by Historic England are their advice on assessment of settings. We've kind of followed that protocol. We're not dealing here with historic landscapes as in designated historic landscapes or even recognized non designated historic landscapes.

00:55:21:22 - 00:56:00:05

We're looking at a broader landscape issue, which is the result of a process of historic evolution. Now that evolution can include traces of medieval farming practices around Laxton, for example, or where we've got a parliamentary enclosure, fields, which is the majority of of the area, you know, modified again through the imposition of estates and parks on that landscape in partial or more complete forms, and all thoroughly affected by modern farming practices, which again have opened up fields which would have been much more hedged in the past.

00:56:00:07 - 00:56:36:23

We've taken that into account when we've been talking about the setting of individual assets, whether that be conservation areas or individual buildings or assets within that. We didn't think it was necessary to fully go into detail about a wider landscape perspective. So we've concentrated more on the contribution made by the landscape and the evolution of that landscape as the setting of assets within that landscape are and contributing directly to the appreciation of the interests in significance of those assets rather than a wider landscape.

00:56:36:25 - 00:56:43:01

I think we are there. Otherwise, we're blending into a landscape argument on which I'm not qualified to speak.

00:56:44:16 - 00:56:58:22

All right. Thank you, Mr. Turner. That's that's helpful. I understand, and I understand it was a point raised by, um, sorry. It's at an early stage and and that that hasn't raised. And so I was curious as to how that that work had been undertaken. And you've clarified that. So that's helpful. Thank you.

00:57:00:15 - 00:57:01:23

Yes. Mr. Northcote.

00:57:03:06 - 00:57:24:13

Thank you, Anthony Northcote, for JPEG. I think as a brought up earlier, obviously one of the issues in this area is there were mostly very large estates, ducal estates. And if you take um, Aaron Park for example, which is an unregistered historic park and garden, there remains today.

00:57:26:01 - 00:58:04:22

assets in Chevrolet wood, for example, there are stones in Chevrolet woods and that relate to when that was part of the parkland. So the traditional parkland for air and park was very extensive. It was a hunting park. It included all the areas around there that's now farmland that's proposed to be, you know, part of part of the scheme. Um, and Chevrolet would is the remaining part of that woodland. So I think one of the issues that perhaps, you know, people are getting to is how these historical connections, yes, they've been lost and changed over time.

00:58:05:09 - 00:58:35:15

Um, but how development now will continue to further change. Um, that um, it is I think it is difficult to assess some of these things because these historical connections have been lost to an extent over time. Um, but the development is going to sort of erode that functional, traditional historical connection further and how that needs to be taken into account in, you know, into the assessment process.

00:58:35:17 - 00:59:12:21

And I think part of the problem is, um, unless you are able to sort of tap into local knowledge. For example, I've worked in Chevron wood. Um, a friend of mine owns it, so I know those stones are there, but no conservation officer necessarily, because, you know, why would they ever have ever been in into the into the Woods? And it's those sort of lost connections of that traditional estate

landscape, um, I think is an issue which I appreciate. It's not easy to assess, but there is an impact, um, continuing that, that brings a further sort of erosion, really.

00:59:16:20 - 00:59:30:07

I understand that, Mr. Northcote, and obviously we're working with the parameters. Sorry. Yes, There's a hand at the back. We're working with the parameters of policy and guidance on this. And Mrs. Hopkins has her hand up at the back.

00:59:32:13 - 00:59:37:04

And I'll come back to the applicant after we've heard from Mrs. Hopkins. Thank you.

00:59:37:06 - 00:59:42:01

Elizabeth Hopkins, Carlton on Trent parish Council. Um, with regard.

00:59:42:03 - 00:59:42:18

To.

00:59:42:20 - 00:59:51:25

The landscape impact, Saint Mary's Church, as you approach from either north or south off the A1 and again.

00:59:51:27 - 00:59:52:22

West.

00:59:52:24 - 01:00:00:21

Coming from Ossington is quite a landmark. Certainly it is for us and for the people. We often.

01:00:00:23 - 01:00:02:01

Refer to it when we're guiding.

01:00:02:03 - 01:00:02:20

People to our.

01:00:02:22 - 01:00:03:09

Village.

01:00:03:19 - 01:00:28:26

This also links with the previous point. Saint Mary's can be seen from all of those points, including the Ossington Road. And as we've already identified today, that road itself is going to be quite heavily lined with with panels. So it's just one of those assets to bear in mind. Thank you. I believe your site visit is going to take in some of that area, so you'll be of use.

01:00:28:28 - 01:00:36:02

Thank you, Mrs. Hopkins. Thank you. Any particular response from Mr. Turner? Before we move? We move on.

01:00:37:25 - 01:01:12:00

Mark Turner, on behalf of the applicant, uh, in relation to the comment I just made about Saint Mary's, perhaps we'll consider our review where we, uh, what assessment we made in relation to that. But perhaps that's an example we can use when we articulate the significance and how we derive significance, how we assessed that. We could use that as an example. Uh, that will produce for D3. Uh, in relation to Mr. Northcott, uh, point, I think I've answered how we approached that in my previous response.

01:01:12:05 - 01:01:34:18

We don't believe that all of the legibility is removed. The blocks of woodland, by and large, the entire land pattern, field boundary pattern will still exist. Isn't being removed wholesale, and those elements of this physical, historical, legitimate legibility of the landscape will be retained. So we don't believe we're causing any further significant harm in that regard.

01:01:37:04 - 01:01:47:00

Thank you, Mr. Turner. All right. I'm going to move on to, um, start looking at the archaeological resource.

01:01:48:28 - 01:01:53:10

So, um, at 4.5, um,

01:01:54:25 - 01:02:33:18

the the topic is around the extent of, of, of ground truth and by, by the, the assessment to date. Um, so just, just to start and note that there is general agreement between the parties that the applicant's approach to archaeological investigations is reasonable. The applicant's undertaken a full desk based assessment and non-intrusive geophysical survey of the majority of the order limits, and also targeted trial trench evaluation and based on the results of the physical survey, and there has also been some evaluation in blank areas to assess the effectiveness of the geophysics results.

01:02:35:14 - 01:02:43:29

So overall, there is acknowledged to be a reasonably good understanding of the archaeological resource in these areas.

01:02:45:15 - 01:03:17:12

Um, but there are some concerns raised by Nottinghamshire and Historic England about the coverage of the older limits. Um, noting that obviously the limitations of geophysical survey, um, and in terms of whether or not the work undertaken is sufficient to assess archaeological potential. I'm going to start by asking the the applicant to just just give an overview of the overall approach and particularly to explain how the work undertaken Addresses the relevant policy tests.

01:03:17:14 - 01:03:18:10

Please.

01:03:19:21 - 01:03:50:01

Mark Turner, on behalf of the applicant. We took from the beginning. We took the view that we needed to do. We needed to have good coverage of the majority of the development area. Obviously, that's been subject to change. We regarded it as a layered approach. We did a desk based assessment first. Uh, to give us some ideas of what we thought might be the likely significance. We've backed up with geophysical survey over approximately 70% of of the area.

01:03:51:00 - 01:04:24:01

We use those results to actually change the order limits that we've applied for, by removing areas of strong response from the scheme at that earliest stage. And then we've applied another layer of trial trenching to to to do ground trend ground truth. And that's been undertaken over a range of geophysical type signals. That's also had the result the way we identified strong signals and ground truth to them and discovered what may be significant, possibly Iron Age or Iron Age Romano-British remains in the make or back area.

01:04:24:03 - 01:04:56:26

They have also been excluded from the scheme. Similarly, we've done trial trenching in areas such as along the Trent. If I'm right, we've got some waterlogged deposits in those areas. Those have been removed from the scheme. So we've used this this layered approach. Now whilst we haven't sampled absolutely everywhere within within the order limits, we've taken the view that the purport that what we have done is proportionate and appropriate and enables us to have some confidence in the mitigation measures.

01:04:56:28 - 01:05:15:13

Well, one, the likely significance of what we're likely to encounter should should it be present and, and whether it's going to be present or not. And two, that the measures we're proposing via the archaeological mitigation strategy and detailed written schemes that will flow from that process are appropriate and can manage the risks.

01:05:17:24 - 01:05:22:02

In answer to your specific question on how

01:05:23:23 - 01:06:03:07

we have taken into account the possibility. The fact that geophysics isn't a one, a one size fits all, or a approach where we have undertaken trenching, we've noted in quite a lot of trenches there are archaeological features present that are either too small to to show in geophysics in at the resolution that we applied, or are features where there is appears to be very low archaeological significance in those remains. And we've had regard to that, the technical limitations of some of the techniques applied and what we're actually seeing in the ground to make our judgments.

01:06:04:21 - 01:06:05:14

Thank you.

01:06:06:15 - 01:06:24:09

Thank you. Um, Okay. So, um, I'm going to turn to Nottinghamshire, and I think Mr. Lawrence, you're responding are archaeological matters. So, um, and you're understanding, are there any particular points of concern about the work that's been undertaken to date?

01:06:24:13 - 01:06:57:05

No. As the applicants confirm, they have undertaken large areas of trenching in locations that, you know, they they've identified as having high potential. Um, and that's based assessment, uh, works to date. Um, the issue is that that doesn't comprise it does comprise a significant percentage of the sites, but it's it's not comprehensive in our view. Um, and we do continue to have concerns regarding the potential risks to the resource, uh, and the overall delivery of the scheme in the areas that have not yet been adequately evaluated.

01:06:57:07 - 01:07:20:00

And I think, as we probably come on to I think they have made commitments. Uh, post consent, uh, which in principle, uh, you know, we can live with. Um, but we do need to ensure that that post consent evaluation is robust. And at this moment in time, we haven't got full agreement on on the extent of the post consent works.

01:07:21:10 - 01:07:31:12

Okay. Thank you, Mr. Lawrence. That's that's helpful. And as you say, we'll come on to that in a moment. I'm just checking through my next topics, I think. Um.

01:07:35:18 - 01:07:53:27

So this the next point I wanted to raise, um, relates to question 8.1.2, um, where we refer to the use of the precautionary approach where the presence of archaeological remains has not been ground truth. So, um.

01:07:56:12 - 01:08:23:06

So in these circumstances, the applicant sets out that the potential presence of archaeological, sorry, heritage assets or, um, uh, the potential presence of heritage archaeological assets would be based on professional judgments using a precautionary approach, assuming a worst case scenario. Um, I'm just I'm just noting Historic England's response to that particular question.

01:08:25:14 - 01:08:28:25

Um, so their their response.

01:08:31:10 - 01:08:41:14

Basically suggested that approach should also be applied to areas where non-intrusive geophysical or physical survey or trial trenching hasn't been completed. Um,

01:08:43:02 - 01:09:11:12

so I take that to mean that those areas that in which the potential for heritage assets, um, of archaeological interest, um, sorry, I take their response to mean that that approach the, the, the application of professional judgment should also apply to those areas where there isn't considered to be necessarily considered to be the potential for, um, heritage asset assets of interest is what is your response to the point that Historic England make there, Mr. Turner?

01:09:12:04 - 01:09:14:00

Mark Turner, on behalf of the applicant.

01:09:15:18 - 01:09:51:02

Our view is that we've done a proportionate and appropriate amount that gives us some confidence going forward. As are indicated, we think the way that the archaeological mitigation strategy is intended to work allows us to do some completion of the geophysical survey, other phases of investigation, which will then, uh, in which we apply professional judgment as to what the required mitigation should be, whether that should be, uh, preservation, in situ preservation by record amendment design or whatever.

01:09:51:17 - 01:10:15:10

And it's proposed that it's not just our professional judgment, but it's it's in cooperation with NRCS archaeological team, who will be involved in those discussions and will have approval of the specific pieces of work that flow from that. So we think that gives us the confidence. Together with the Council, to be able to the council's position, to be able to resolve archaeological issues as they occur

01:10:17:04 - 01:10:47:21

by, by are hopefully demonstrating there is no potential or that that potential can be accommodated through appropriate mitigation as part of the phase process that we're indicating. So we're confident that that position remains based on what we've seen, both in the trenching and in the geophysics and the desk based assessment. We think this is in line with other schemes of a similar nature in the in the region and the responses or requirements imposed upon them.

01:10:49:09 - 01:11:18:04

All right. Thank you. And I'm just checking back on Nottinghamshire's response to that particular question again. And they've also suggested that the applicant should assume the worst case scenario for their areas that haven't been subject to either, um, Geophysical survey or trial trenching evaluation. So, um, that at this point that's going beyond what the applicant's um, premises so or approach to those situations is. So is that is that going a step too far in your, in your judgment? Mr..

01:11:19:03 - 01:11:53:12

I'll turn on behalf of the applicant. Yes. I mean, there is still a matter of detail to be to be resolved as, uh, well, just indicated we've got we are in the process of agreeing the statement of common ground. We're broadly, broadly there in terms of principle. There is some detail to be resolved. We are proposing, I think, by D3 to provide a refinement to the archaeological mitigation strategy, uh, following conversations we've had with Matt Adams at the county to provide a more clarity on how that process would work.

01:11:53:23 - 01:12:23:11

More clarity on how Nottinghamshire would be involved and how that relates directly to the phasing of the proposed works. So we're intending to sort of clarify that and set out an indication of what we might do at phase one of those works as as part of the next draft of the Ans. So hopefully that will go some way to resolve one, giving some of the detail that the county are asking for and to give them confidence of the process can be managed adequately.

01:12:25:02 - 01:12:40:29

That's helpful. So I have there been further discussions with the county archaeologist? Um, because obviously the the um outlined archaeological mitigation strategy was submitted at D2. So there's been further work to progress that and to deal with the particular concerns that that.

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

Behalf of the applicant. Yes. That's correct. We had a recent meeting with Matt Adams last week, uh, and following his, uh, advice and discussions we've had, that's where we've taken that decision. So we would be providing an update, a little bit more information and a little bit more detail and hopefully clarity on how the process should work. So it is evolving, but we're broadly in agreement. I think as a matter of refining the detail, we anticipate that this matter can be addressed and satisfactorily agreed on our part before the conclusion of the examination.

01:13:18:12 - 01:13:19:18

Thank you, Mr. Turner.

01:13:31:26 - 01:13:58:01

Just wanted to clarify a particular point about the geophysics work. So this was raised in question 8.1.7. Um, and uh, so in terms of the geophysics, um, I understand that 120 hectares couldn't be surveys because either the ground conditions weren't suitable or land access couldn't be agreed. Um.

01:14:00:03 - 01:14:15:15

So just just just so that I'm absolutely clear, um, in terms of how that omission would be handled. Um, are these areas to be covered as part of the the stage two evaluation? Um.

01:14:17:20 - 01:14:35:03

And just, just also just just to clarify, I think these are set out. Um, at the end of the, the most recent draft of the, um, archaeological Outline Archaeological Mitigation Strategy. So just to clarify those two points, please.

01:14:36:13 - 01:15:02:05

Mark Turner, on behalf of the applicant. Uh, yes, I think it's the intention is to complete that as, as phase two. And I think the numbers provided are correct for for that. And effectively that becomes the first phase of what we're proposing by way of, uh, of the works under the AMS. So we're numbering in sequence. But yes, that is our intention. Yeah.

01:15:06:17 - 01:15:12:11

And just to clarify where those and where those are shown on plan. So um,

01:15:14:04 - 01:15:39:03

the, the I think the applicant refers to these being the plans being in Ape hyphen 272257. Um, in appendix B there. But that document doesn't include an appendix B, but I think they are, um, attached. Um, at the end of the outline archaeological mitigation strategy at figure and a 11 .8.2.

01:15:40:29 - 01:15:55:12

Mark Turner, on behalf of the applicant, I understand that we provided the figure that showed the areas proposed for geophysics that had not yet been completed. Is that correct? There is actually. Yes. Can I defer to my colleague David Larkin, please?

01:15:55:20 - 01:15:56:22

By all means, yes.

01:15:57:05 - 01:16:49:02

David Larkin, on behalf of the applicant. Yes. I can confirm that the figure that is provided in the outline AMS indicated the areas which had not yet been subject to geophysical survey, but would be subject to geophysical survey as part of stage one of the works to be completed under the AMS. So, in other words, the entire picture, as far as it is possible to, um, complete that survey, because there will be some areas which cannot be, uh, physically surveyed, like, um, hard top road surfaces, for example, which are not it's not point of doing that would be completed as the initial part of the works to be undertaken, and therefore allowing the grand tree thing and the necessity for mitigation to be the picture to be fully complete.

01:16:50:05 - 01:16:50:23

Thank you.

01:16:50:25 - 01:16:53:20

But that would be that would be post consent, I assume.

01:16:53:25 - 01:16:55:10

Yes, that would be post consent.

01:16:56:15 - 01:16:57:20

Understood. Thank you.

01:16:59:15 - 01:17:00:06

Um.

01:17:02:07 - 01:17:41:13

Next, next. Small point. I just wanted to clarify, um, in response to question 8.1. 11, the applicant refers to a document, Solar Farms and the Assessment of buried archaeological remains, and which has been informed by input from the Chartered Institute of Archaeologists. Um, I just wondered what the status of that document was. Um, and also whether this is the the best practice guidance that's referred to by the applicant in response to, um, some of the points raised by Nottinghamshire in the local impact report is that is that is that so what is the status of that document? And um, is that is that referred to in there in that response?

01:17:42:04 - 01:18:05:05

Mark Turner, on behalf of the applicant, it's my understanding that is the same document. My understanding is that that draft guidance is still under discussion by FIFA and the relevant parties that make up the working group for this emerging best guidance. And I don't believe we have a date for it actually to be formally issued, but it's in its third iteration, I believe.

01:18:06:19 - 01:18:10:23

So, so it's not it's not formally best practice guidance as yet then.

01:18:12:01 - 01:18:13:26

That's my understanding. Yes. Correct.

01:18:13:28 - 01:18:15:09

Yeah. All right. Thank you very much.

01:18:22:19 - 01:18:52:23

And just just moving on then to 4.6 and weather and the post consent geophysics and trial trenching evaluation would resolve and any pre consent deficiencies and noting particularly the statements of common ground with um Nottinghamshire. Um and as, as we've already discussed, whilst the general satisfaction with the work carried out to date um uh, this concern that without an agreed scheme for post consent to geophysics and trial trenching evaluation. There could be heart.

01:18:52:25 - 01:19:00:18

There could be significant harm as as Nottinghamshire have identified and to to to the buried heritage. Um.

01:19:07:00 - 01:19:26:09

So we've obviously got responses. We've got we've got the statement of common ground. Um, and also Nottinghamshire's response to question 8.1.3, um, which sought to clarify Nottingham's Nottinghamshire's position. Um.

01:19:28:21 - 01:19:50:25

And I think the point of the point made there by Nottinghamshire was that whilst the applicants committed to post consent evaluation, um, this proposes a targeting of areas of geophysics results, but doesn't propose significant evaluation outside of that, that that seems to be the concern. Um, I don't know whether you want to articulate in any more detail, Mr. Lawrence, or.

01:19:54:22 - 01:20:35:19

Yeah. I mean, have you is that, um, an appropriate scheme of post content assessment work? Uh, if implemented effectively, would resolve the deficiencies in the current assessment? Um, clearly, there'll be an elevated risk in terms of post content discoveries, um, which could impact on the delivery of the scheme, but appreciate it. That's not our risk. Um, and while we're continuing to have concerns on the current proposal for post content works, uh, you know, we are working with the applicant, as I say on that, on that scheme. Um, so, you know, I think in principle, this isn't going to be a significant issue for us if we can, you know, agree, agree that, uh, the content of that, that post, uh, post content evaluation.

01:20:35:21 - 01:21:08:28

Okay. All right. Thank you. And again, conscious of the fact that discussions have been underway and that, um, we've already talked about an update to the AMS for deadline three. So, um, and this is there any particular points that she wants to raise at this point? I'll assume that that work is progressing and

we'll see a further update, um, in due course. Um, I did have a specific question on the, um, the AMS that we have, um, before us,

01:21:10:15 - 01:21:11:05

um,

01:21:13:02 - 01:21:16:23

just at paragraph, I think it's paragraph eight. I'm going to have to.

01:21:19:10 - 01:21:31:16

Pull that in front of me. Um, in front of me. It says that, um, each phase of the development would require a standalone written scheme of investigation following the grant of the consent order.

01:21:34:00 - 01:21:53:07

Um, now, I'm just wondering whether in terms of, in terms of referring to each phase of the development is that with reference to construction, operation and decommissioning phases. Or is it referring to the stages which which then which are then referred to in paragraph nine?

01:21:56:03 - 01:22:02:09

Reference to phases in paragraph eight and then stages in paragraph nine. So I just wanted to clarify if there was a distinction there or.

01:22:02:22 - 01:22:27:09

Mark Turner on behalf of the applicant. Yes. It's a semantic issue. We mean stages. And this intention is to do certainly what we would call the first stage before the first phases of construction, although there may be some enabling works running at the same time. I don't know the full programming, but we're specifically when we say phase there, we're referring to a stage process which is not directly linked to the construction programme phasing.

01:22:29:03 - 01:22:35:24

Sorry. So where are those phases set out? Are they are they set out or is that is that will that will that detail follow?

01:22:36:09 - 01:22:50:20

Mark Turner on behalf of the applicant. This is one of the areas that we're going to provide clarification for in the next draft, so that the sequencing and the flow of this iterative process can be easily set out and a more easily understood. Might I say.

01:22:53:08 - 01:22:54:01

Yes, Mr. Sharpe.

01:22:54:07 - 01:23:27:00

Sorry. Just step in there. So, Matthew Sharpe, on behalf of the applicant. So just just to take a couple of steps back here. So requirement 11, which relates to archaeology and sort of sets out the controls relating to this point. Um, talks about uh, no stage or no phase of the authorised development may

commence until, you know, the detail specified in paragraph two can be provided and approved. And so it's deliberate in terms of the use of the word phase.

01:23:27:02 - 01:24:01:18

And so it's phase of the development. So it's the phasing set out in requirement three. So that will you know essentially split the projects up into discrete parcels. Um requirement 11 is then Intended to be discharged in a similar way to requirements six and the other sort of phased discharges. And so as Mr. Turner sort of highlights, we need to sort of make sure that, you know, the wording in the AMS is clear, but essentially there are stages of archaeological evaluation, but there are phases of the project's delivery.

01:24:01:20 - 01:24:04:18

And so they're distinct. So hopefully that helps.

01:24:05:06 - 01:24:13:16

It does. And if there can be further wording to just, um, uh, address that potential for confusion, that would be helpful.

01:24:13:18 - 01:24:18:22

When we say stage, it is stage. And when we say phase it means phase. Noted.

01:24:19:12 - 01:24:20:19

Understood. Thank you.

01:24:27:09 - 01:24:55:15

And I'm just noting that, um, the question was raised by, um, Historic England in their response to question 2.1. 21 C about whether sufficient provision had been made for unexpected archaeological discoveries, and with a suggestion that the AMS should have a separate section of how these are dealt with. And, Mr. Turner, is this something that that you have considered or could, could, could, could accommodate?

01:24:56:22 - 01:25:28:29

Mark Turner on behalf of the applicant, yes, we would normally expect a process or a protocol for dealing with unexpected discoveries to, to form part of the works and part of it. And we would normally probably put that or link it to things like the construction environment management plan and other documents as well. So particularly to cover things like, uh, supposing we've done most of our stages of work, but an unexpected discovery is made by some, some other, you know, approved works.

01:25:29:01 - 01:25:46:27

Beyond that, there should be a process for dealing with that unexpected discovery. We would normally outline that in the CMP or refer back to a document that's controlled, that will process will be linked into the AMS if it isn't already. Will make that clear in that revision.

01:25:47:13 - 01:26:10:24

Yes. Yes please. Again it's about being clear but having clarity on these these points isn't it? Um, so if that could be included in the latest iteration of the AMS, that will be helpful. Um, they've also made a more general comment about the AMS being able to demonstrate an iterative process, and by which any unexpected archaeology is fed back into the overall strategy. So again, if that can be accommodated in that, in that um, amendment, that will be helpful.

01:26:16:08 - 01:26:18:27

Okay. Um, I'm going to

01:26:20:16 - 01:26:37:08

deal with item 44.7 before before having a break, because I think this one can be quite dealt with quite probably quite quickly because again, it's um, so item 4.7 again raises a points, um, relating to some comments from Historic England. and this was around

01:26:38:24 - 01:26:53:26

how the risks associated with um BNG have been, um, accommodated in considering the, um, the effects of the ng activities on the archaeological resource. Um.

01:26:58:29 - 01:27:25:07

So I can see that this is, this has been included in the statement of Common ground with Historic England at 2.1.3, where the applicant states that the impacts from BNG measures would be refined as the detailed design develops post consent. Um, so I guess the point is being wanting to be clear that any possible risks associated with BNG activities can be can be considered in terms of the

01:27:26:29 - 01:27:35:27

the development of the evolution, if you like, of the the scheme design. Um, can the applicant give give some assurance that that that's that can happen.

01:27:38:06 - 01:27:40:02

Mark Turner, on behalf of the applicant.

01:27:41:20 - 01:27:56:17

Yes. Essentially, we feel that any of those sorts of activities, should they be regarded as having an archaeological impact or a subsurface impact, would be subject to the provisions that we've made and the process outlined in the AMS?

01:27:59:13 - 01:28:17:11

Thank you. I'm just noting that, um, in the most recent ehm, paragraph 51 refers to the fact that it's not proposed to carry out post consent geophysical survey on the work area. Three as these works aren't expected to affect below ground remains, which kind of contradicts that point. Um.

01:28:20:13 - 01:28:41:19

Mark Turner, on behalf of the applicant. Obviously, if if the specific proposals, uh, change that and there is a suggestion that there might be a subsurface impact. We would advise that that position and and undertake appropriate survey to ensure that that risk was controlled.

01:28:43:12 - 01:29:18:15

Thank you. Again, we haven't got Historic England here, so we can't probe that in any further detail at this point. Um, and I'll maybe ask a question at the next stage of written questions to, to address that, um, to address any outstanding concerns. Okay. And we're up to, um, 4.8, I'm going to suggest that we, um, we take a break now for 20 minutes before I do. So I'm just going to raise a point about the progress that we're making with the this issue specific hearing.

01:29:18:17 - 01:29:48:17

And note that we have actually progressed reasonably well through the topics that we have before us. So once we've completed the discussions about heritage matters will then be moving on to flooding and the water environment. Um, and I just want to ask out of the parties and perhaps to give consideration to a question that will pose after the break, which is, um, if it looks like we're able to complete the discussions today. Um, within a reasonable time frame, say, um, up to about 6:00.

01:29:48:19 - 01:30:20:06

Would that be satisfactory? Um, so give some consideration to this at this point during the break, we don't want to rush things. Um, and we want to make sure that everybody, um, present is everybody needs to be present is present for that discussion on on flooding in the water environment. But obviously, if we can complete the discussions today that, that, that, that that might be a good thing. Um, so I will we will break. Now it's, um, the time is 330 and we'll return at 10 to 4, please.

01:30:20:08 - 01:30:21:03

Thank you.