

Steeple_ISH_12 NOV_PT3

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FULL TRANSCRIPT (with timecode)

00:00:05:02 - 00:00:35:27

Come back, everyone. The time is now 2:05 and it's time for this issue specific hearing to resume. Just before we we carry on we just want to say about the timings today. We're we're going to try and aim to finish no later than 5:00 today. Appreciating people will have other places they need to be. It is anybody under any time constraints that you want to me make us aware of? Is that okay to everyone in the room?

00:00:37:21 - 00:01:08:06

Okay, I'm seeing agreement. Is there anyone online as well who has any comments? If they're happy with working through until 5:00, I'm not seeing any objections, so we'll continue then. Um, so I just want to talk now through the findings of some of the visual effects. Um, and I'm going to focus on the Trend Valley Way. At Fenton Lane is the one example I'm going to to use today.

00:01:08:12 - 00:01:52:10

Um, and this is represented by viewpoint 13. So it would be useful if the applicant can um, display one of the photo montages, maybe the winter viewpoint, uh, which is either up 097 or AP 098 and it is 2.13. So once that's been being presented, um, paragraph 6.7.83 in the environmental statement describes the visual effects at viewpoint 13, and it states that the built development will be over 200m away, and there would continue to be a very low magnitude of change and a minor effect at both year one and year 15.

00:01:52:14 - 00:02:06:06

Can the applicant explain why, when this viewpoint is considered at year one? uh, in comparison to what's currently there at the moment. Why you've considered that this is a negligible change in view.

00:02:13:05 - 00:02:48:06

So, yeah. Dale Turner for the applicant, landscape and visual matters. Um, as you alluded to, the, uh, the distance 200m is a very important factor when considering our magnitudes of change. Um, and with regards to the limited vertical scale of the panels, that's only three meters in height. A 200 meter distance, uh, can be quite notable in reducing the level of effect. Um, we're also cognizant of the existing nature of the, the baseline landscape into which the change would be introduced. Um, and in this instance, we can see the presence of the overhead pylon lines and the power station.

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Um, and there are a consideration as part of our judgment, um, along with the nature of the landscape itself, which is relatively flat and and open in this instance. So it's that combination of the distance

which helps to, uh, reduce the potential for the, the visibility of the scheme. And that scene. Then in the in combination with the context in which it's seen with the, with the existing infrastructure and the just the, the nature and makeup of the landscape itself.

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

Which in your view, makes that a negligible change. Just just to clarify.

00:03:26:19 - 00:04:02:07

Um, I think you said that it set out that it was very low, um, as opposed to negligible. Um, so in, you know, I would consider negligible to be a degree down from, from very low. Um, but notwithstanding that, yes, if we'd set out it was a very low magnitude of change, then, uh, uh, that would be illustrative of those of those factors. And uh, as I say, the offset is quite noticeable at that point, notwithstanding that when we do the assessment of the route as it continues closer towards the site. We do. Obviously, then begin to identify a greater degree of effect as we come to, immediately adjacent to or passing through the panels themselves.

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So to be clear, obviously, that the judgment has changed as we approach the panels. But at this particular instance, with the distance involved in the nature of the view, we did obviously identify that lower magnitude of change.

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The reason I say negligible is because going back to paragraph 6.3.35, you've described a very low magnitude of change for visual amenity states that this would be a negligible change in view. So I'm assuming you are definitely saying that that is a negligible change in view.

00:04:32:15 - 00:04:46:16

Yeah, yeah. In that description, one of the, um, examples of what makes up very low, um, we said there is a negligible type change. So yes, um, in that instance that that nature of change would be of that order of magnitude.

00:04:47:00 - 00:05:18:25

Okay. I appreciate what you say about how you've got to that. And it's the collective. Um, collectively with the distance and the power lines. One thing I wouldn't mind you clarifying, though, is so this viewpoint is, is representing, um, the receptor of the receptors using the Trent Valley Way, the Fenton line in paragraph 6.7. 108 of your environmental statement.

00:05:19:13 - 00:05:49:14

And that includes an assessment again at this viewpoint. And it describes effects for the three layers, lane, Fenton Lane. And it considers the worst case magnitude of impact would be high, resulting in a major moderate significant effect. And at year 15 this reducing to um moderate minor effects in comparison to the effects we've just described in my previous question. Why is there seemingly two different assessment findings for the same viewpoint?

00:05:50:15 - 00:06:18:29

It certainly wouldn't be our intention to set out two different judgements at the same location. Um, I'm not able to give the detail of that, because I've obviously had a chance to consider those particular paragraphs in detail, but certainly from the same location. We would be expecting the the magnitude of change to be the same. You may get a difference in sensitivity of reception depending on the type of receptor, but certainly with respect to magnitude, uh, the same location should be having the same magnitude identified.

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Okay, maybe we could ask for some more clarification for you in writing. If we put that as an action point for you to clarify the, um, assessment findings in, um, between paragraphs 6.7.83 and the environmental statement and those in 6.7 108, because from my reading of it, it appears to be describing different effects at the same viewpoint. But I'd welcome some clarification in writing on that.

00:06:49:17 - 00:06:51:15

We can set it up with more detail and go back to yes.

00:06:52:17 - 00:07:28:06

Okay, okay. Um, I want to now discuss the mitigation proposal on this route. Um, we heard comments yesterday in the open floor hearing session about concerns about the planting of hedgerows along this route and how it can change, um, the visual experience for receptors using it. So I just wanted to have a discussion about how you've come to find that the planting of hedgerows would reduce significant effects. And the extent to do this, I think it would be useful if you could have, um, figure six point.

00:07:28:17 - 00:07:35:24

Yes. Figure 6.9 ready to hand. And that's reference number app 160.

00:07:37:17 - 00:08:10:27

So whilst you're preparing that a so paragraph 6.7.84 of your environmental statement acknowledges that the experience of walking the route in these locations, which are currently open to one or other side, would change to some degree of the hedgerows to both sides of the route. And the paragraph goes on to say there would be a wide gap between the two hedgerows such that the route would retain a pleasant, open character, whilst also screening the built elements of the proposed development.

00:08:11:14 - 00:08:24:08

And so looking at sheet five of six on on here on your. Yes, you're just going down. But could you briefly describe the planting that's proposed along this route.

00:08:28:06 - 00:09:07:10

So along the way. Um, at the moment there's a mixture of sections which have hedgerows on one side, hedgerows on both sides or no hedgerows at all. This particular section is one of the more open sections, where there aren't hedgerows on on either side, and the proposals would be to add a hedgerow to each side to help screen potential visibility of the of the panels. But as you indicated, the intention is for that to be a wide corridor. And I believe there's a 50m that's been built into that within the design, with the panels then further offset beyond the fence line as well beyond beyond that.

00:09:07:12 - 00:09:23:08

Um, and so the um, uh, the, the route would retain those more open characteristics. It may not have um, the, the exact same experience as it does currently, but it would still remain pleasant and enjoyable to walk, which is the intention.

00:09:24:21 - 00:09:40:20

Can I just push a little bit further on why you think that if it's a 15 metre gap on on either side? It's what I think is what you just said. How how that retains that open character that you've just referred to.

00:09:42:12 - 00:10:15:14

So many of the existing footpaths are lined by hedgerows, which are much closer to to one another than that at the moment. It would certainly be a broader corridor than many of the existing routes in and around the site. Um, and whilst it wouldn't be the same sense of openness as it is currently, it would still retain that sense of, um, width, which would mean you wouldn't feel like you were sort of contained by the hedgerows either side. There would be a pleasant experience to be gained from, from walking down the route.

00:10:28:22 - 00:10:46:13

So have you in your assessment findings, have you considered the importance of open views or experience in an open landscape along the relevant parts of the route that would be screened? Is that Featured, or has that been a consideration in your assessment findings, and if so, to what extent?

00:10:47:13 - 00:11:32:18

Yes. As I say, we were mindful of the fact that the existing experience walking along the Trent, by the way, and the and the other foot passing it around the site is it's a mixture of some locations where there are open views, some locations where they're enclosed by hedgerows on either one, one or both sides. And we were mindful when developing the mitigation proposals that in those sections which are currently more open, there would be a change. Um, but notwithstanding that the the benefit of the mitigation in, in screening the panels whilst maintaining that pleasant experience, walking through a green corridor, along with the interrelated biodiversity benefits that the planting would have in terms of that um into interlinking with the ecology chapter that we spoke about earlier would collectively add up to be the right mitigation approach for the project.

00:11:36:09 - 00:11:54:21

Okay. I think, um, just to help a discussion here, I'm just going to ask you to display a view .12. Um, which is the only sort of viewpoint that I can really see that might help. It's not along this route, um, in particular, but it is at the end of it. So if you can display photo montage viewpoint 12.

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Which is that one? I think it was back there.

00:12:04:22 - 00:12:27:27

And if you can just what you've just said before and just explain how that works in practice with this particular viewpoint, starting from the the baseline and then moving through the different year one

and two, year 15, if you could talk us through the effects and why, in your opinion, the planting of hedgerows would reduce the significant effects identified in years 1 to 15.

00:12:29:00 - 00:12:59:00

Yeah. So what's on the screen at the moment is the is the baseline photograph, as you alluded to. And it's um, illustrating the location at one of our viewpoints, which is at the junction of a public footpath and a minor road. Um current view includes um, sort of flat, open landscape views towards the power station site and, and the pylons and sort of functional use for, for agriculture. Um, and then as we move to the year one image, uh, we see the development, uh, so the fence in the foreground and, and the panels beyond.

00:12:59:02 - 00:13:09:22

You can also see in this image, um, some of the, uh, newly implemented planting in the foreground as well, which we then see growing through the into the future year scenario.

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If then we move on to 15.

00:13:17:16 - 00:13:45:27

Yeah. So at this point at year 15, you can see the, uh, the hedgerow, um, in winter growth, uh, with 15 years of growth, um, successfully screening the panels. Um, and although this particular angle is orientated directly towards the site, you can see towards the left of the image. Um, part of the corridor I was describing there, which would remain, remain open and would have no no views of the panels as a result of the success of the planting.

00:13:47:29 - 00:14:20:16

Okay, I can see it successfully screens the panels. I can I can understand where you're coming from and that I just wouldn't mind a little bit more of how it is considered a beneficial effect in comparison to what we saw in the baseline in more on the on the the open landscape view that you saw in the baseline photograph. And I appreciate that you've got the the power station in the distance. But just explain to me again, just the thought process of why that is the beneficial effect in that particular viewpoint.

00:14:20:20 - 00:14:28:04

To be clear, we haven't identified it as a beneficial effect. We've identified it as an adverse effect, but one which wasn't significant by year 15.

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Assessment findings in, um.

00:14:54:29 - 00:15:01:10

So you've got a lot. So so this is your saying this is still an adverse effect at this point. It's not a beneficial effect.

00:15:01:12 - 00:15:13:09

Correct. That is correct. Yes. So, um, we concede it as an adverse change, but not a significant one because of the fact you don't see the panels and you would have that corridor maintained.

00:15:14:12 - 00:15:36:07

Okay. Thank you for that clarification. Um, on that particular viewpoint, I turn to Nottinghamshire County Council. Now, um, to elaborate further on your comments in the relevant representation about, about, um, how these, um, Mitigation is. Is reducing the effects.

00:15:45:13 - 00:16:15:10

All I would say on this is that quite clearly there's going to be a change in, in landscape character in this location. Um, if there will be a change from an open landscape to one that feels more enclosed, I don't think you can dispute that fact. Um, what you can what is more subjective is whether that's, uh, a positive or a negative change. Um, in the context of the wider landscape, which is

00:16:16:27 - 00:16:32:09

characterised by, by open by openness. Um, we would suggest that it is it is a loss of is a loss of open that there is a loss of openness and which is detrimental to the wider landscape character.

00:16:34:00 - 00:16:34:19

Um.

00:16:37:07 - 00:17:11:21

But I think the, uh, the graphic in front of us, year of year 15, um, is possibly a bit misleading because it doesn't look like the hedgerow has been well maintained. Um, and I suspect, I suspect if it was, if it was maintained like that, that you would actually be able to see through the hedgerow. Um, it wouldn't be dense enough to to actually prevent you from at least getting a glimpse. Partial views of the panels through the vegetation, especially in winter.

00:17:12:19 - 00:17:18:27

So, um, I think that's that's that's I think those are my main thoughts on this.

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Okay. Thank you for your thoughts. Would you like to respond to anything there? You've heard, Mr. Turner.

00:17:26:15 - 00:17:56:25

Just with respect to the, um, the visualization there. Um, the planting would be managed both for landscape and visual and biodiversity purposes. Um, and so the growth would be, uh, managed to encourage both, uh, screening benefit but also uh, biodiversity benefits as well. So there would be a degree of, of cutting and management to ensure the growth was strong. And you could get the screening benefit, but there would also be consideration given to maximizing the biodiversity benefits through that management regime as well.

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Um, and I think that's what's being illustrated in the, in the image there.

00:18:00:28 - 00:18:09:09

Okay. Thank you for that comment. Um, does anybody want to raise any comments on this particular, um, um, issue?

00:18:12:14 - 00:18:14:19

Yes. Just the one at the front.

00:18:14:27 - 00:18:19:13

Uh, Robert Fleming, uh, fields farming on Monday.

00:18:19:17 - 00:18:53:05

Monday morning I went down to the Till Farm solar farm, which is just down the road less than a mile from here. and I walked down there with an open mind to see exactly what the what the, the kind of sensation I would get and the kind of feelings I would get the first. My first impression was that the complete waste of space that's around these solar panels, probably for each panel, that's probably 3 or 4 times as much open land for mitigating certain circumstances.

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You've got to, I don't know how wide it is, maybe 20ft between the fence and the actual panels, and then you've got the fence, and then you've got another 20ft on that side where you can walk along. And some of the places I walked, it was completely open on the left hand side, and there was the panels on the right hand side. You couldn't get away from the fact that the panels were there. It doesn't, it putting plants and putting hedges in the rest isn't going to make any difference. they are still there, it's still an industrial installation and you can't get away from that fact.

00:19:30:11 - 00:20:03:03

Um, I've walked these. I've walked these valleys. These roads and these lanes for 20, 30, 40 years. I know what they're like. And if I was walking down that and they're that what I remember my memories of will all have gone. Because it's no longer an open landscape. No matter what. No matter how you try to explain it away, you can't put these installations in into this, into our area and say that it's not going to be detrimental to the landscape. You've got to walk. And I would have I would impress on everybody here just it's only a mile away.

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Just go down to that farm and walk around. Then you'll see what it's really like. Not what people are impressing. And when we see these open. This is the only time we've seen an open view with panels on. And it's worse than that. And it's not. It's because they're a lot closer. Those panels are away in the distance. When you're walking past these things, those things are 20ft away. Not a quarter of a mile away like those are. Thank you.

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Thank you. Anybody else have any comments they wish to make?

00:20:34:01 - 00:21:22:00

I'll turn to the applicant for your final response before we move on. Do you think you wish to add nothing further? Okay. Thank you. Okay. Next we had, um, methodology, conclusions, the residential

amenity assessment. I'm just bearing in mind time and other agenda items. So I'm not going to discuss this particular part of this agenda item. No. And I'm just going to move on to the cumulative assessment. Um, and I just want, um, the applicant to, um, just explain further why, in respect of the significant adverse cumulative landscape arise, that why you consider that no significant adverse cumulative landscape effects would arise.

00:21:22:08 - 00:21:37:01

Um, and particularly, can you expand more on your opinion that the greater the number of energy developments in the baseline landscape, the less significant the addition of the further projects? Uh, may be in landscape character terms.

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So with respect to, um, consideration of cumulative effects that the starting point of is how visible the proposed development itself is in the landscape, um, and set out in the area. The proposed development itself has a very limited visual envelope. Um, particularly, uh, once the screening benefits of the, uh, various layers of hedgerows and vegetation and landscape are considered. Um, so with that in mind, that's the starting point for them when you consider the the other developments on top, um, we are mindful of, um, the number of schemes, um, that are in and around the site.

00:22:17:05 - 00:22:52:28

And chapter two of the set out the overarching approach to the consideration of cumulative effects. Development of a long list and short list in line with the guidance. Um. A specific zone of influence for consideration within the landscape chapter was was identified at ten kilometres. So the focus then was on the the schemes within that ten kilometre radius. Um, and uh, we had regard to the z TV coverage of the, of the scheme in relation to the locations of those other sites, um, of which there were 13, which we identified within that ten kilometre, uh, landscape, individual zone of influence.

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Um,

00:22:55:27 - 00:23:33:08

we did an assessment of both cumulative effects on landscape character and on visual amenity. Um, and as you say, no significant effects were identified. Um, this reflects in part, the distance between the proposed development and, and many of those other developments which were towards the the further end of that of that distance. But with respect to some of the schemes that we've spoke about already today, um, the woodland scheme, um, as we saw on the plan earlier on, has been accommodated within a space within the proposed development layout and the two schemes would relate well to one another in the landscape as a result.

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Um, would would Lane would for appear in those views where you could see it a part of the uh, the proposed development and not giving rise to anything greater by way of effects than the proposed development itself has already been identified to do. Um, with respect to the quarry, um, the nature of the quarry, uh, being, uh, a hole in the ground means that in a relatively flat landscape such as this, you know, with with hedgerows, there is minimal potential to see that development, uh, alongside the proposed development from from the surrounding landscape, um, the cable route of the West Burton

solar farm, as discussed, would run through the site, but any impacts associated with this would be limited to the construction period only, after which the cable would be buried in the ground and not visible any further in the landscape.

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And the main solar element of that, West Burton DCO, and indeed the other DCO solar projects are located much further away and have limited into visibility with the site. So we identified as a result that whilst there may be the potential for some cumulative effects, those effects wouldn't be significant. Um, with regard to your specific point regarding the characterization of the baseline, um, the published landscape character assessment documents, um, identify the presence of energy infrastructure being a characterizing element of the landscape, uh, in and around, uh, this area.

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Um, and, uh, it's an important element of the baseline, which is, uh, has been present for for many years and is a characteristic, um, that was considered as part of the, the judgments in terms of whether there would be that would be that change, um, When there are multiple developments of a similar nature in a landscape, and it already is inherently characterized by that type of development, it does reduce the potential in some instances for further development of that type to bring about effects, because it's just something which is consistent with the existing characteristics of the landscape and already an established feature.

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So that was what that particular comment referred to.

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Could there therefore be a situation where it's really there'll never be a significant cumulative effect if you accept the notion that if you keep adding to that baseline and that's already there, it's not it's not giving rise to any more additional data. Are you saying really with your scheme that at a point that there will not be any significant effects because of that's what is the character of the landscape now?

00:26:08:05 - 00:26:35:23

No, I believe it would be possible for significant effects to be identified. And we're not saying that the presence of the existing infrastructure prevents that from happening. It's just that in this instance, because it's a characterizing factor, um, with respect to the relatively limited individual visibility between us and the other projects or the location of the projects at the already developed West Burton site, um, that on this particular occasion, there wouldn't be that potential for significant effects to us. But it's not the case. We're saying that could never happen.

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And just to explain further in your environmental statement, you've described this scheme as giving rise to a negligible additional effect in the environmental statement. Just just explain how you've come to that conclusion that a 880 hectare scheme would be a negligible additional effect.

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So that's obviously in terms of additional effects beyond what we've already identified. So clearly, the effects of the scheme in its own right would also apply to the cumulative scenario. So there obviously

we're not saying that the scheme itself has a negligible effect. We're just talking about its contribution to that wider, cumulative picture. And that is because of that limited interrelationship and interaction with those sites from a landscape and visual perspective, and how they would be perceived as you, as you moved in and around the environment of the site.

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Okay. Just staying on the cumulative landscape for the time being. We'll we'll go onto visual in a second. I just want to bring Nottinghamshire County Council at this point. Um, particularly you've made some comments in your relevant representation about the cumulative landscape effects and the difficulty of assessing cumulative effects over a strategic county in the absence of a county wide landscape character. Have you got any disagreement on the applicant's cumulative assessment at this stage?

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Yes. I, we we are baffled that that they can claim that there's no significant cumulative effects when there is so much development in this location, and we think that there should be a code. There's an absence of a county wide landscape character baseline, which I think would establish that, um, the character of, of the county is remains open countryside. Um, not and we haven't yet reached a tipping point point where whereby the landscape is dominated by, by energy use.

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Um, as they seem to be suggesting, um, we also think that they haven't really considered, um, sequential cumulative impacts, for example, um, along major routes and key routes. Um, you will see one energy project and then there may be a gap, then you'll see another one, and then there may be a gap, and then you'll see another one. And that that's a sequential cumulative impact which I don't believe they have considered, um, and it's something that that that needs to be thought about.

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Uh, so we would suggest that they need to look at sequential cumulative effects along key transport corridors within this area.

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Okay. Is that a sequential landscape effect or a visual effect? Is it both?

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It's both I think.

00:29:45:17 - 00:29:58:07

Was one of my questions for the visual effects. But I'll ask you, you know, in terms of where you if you have done a sequential assessment. But if you could answer that now, that would be quite useful. And any other comments that you want to respond to.

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Yeah. So we have considered the potential for sequential effects as part of the cumulative assessment. So, um, sequential effects are one type of cumulative effect that can arise, um, along with simultaneous and successive effects. Um, so just to have a bit of context, simultaneous and successive

effects are from a specific location, either looking in one direction or in multiple directions, whereas sequential effects are moving along a route. Um, what I would say about the reason we don't identify significant sequential effects is with respect to the major routes in and around our sites.

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There is very little visibility of the proposed development itself. So in order for there to be a significant cumulative effect, you do need in the first instance to have a significant effect or a some sort of notable effect in your own right. Um, just because there may be a visibility of multiple other cumulative sites from those routes, if that doesn't also include the proposed development, that's not a cumulative significant effect arising as a result of the proposed development. So it may be the case that there are from those routes views of the other schemes.

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But if we're not an important component of that, that's why we wouldn't have concluded a significant cumulative effect.

00:31:13:02 - 00:31:42:18

In terms of where you've done this sequential set. The only reference I've seen to it in the environmental statement is paragraph six 1022. And it says there may be some in combination sequential views with one or other of the other developers, but such instances would be rare and generally limited to glimpses of one or other of the projects. Is that the only actual assessment that you've done in the environmental statement?

00:31:44:03 - 00:32:04:19

I don't believe there's anything further written, but as I say, the thought process of the cumulative assessment included consideration of that sequential. And as I say, um, in particular, with regard to the limited visibility of the proposal itself on the routes, that's why we didn't do further detail with respect to routes where there would be views of multiple of the other schemes if we weren't also a component.

00:32:07:00 - 00:32:42:27

Was there anything that aided that decision for you to do that? So, for example, have you produced any commutative Z TVs you referred to looking at the Z TVs before, but have you produced a commutative sort of theoretical visibility so that we can actually see where there would be theoretical visibility between your proposed project and other proposed projects? And I note that the guidelines for landscape and visual impact assessment are above 7.21 actually refers to the potential for commutative Z TVs.

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Did you consider whether it was appropriate to produce those as part of the of this project or not?

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We did consider the potential for including cumulative Z TVs, but in this instance we chose not to. The reason behind that was with respect to our own Z TV. We felt that when that was ground truth in the field, it far, uh, overemphasized the potential visibility in reality. Once hedgerows and other features were factored in, and therefore we believed that to produce cumulative Z TVs would also

artificially illustrate the potential for effects which which were not actually there in reality from what we'd seen in the field.

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And also, as I mentioned, you don't have to go far beyond the site itself before the actual visibility of the site and the proposed development, um, is just not available from those surrounding routes and surround. So the significant effects we've identified in the area very much relates to the, uh, routes and uh, roads within the site itself. But once you get beyond that, there is that very limited visibility and therefore that limited the potential for that community visibility as well.

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Okay. I understand and appreciate your your judgment on that, But how? How can that be evidence without Z TV to show that?

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As I say, Z TVs are a one tool to help aid the assessment process, but they're not the sole basis on which assessments would be judged. They're always ground truth in the field. The ones prepared for the proposed development itself were ground truth in that way. And as I say, um, led to our understanding that actually they were overemphasizing the potential visibility. Um, and therefore, with that in mind, we believe that cumulative Z TVs, whilst showing some potential visibility on routes, wouldn't give a fair impression of that actual potential to see those effects.

00:34:36:29 - 00:34:40:07

If you were to actually take those routes and experience them yourself.

00:34:48:07 - 00:35:09:27

Okay. Thank you. And have any of your photo montages actually included any other schemes on them? So we've mentioned Wood Lane I think is probably that because we refer to it and it is right adjacent to the site of any of your photo montages included, um, other schemes within them. So in addition to what you've got as part of the proposed development.

00:35:11:03 - 00:35:31:27

No, we haven't prepared camera to photo montages, but I would suggest that in in most instances, there wouldn't be the potential to to see other, other cumulative schemes in any case. Um, and uh, uh, again, whilst they would be uh, an aid, it would just be a snapshot from one location as opposed to a judgment in the round as well.

00:35:40:14 - 00:35:46:28

Okay. Thank you for that. Nottinghamshire County Council wants to come in on anything they've heard from the applicant.

00:35:57:16 - 00:36:23:27

We were just, uh, just asked that, uh, there's more justification for for. For the conclusion that there are no significant cumulative effects. I think there needs to be more clarity on how they've reached that that, uh, opinion. Um, and, uh, there's no explanation of what schemes have been considered. You know how the shortlist was actually defined. Um, and.

00:36:32:14 - 00:36:43:04

We would also like, uh, we also feel that there should be some kind of, uh, confirmation that they've considered, uh, the landscape character of the area at a, at a regional level.

00:36:44:26 - 00:36:45:16

So.

00:36:47:27 - 00:36:50:14

I think those are our key points in this issue.

00:36:52:04 - 00:37:21:09

Okay. Thank you. Is that going to be elaborated further on in your local impact report, or is the deadline one submissions? Okay. I'm receiving, um, an agreement on from there, so okay. That's fine. Well, we'll look forward to that rather than making you respond. Now, it's probably best for you to wait in writing to give you a fair opportunity to respond to that. Um, on the subject of cumulative effects for landscape. Is there anybody in the room wish to make any comments on what they've heard or. Sorry, Mr. Barlow?

00:37:24:21 - 00:37:25:11

Sorry.

00:37:26:11 - 00:38:00:16

James Barlow, um, fields and a resident of certainly staple. Uh, this cumulative effect sort of suggests as if it's a linear development and you could be moving from one to another. Currently, certainly staple has energy production to the north side of Stirton. So quite simply, I can turn around. I don't have to see it. This development is talking about encircling certain these people. So how can it not have a cumulative effect when it is all the way around you, as opposed to looking in one direction would be my question.

00:38:00:18 - 00:38:01:10

Thank you.

00:38:04:12 - 00:38:06:15

The applicant like to respond to that please.

00:38:07:10 - 00:38:33:28

So cumulative effects as they identified in the guidance relates to the interrelationship between different schemes. Um, the the scale and nature of the proposed development and the effects that that would have as a single entity is in the main body of the assessment rather than the cumulative assessment. So, um, the, the effect on, on certain um is fully captured in the main body. Whereas this, this section was talking about the cumulative effects which relates to the interaction with other projects.

00:38:38:20 - 00:38:43:00

Okay. I have to thank Mr.. Mr.. Mr..

00:38:43:02 - 00:39:15:29

Fleming feel for farmers. Um we've mentioned landscape effects nothing on the views in the valley, but nothing's been said yet about the views of the valley from Lincolnshire on the road from Gainsborough to Gate Burton. I don't know how high it is there, but you can actually look there and see down into the valley for those people over in Lincolnshire. They will be looking at nothing but solar panels. But nobody's mentioned the fact we keep talking about Nottinghamshire, but it just doesn't affect not sure how it affects the people in Lincolnshire as well.

00:39:18:03 - 00:39:34:28

I'm just going to the applicant has. Could you answer that and just explain the extent that your assessment has considered the effects within Lincolnshire, and particularly the cumulative effects that would be experienced from those locations where there could be theoretical visibility?

00:39:36:23 - 00:40:11:17

Yes. So when we define the LDA study area, it's a encompasses a distance around the site. It isn't restricted to one post authority or um, or county. And so the, the study area used for the LDA has encompassed the, uh, the landscape of Lincolnshire across on the other side of the Trent. Um, and we've been mindful of potential visibility from those areas in the assessment work that's been carried out. Um, and that's set out in the VA. Um, and that would include consideration of potential for cumulative visibility from, from, from the Lincolnshire part of the study area as well.

00:40:14:05 - 00:40:18:19

Okay. Thank you. Has anybody else got any. There's one hand up um, in the room.

00:40:24:12 - 00:40:55:09

Julie Barlow, resident and fields for farming. Um, on the cumulative impact. We've already got the the power station, which is fenced and security lighting. We've already got the quarry, this fencing, security lighting. And I think they've got mitigation as as hedgerow planting as well. So to say there's no cumulative effect directly in the area. And I do believe. Sorry again. Wood Lane had provision for fencing, security, fencing, lighting and hedgerows.

00:40:55:13 - 00:40:59:16

To say there is no cumulative effect in the area I think is a little misleading.

00:41:01:12 - 00:41:02:03

Thank you.

00:41:03:00 - 00:41:13:29

Does anybody else got any further comments? I don't see any hands up or online. Um. Oh, there's just one. One final question I'll take on very.

00:41:14:01 - 00:41:30:23

Quickly Phil Appleyard, Stanley Steeple Parish Council. All of this suggests that all the good in 15 years, the chances are I probably won't be here in 15 years. I'm looking at the next 15 years where I enjoy the countryside and there's no winners.

00:41:32:09 - 00:41:32:29

Thank you.

00:41:35:03 - 00:41:40:16

Thank you. Does the applicant want to say any final comments before we move on to this agenda item?

00:41:41:03 - 00:41:42:11

And no, nothing further. Thank you.

00:41:42:13 - 00:41:43:03

Okay.

00:41:43:23 - 00:41:58:10

Okay. That brings us to the end of item six. So we're now going to move on to the, uh sorry, item five. We're now going to move on to agenda item six, which is the historic environment. Um, I'll just let you change around.

00:42:46:07 - 00:43:29:09

Okay, so the first part was, um, I had some questions on the methodology, but I think at this stage and not in the time, I'd quite like to spend more of the time talking about the actual assets. Um, so if that's okay, I'm going to the questions I was going to ask on methodology. I will for the first written questions, unless anybody's got any particular, um, questions they want to raise. Um, but if they do, then if they could just put that in their deadline one submissions and then we can consider that for the second round questions because I'd like to talk about the pre determination trial trenching for archaeological remains.

00:43:29:20 - 00:43:49:25

Um and I've noted the concerns raised by both Nottinghamshire County Council and Historic England in their relevant representations on the lack of trial trenching for archaeological remains. So can the applicant explain its reasons for not undertaking trial trenching for archaeological remains to date so far?

00:43:52:02 - 00:43:59:15

Challenge. My name is Laura Garcia, by the way. Um, miss or Mrs.. Garcia will be fine. Thank you. Appearing on behalf of the appellant.

00:44:01:17 - 00:44:31:27

Um, we have undertaken a staged approach to the consideration of below ground archaeology and the evaluation of below ground archaeology. That's evidenced by a detailed heritage baseline ape one, two, two, which contains within it results of a site walk over analysis of historic mapping, analysis of lidar, analysis of geology and geo archaeological elements. Analysis of aerial photographs. Consideration of other archaeological reports for other schemes.

00:44:32:07 - 00:45:04:12

Geophysical survey has been undertaken across the entire order limits and we have undertaken trial trenching within the fixed areas of the site to the north, with the areas of the Bess and the substation. That approach is fully in line with the recommendations, um, of how to approach assessment set out at paragraphs 2.1, 0.11, 2 to 2.1, 0.119 of MPs and three, which advocates a staged approach to assessment.

00:45:04:20 - 00:45:13:00

Similarly, Bassetlaw Local Policy 41, part six also advocates a staged approach to archaeological evaluation.

00:45:15:17 - 00:45:52:00

So it isn't the case that we haven't done any predetermined trial trenching. We absolutely have. Those have been focused on the fixed areas of the scheme, which have less flexibility in them, and there is a larger point to be made. There is no mandatory requirement in local or national policy to undertake pre determination Trial trenching. Um Mbps 2.120.1148. Sorry MPs on three. Goes to reinforce that by saying in some instances, field studies may include investigative work.

00:45:52:08 - 00:46:28:12

And another important point at 2.10.115, the extent of investigative work should be proportionate to the sensitivity and extent of proposed ground disturbance in the associated study area. So, um, our approach to the evaluation of the site was, was actually set out in the scoping report and um, archaeologically led each stage in forming the next stage, but also being fully aware of the inherent flexibility of solar as, as a technology and the flexibility of the DCO process.

00:46:28:14 - 00:46:37:22

It was mentioned before that the DCO is consented within an envelope. So there is the flexibility of the ability to change elements of that post. Consent.

00:46:39:08 - 00:47:09:19

I've mentioned flexibility and this point of micro siting, which again is reflected at 2.1.137 of N3. It's a it's a key element of solar schemes. And another key element is they're relatively low below ground impact, unlike residential or transport or in this area. Power power stations. There's no large scale soil stripping. There's no large scale excavation required.

00:47:10:00 - 00:47:40:01

Um, and there is a far, far materially smaller impact on the area of solar panels. Um, for for inverted commas, normal solar panel. They are set on a frame which is pile driven into the ground on vertical supports. Now the vertical supports have a cross section which is a C or a U-shape, and the thickness of it is 3 to 5mm. So actually less than the thickness of my hand.

00:47:40:03 - 00:48:27:00

And the panels. The piles are spaced many meters apart, so I describe it as sort of pinpricks into into the wider sight that there are pinpricks of these piles being driven. And that means there is obviously a very low level of ground disturbance. And given this, it can also be deemed acceptable to place panels over areas of archaeology. So, for example, if you've got a very large ditch that's, you know, a Romano-British typical field boundary two meters wide, three meters deep, if you're inserting these

three millimetre piles into that, you're not precluding the ability to investigate that feature in the future, i.e.,

00:48:27:02 - 00:49:03:08

you are not damaging it to such an extent that it would be Destroyed or reduced to such a level that it couldn't be interpreted further down the line. Um. It is accepted that there are areas of solar schemes that are more damaging. And those are those fixed areas such as the battery storage and the substation compounds. And that's why we focused our trenching on those. There is less flexibility to move those, um, post consents. And so we focus the um, we focused our trenching on understanding the potential of those areas.

00:49:04:17 - 00:49:39:09

It also must be remembered that trial trench evaluation would involve the disturbance of a much larger area of ground than the panels. So a typical trial trench is 50m by two meters, 100 meter square. Once you've done that, those deposits are gone. It's inherently a destructive process. So we have to remember that if we did, a greater level of determination in the scheme wasn't granted consent. What's the justification for that removal of that archaeology, especially when the primacy is always to preserve in situ where we can.

00:49:40:14 - 00:49:41:04

Um.

00:49:43:14 - 00:50:14:29

The we as I've stated, we've considered, um, sorry, we've carried out evaluation that is that we consider to be proportionate to support this application. The trenching that we have done has never been intended to provide a sample of the entire site. It's never been this. This is this is trenches here. And we will then extrapolate those, um, that those results across the entire site. That's never the intention. It was for a focused purpose.

00:50:15:09 - 00:50:54:02

Um, as I say, that trenching is complete. We dug 16 trenches. 12 of them were blank, so nothing in them. And the rest had field boundaries in or field drains. And that corresponded Bonded very, very well with the geophysical survey results that were undertaken in that area. Um, in terms of the scheme layout being influenced by, by archaeological, by the archaeological findings. It is demonstrably the case that we that the scheme has been influenced by the archaeological findings, and that's fully in accordance with paragraph 2.1.116 of m3.

00:50:55:12 - 00:51:26:12

Um, we have. Thank you. There are areas of the site that have been excluded, um, because of the results of the geophysical survey, in particular the area to the south of the Littleborough Scheduled Ancient Monument, the Roman, the Roman town, essentially. Um, and there are there are four areas, the area that we were taken to earlier with the sort of gap in the panels that that's as Mr. Robinson said, that's an area that's been excluded. It is also the case

00:51:27:28 - 00:52:00:13

that the design and the scheme layout will continue to be influenced by the results of archaeological investigation. It is not the case that a consent represents a closed door. We will continue to do archaeological investigations as set out in our application document 124. Sorry, 126. The post consent archaeological works and the results of those will inform the layout and design of the scheme. So it's not. It's not the end of the story, let's put it like that.

00:52:00:27 - 00:52:15:01

Um, it the flexibility of solar panels and the flexibility of the DCO is such that whatever could be found could be mitigated in some way because of the range of mitigation options that we have available to us.

00:52:16:28 - 00:52:48:28

And just to return to sort of probably the point that your actual question about ten minutes later. The justification of our approach. It's in line with the wording of the MPs. And also it's an approach that's been advocated by a recent draft guide guidance document that has come out recently for consultation called Archaeology and Solar Farms Good Practice Guide. Now, I, I accept this isn't a published document and it has been issued for consultation.

00:52:49:00 - 00:53:18:28

That consultation is now closed and I don't have a date, unfortunately for you for that. But it's a cross-party document that's been authored by Historic England, Cadw, Chartered Institute for archaeologists, the Association of Local Government Archaeological Officers, Local Government Association, Federation of Archaeological Managers and Employers, and Solar Energy UK. So key national and local heritage stakeholders and developers have had input into this document.

00:53:19:09 - 00:53:54:03

It provides a clear indication of what is to be considered good practice in the archaeological sector when it comes to archaeology and large scale solar. And it strongly advocates a proportionate approach to intrusive fieldwork, highlighting the need for a staged approach focusing on non-invasive techniques. And it also again advocates that due to the flexible nature of solar and the disproportionate level of disturbance from evaluation versus solar panels, that if intrusive fieldwork is necessary at all, it should, where possible, be carried out.

00:53:54:05 - 00:54:35:21

Post determination. Um. The document sets out 13 principles for good practice, including design flexibility, um, high quality, uh, non-intrusive evaluation being required. Um principle eight targeted and sustainable trial trenching 3.8.2 where trial trenches are needed. Timing should be carefully considered with post determination assessment preferred where possible. Um, and then rightly, the guidance sets out that where intrusive pre determination fieldwork may be useful is in those larger areas of the scheme which are completely fixed, such as substations.

00:54:37:00 - 00:54:39:24

Um and that's I'll leave it there for now.

00:54:40:27 - 00:55:12:13

Okay. Thank you. So just on the fixed and the non fixed, are you saying that the, um, just for clarity, for everyone's benefit, that the where the solar panels are proposed are not fixed? And if you were to do a trial trenching at a later date that found an archaeological, um, feature, remain, whatever it may be, that it could, there would be flexibility for you to not site solar panels on that particular area. Is that what you're saying in terms of the non fixed.

00:55:14:13 - 00:55:49:09

The um, post consent archaeological field document field work. Document app one two, five sets out five five potential mitigation options. One is well, no further work after you know should should there be nothing found um preservation in situ via no panels at all, preservation in situ via ground mounting of panels and there is a cross-section of a potential a typical ground mounted panel included in that document.

00:55:49:18 - 00:56:10:08

Um archaeological watching brief. So that's when an archaeologist would be stood next to next to a machine recording anything that came out the ground or, uh, strip map and sample, which is essentially sort of an open area excavation on, on larger areas of archaeology. So the short answer to your question is, is yes.

00:56:12:25 - 00:56:34:09

You mentioned some policy references before, Um, and paragraph 5.9.6 of MPs at M1 requires non-resident heritage assets of archaeological interest that are demonstrate of equivalent significance to scheduled monuments to be considered subject to the policies for designated heritage assets.

00:56:36:02 - 00:56:42:24

To what? To what extent would the absence of trial trenching undermine the requirements of this policy, if it would?

00:56:45:12 - 00:57:46:10

Um, I don't believe it would, um, undermine this. And we have a really good example here with with those with the anomalies, let's call them, uh, identified to the south of Littleborough, the geophysical survey. And, you know, I'm sure I'm sure everyone's seen it was I sometimes call it juicy. Um, there's there's clearly something there. And it is most likely an extension of the settlement activity that is happening to the north Now, whilst it cannot be said with all certainty that they are of demonstrably equivalent significance to a scheduled monument, I think on balance of probability, those that are the archaeology that is has been demonstrated by the geophysical survey is likely to be, and as such, we've taken a precautionary approach and removed that from the, uh, from, uh, from any development, any solar development.

00:57:49:09 - 00:58:03:27

Thank you for your responses on that so far. I will turn to the, um, to Nottinghamshire County Council now because I know that this is a, um, this is a concern raised in your relevant representation. So I'd like your comments on what you've heard so far.

00:58:07:12 - 00:58:38:10

Thank you sir. Matthew Adams, Nottinghamshire County Council um, yes. And archaeology is a staged approach. The evaluation and assessment is a stage approach, and we would argue that trial evaluation is a key factor in that, so that the desk based assessments, um, bring an understanding of what we we already know. Um, the non-intrusive surveys are which there are quite a few types. The applicant has used one which is magnetometer.

00:58:39:02 - 00:59:14:13

Um, through geophysical survey I will give an indication of where there can be archaeology. It does rely on certain factors to be accurate. Um, and we do have concerns in Nottinghamshire that, um, it is not always accurate. Um, it certainly can show a focus for an area. It doesn't show the extent. Um, the third element we would argue, is trial evaluation, which will give you the key understanding for significance, which is which is a key factor in, In, um, uh, determining these applications.

00:59:14:15 - 00:59:54:21

Um, that is the only method by which you can understand the character, the depth, the state of preservation, and the date of archaeological remains, as well as prospect for archaeology that has not been identified through the other techniques that have been used by by the applicant. So we feel it is critical in a critical stage and a critical part of the assessment process. Um, and, um, yeah, it's absolutely critical. Um, as part of the process, um, I can leave it there for, for directly to your question or come back on some of the points that have been raised by the, by the applicant.

00:59:58:02 - 01:00:14:12

So I think, in essence, you're saying that you don't feel that the applicant's evaluation, fieldwork, surveys they've done to date are sufficient because they're not. The Geophysical survey is not always accurate. That's what. That's what you've just said.

01:00:14:18 - 01:00:48:01

Yes yes. Yes, sir. Correct it. It's not always accurate. There are there are problems. Um with magnetometer it does have a tendency to, um, have a disposition towards, um, what you might call dirtier activity fires. Um, Roman material does show tend to show up quite well, although we, we do have a site down the road until farm that where geophysics completely missed the Roman settlement. Um, that was only identified through through trial trenching. Um, so there is a tendency to miss prehistoric features as well.

01:00:48:03 - 01:01:20:22

Don't show up. And, um, transient features. Um, ephemeral features, rather, um, where the activity is short lived. Don't show up very well with geophysics. So, so ground truth thing, um, is very, very important part of the, the evaluation and the assessment process. Um, the applicant has, as they've mentioned, done 16 trenches. Um, we would normally assume the that there would be hundreds if not thousands, I think.

01:01:20:24 - 01:01:53:15

Um, till bridge across the, um, the other side of the Trent did nearly 3000 evaluation trenches on their site. I think the smallest number I've seen so far is probably 3 to 400 for a site, and those would be targeting both geophysics features, other areas of high potential, areas of high potential noted in the in

the desk based work. Um and um areas of high impact as well. I would I would add that areas of high impact could include weather are going to be cable trenches.

01:01:53:17 - 01:02:23:26

So some schemes have cable trenches behind the panels, in which case we would argue the panel areas have as high impact as a, um, a housing development. Um, more recently we've seen the cables are clipped up. However, at the end of the arrays there are there is always cable trenching, and those are areas of high impact that haven't been assessed with this application to date. Access roads, compounds. All these areas are high impact areas and have not yet been assessed.

01:02:24:02 - 01:02:35:09

Um, I think yes, they mentioned Suds and flood um, alleviation ponds. To my knowledge, those have not yet been assessed in terms of trial trench evaluation.

01:02:38:23 - 01:02:47:10

Okay. Thank you sir. Are there the particular areas within the order limits that you feel that there should be trial trenching undertaken at this stage?

01:02:47:28 - 01:03:02:27

Yes, sir. Yes, sir. At this stage and then possibly a supplementary phase of post determination trial trenching could be agreed. And again, we the applicant has suggested that they will do that, although the we're still very light on the details and in that respect.

01:03:04:05 - 01:03:27:06

Okay. What's your opinion? A similar question to what I asked the applicant to develop the policy in m one about, um, assets of archaeological interest at a demonstrate of equipment to schedule significance, to schedule monuments. Is there a risk that not doing trial trenching at this stage could result in this policy not being met?

01:03:29:12 - 01:03:59:22

Um, yes, I would partially agree with the applicant's response to that. Um, in the area, um, at Oakham, at Littleborough, where it does look like there's an extension to the scheduled monument, I think it would be reasonable to assume from the very good geophysics results from that, that it, that that would, um, probably constitute, you know, I would argue strongly in favour of that, um, you know, um, constitutes, um, equivalence to a scheduled monument.

01:03:59:27 - 01:04:33:11

Um, and therefore I would prefer not to try. Strangely, would prefer not to try our trench that and disturb it. But I would say is that the geophysics results are very good for that. But I would suggest trenching around it to see if if that activity extends further, just beyond the limit of the geophysics results, which may not have picked up activity, so that activity could extend beyond the geophysics results and still be equivalent to scheduled monument form. Part of that, that activity, and it hasn't been picked up at this stage.

01:04:33:13 - 01:04:40:01

And that would undermine, um, that, that part of them, that part of the N1.

01:04:41:15 - 01:05:04:17

Thank you very much for your comments. Um, have we still got that somebody from Historic England on online? Because I'd quite like to bring you in at this at this point, because I know that you've raised this in your relevant representation. So I would like, if you can, for you to elaborate further on the concerns that you've set out in your relevant representations and any comments on on what you've heard so far, please.

01:05:05:16 - 01:05:31:18

Heidi James, Inspector of Ancient Monuments, on behalf of Historic England. So I'd just like to start by sort of echoing a lot of what, um, Matthew has said. Um, I very much agree with everything that he's had to say there. Um, a couple of things I'd like to draw attention to. One is particularly in relation to the non designated archaeological remains that have been identified by the geophysics. Um,

01:05:33:12 - 01:06:24:25

when we come to designation, one of the elements that we look at is not only the the focus itself, but also its immediate archaeological setting. The very nature of an archaeological site, like a Roman settlement is that it does have a hinterland. So therefore, that those archaeological features that have been identified by geophysics intrinsically contribute to the significance of the designated asset and what Matthew has had to say there about trenching around the limits of the geophysics absolutely would be sensible, because by their very nature, those archaeological features that extend out from a settlement are going to be linear features and activities that are happening on the, um, on the very limits of, of settlement activity.

01:06:25:00 - 01:07:03:25

And it's important to know how far that extends, um, so that you can actually contain those areas of significance and whether that be, um, under what is known in footnote 75 of the NpF4 is not designated assets or, um, the monument itself. Um, one other thing I would just draw attention to is I noticed that the applicant was very careful to say, um, it those areas wouldn't be there for solar development. Now, just because it's not there for solar development doesn't mean that things like biodiversity, net gain areas, um, suds, sumps, etc.

01:07:03:27 - 01:07:35:13

wouldn't have an archaeological impact. So things even like planting would have potentially a political impact. Um, so though they've been very careful to say no solar development, we'd be really keen to have clarity on what exactly would be happening in those areas, because irregardless, there is going to be below ground impact. Um, the other thing that I would just like to draw attention to is, um, the detail that the applicant, uh, provided about the piling technique.

01:07:35:25 - 01:08:13:21

Um, and I would also just like to point out that, uh, historically and actually have specific guidance on piling and archaeology. Now, I note that they say that, um, it would be really shallow. Um, and, you know, something like, um, a ditch wouldn't suffer too much impact. However, as uh, Matthew was saying. Other types of features would, would suffer much more greatly. You know, I understand that

something like a ditch, you have meters and meters of it, um, it probably wouldn't impact its significant survival, interpretation, etc.,

01:08:13:23 - 01:08:24:13

but something that was much smaller and much more ephemeral. Um, potentially it would. Um, so they're kind of the three main elements we I'd like to address of what's been spoken about so far.

01:08:26:13 - 01:08:49:02

Okay. Thank you for your comments. And just, just further to what you've just said there about. Um, so are you not accepting the sort of the non fixed elements point that the applicant has said particularly you've just referred there to the Suds and biodiversity areas. Would you consider that they would be fixed areas that should be targeted at this stage.

01:08:49:08 - 01:09:22:01

Things like the the bears obviously we accept that that has been trenched to a degree. Um, also noting what Matthew said about the the density of the trenching is still very low compared to other schemes that we see. Um, and, and I also note that there is the assertion that there is flexibility, but what we don't currently understand is how that iterative process feeds into it. So where archaeological features, um, are identified, actually how that how that's going to feed into the iterative design process.

01:09:22:06 - 01:09:56:21

We don't understand that currently. Um, it's great that there's the assertion that there is flexibility, but on experience from other solar schemes, when you're looking at, um, overall, uh, power generation, etc., and the scale that's needed sometimes there isn't the amount of flexibility that you would think. And also, just because you go for ground, ground mounted panels doesn't mean that there wouldn't be any impact at all. As I say, I would refer the applicant to our piling and archaeology guidance for, um for a little bit more about that.

01:09:58:01 - 01:10:13:06

Um, because even though I say it's just a, you know, to use the applicant's words of pinprick, um, there is still compressional effects. There is still, um, displacement of acts, um, other kinds of effects that are just beyond the breaking of ground when it comes to piling.

01:10:15:27 - 01:10:36:06

Okay. Thank you for those comments so far. Just one final point. Um, in your experience of the some of the projects and particularly the national significant infrastructure projects, how prevalent is it to have the trial trenching done before, um, or a trial trenching undertaken? Um, at this stage.

01:10:37:10 - 01:10:38:01

Is you.

01:10:39:00 - 01:10:39:21

Yes.

01:10:39:25 - 01:11:14:16

Very common to have at least some um, it's very common to also have some post, but that's usually wrapped up in the mechanism of an archaeological mitigation strategy to actually, um, control, manage and create that feedback loop for the iterative design process. But, um, it's more common than not to see at least some degree of archaeological trial trenching beforehand. Um, and just sort of harking back to what Matthew was saying, um, about the kind of staged approach.

01:11:14:19 - 01:11:23:25

Yes, always we would advocate for a staged approach, but trial trenching is part of that staged approach more times than not.

01:11:24:04 - 01:11:37:18

Okay. Thank you. And do you agree with the comments that have been raised about the fact that there's no policy to require trial trenching or in your experience? Is there some something there that actually says that they should be undertaken.

01:11:38:22 - 01:12:11:15

Specifically that says it has to be? But, um, I think from our perspective that that staged approach policy was made. Reference to should always include some degree of ground truth thing. Um, because, as Matthew said, there are types of archaeological features. Prehistoric features, um, early medieval features. Um, that kind of thing that are all things that are a lot more transient in the landscape, um, that aren't identified by things like, um, lidar geophysical survey.

01:12:11:18 - 01:12:46:15

Particularly when only one geophysical survey has only been used. Um, you know, for example, for the geophysical survey, you can't tell the depth, for example, or the level of survival. Um, or you can tell us that there is something there. Um, so that says, though there isn't a specific policy that says it has to be, um, I would take a different view on that staged approach, um, to actually get a sufficient overview of the, um, scale nature, survival of the archaeological.

01:12:46:17 - 01:12:47:27

Archaeological record.

01:12:49:23 - 01:12:58:24

Okay. Thank you very much for your time. Um, I'll pass over to the applicant. Now for you to have an opportunity to respond on the, uh, comments you've heard.

01:12:58:26 - 01:12:59:15

Okay.

01:12:59:26 - 01:13:19:09

Um, apologies. I might jump around sort of some of the responses, but, um, I think firstly, I'll deal with the ecology point. Um, it was pointed out that I was very careful to say there was no elements of solar development in the areas of archaeological mitigation. Um, the areas that have been set aside.

01:13:19:18 - 01:13:20:03

Uh.

01:13:20:27 - 01:13:55:15

Do include ecology, um mitigation. But the measures to deal with that are set out at paragraph 3.9 to 3.14 of the post archaeological uh app. 124. Uh, and that's in the archaeological mitigation statement. Um, there'll be bearing in mind that these areas are currently under the plough and so are being affected by by ploughing. Seasonally, these areas will be taken out of that for the period of the of the scheme at least.

01:13:55:17 - 01:14:07:10

And as I say, the mitigation for how the that ecological mitigation is being delivered in terms of grass seed mix, etc., is all set out there. Um,

01:14:08:27 - 01:14:41:18

in terms of just a quick point, the Piling and Archaeology H.E. guidance is a document that sets out how to mitigate or assess effects of piling for very tall, um, high rise schemes. More likely than not. More often than not, in urban settings, it is not to deal with a panel with a three millimetres thick, U-shaped, um, U-shaped profile. These will be pile driven into the ground. There is no evidence before us that these are.

01:14:41:20 - 01:14:42:05

All.

01:14:42:10 - 01:15:19:15

These have any sort of level of same impact as anything that is put forward in the pilot guidance from Archie. I don't I don't accept that that guidance is relevant to what we are considering for this particular, um, uh, application. Um, it's great to hear that Historic England agree that there won't be. That panels don't really affect larger scale features such as ditches, um, and larger linear features. I would accept that there are smaller, you know, if you've got, for example, if you had, um, smaller pits, for example, they might be more affected.

01:15:19:17 - 01:15:44:02

But it's important to state we are not proposing that we will not do trenching. We will. We are committed via the documents put forward as part of this application to undertake a scheme of trial trenching, just not now as post consent and things like scale, depth, etc. these are all elements that can be

01:15:45:21 - 01:16:18:06

established post consent and as a. As I have stated, given what we are dealing with in terms of the flexibility of the scheme, and I'll come back to those elements that were mentioned as being less flexible. We can mitigate anything through various ways and means we can mitigate it. There are so elements such as cables for areas of no dig cables can be clipped up, um, underneath the underneath the panels so that there is no ground disturbance access tracks in those areas.

01:16:18:08 - 01:16:49:21

Geotextile can be laid down and they can be raised up off the ground, um, to, to ensure that there's no ground disturbance in those particular areas. Um, the mechanism slightly linked to that. Again,

apologies, I'm slightly jumping around here, but it's just the way it's coming. Um, the mechanism for securing these elements when I said that the scheme will still continue to be influenced by the design that set out in our um, in the post determination archaeological strategy.

01:16:49:23 - 01:16:51:09

Um, documents.

01:16:53:07 - 01:17:26:28

Oh, sorry, I think it's one, two six. Sorry, I said 125 before. Apologies. It's 126. Um, so what that sets out is for each phase of work, each area of trial trenching or geo archaeological assessment. For example, in the area of the possible paleo channel, a separate WSI will be carried out to determine the scope of those works. The results of those work will be discussed with the LPA and Historic England should should that be required, and those results will be fed into the emerging into the layout as as we go along.

01:17:27:00 - 01:17:31:22

Because, you know, we can start this process immediately. Um, so.

01:17:31:24 - 01:17:32:09

That.

01:17:32:11 - 01:17:49:21

It is this document, the outline written scheme of investigation for post consent, which, secures the mechanism for the further documents, the further sources and the further conversations which will happen to influence that scheme layout. Um, so there can be security in that.

01:17:51:17 - 01:18:17:29

The coming back to the, the the key evaluation function being a key factor, being critical, being vital. If it was vital, if it was essential, it would be a policy. It there would be a policy requirement saying you must carry out trial trenching to inform this scheme. It is not because it is a thread running through the MPs.

01:18:18:01 - 01:18:18:23

That.

01:18:18:25 - 01:18:48:27

It must be proportionate to the scale of the impact of the scheme. Now it was discussed there, Mr. Adams stated. Usually he would expect to see rather glibly hundreds if not thousands of trenches. A 3% sample of this site would be over 2000 trenches, 200m² of land, of land that is currently farmed and is currently um.

01:18:49:07 - 01:19:24:15

Being under active use would be disturbed. The carbon release from that alone would be significant, not least the amount of machines and the vehicles to get the staff to the site to and from is not inconsiderable. And it's that point of if we if you did 2000 trenches and disturbed all that land pre

predetermined and consent wasn't given, the justification for that would be would be gone. I would also point out that the recent Mallard pass um the examining authority um, for that decision.

01:19:24:28 - 01:20:01:26

We're grappling with similar issues of large areas of, you know, a percentage sample size. Um, they stated in their report of findings at paragraph 3.5.50, the use of a particular percentage requirement across the site would not be appropriate, noting this is not stipulated in any guidance. And um. Further, at 3.5.57. We don't consider it appropriate to set a percentage target more to ensure that these areas of the site at the most potential risk are properly evaluated.

01:20:01:28 - 01:20:11:12

This targeted approach that we're talking about is, is what's been advocated and agreed with other inspectors at previous examinations.

01:20:11:26 - 01:20:12:23

Um, and.

01:20:12:25 - 01:20:24:05

I would also note that the inspectors also agreed that a solar scheme would clearly not result in the levels of disturbance created by a development project, such as a new residential development.

01:20:25:02 - 01:20:25:23

Um.

01:20:26:18 - 01:20:29:08

Bear with me just while I just go through and check. I've.

01:20:44:21 - 01:20:49:23

That's everything I had taken from those comments.

01:20:53:09 - 01:21:26:01

Yeah, I've heard what you what you said there and you mentioned the Mallard Pass project. Did. Did that have any trial trenching of other areas within it at pre DCL level, or is there or is the argument that you can't set a percentage figure as such, but it's more that it has to be there should be targeted areas. And we've just heard from the Council on Historic England who have mentioned some targeted areas where they feel in this scheme it should be done.

01:21:26:03 - 01:21:28:20

Was it a similar situation on that particular project?

01:21:28:22 - 01:21:44:15

It was a similar situation in that the local authority didn't agree with the level of trenching that was done at that site, predetermined, and wanted to see if they wanted to see more done from the from the very beginning. So we're in a very similar situation to that there. Yes.

01:21:46:17 - 01:22:08:29

I mean, in terms of what you said before about its um, the effects of doing trial trenching, why have other projects then seemingly done that trial trenching, and you've decided that you don't feel it appropriate to do that if it has been done before and seems to be, from what I've heard, that it is consistently on other projects.

01:22:09:03 - 01:22:40:19

It has it has been done before, but I think there's been a growing discomfort, both in both in the archaeology industry and you perhaps more, um, expectedly from developers that the level of disturbance and the level of um and to one element is the expense, um, of it. But the level of disturbance both to um, tenant farmers, landowners.

01:22:40:21 - 01:22:49:09

So it's not just level of physical disturbance, it's level of disturbance across a number of factors that happens. And it's the sheer fact that

01:22:50:27 - 01:23:19:21

the level of disturbance caused by the insertion of panels is in the region of perhaps, I don't know, maybe I don't know the precise figures for this site, but it's in the sort of 1 to 2%, 1 to 2% of the order limits would be disturbed by the panels being inserted into this site. We're talking we are being asked to potentially disturb 200,000m² through trenching and the whole principle of.

01:23:21:22 - 01:23:54:00

Archaeology since the days of PG 16 is preservation in situ and where that can be achieved, which it can be achieved in areas through through solar. Um, we we want we it should be achieved that what we're putting forward is a trenching, uh, trenching focused on areas of the site. We accept the point that Mr. Adams made about the geology and potentially masking that you've got alluvial deposits on the eastern part of the site.

01:23:54:02 - 01:24:24:04

We propose that trenching should be undertaken in that area to, to to test the depth of the alluvium, um, to see if anything has been masked. There are a couple of areas of the site, um, where the geophysical survey identified green waste had been spread. Um, just in case anybody isn't aware, that's sort of an organic inverted commas, but there is a tolerance of other non-organic material that can be put in that which, when spread across the fields, disturbs the geophysical survey.

01:24:24:06 - 01:25:02:15

So it looks like the snow on televisions in the olden days that you used to get. There are a couple of areas of the site that have, um, been masked by that. So we would propose trenching those areas as well. It should be noted that the geophysical survey across the site has been largely successful. We've we've found that we've identified potential extension of settlement south of Littleborough, and we've found discrete areas of archaeology across the site. So the geophysical survey has has been successful in identifying archaeological potential sufficient for the purposes of the determination of this, um, this scheme.

01:25:04:00 - 01:25:31:28

Okay. Just my final question to you is, is not undertaking archaeological try trenching actually potentially resulting in a risk that there could be assets of significance that are found. If this was to be consented, that means that you could have to change your project or the layout is, would it not be sensible to do it? Is there more of a benefit than not doing it?

01:25:32:11 - 01:25:56:22

No, I don't believe there is, um, anything unlike other schemes. If we would if we were sat here talking about a power station again. Absolutely. But it's mitigates anything is mitigated. I don't want to say it doesn't matter what is found, because obviously it matters. But the purpose of that is by saying anything that we find is mitigated.

01:26:08:11 - 01:26:13:23

Okay, I have the hand up from Historic England, so I will turn to to you online.

01:26:16:12 - 01:26:48:11

Okay. Um, Hayley James, again, on behalf of Historic England. Um, I'd just like to just, um, just reflect on on that statement that anything is mitigating. Um, what I would just highlight is that without appropriate assessment, you can't fully understand the significance of, um, an archaeological asset, and therefore you cannot determine what is, um, appropriate mitigation without understanding the, uh, the significance of it.

01:26:48:22 - 01:27:21:06

Um, what I would also just take the opportunity to highlight, because I feel like I've been very negative so far, um, is that I did receive, um, very welcome to receive the statement of common ground from the applicant yesterday. Um, so the 11th of November, um, which I think I'm aiming to return, uh, comments and considerations by the 25th of November. Um, so a lot of this alongside, um, the host authority, we can discuss that statement of common ground as well. And I'm fully open and quite look forward to having those discussions.

01:27:22:09 - 01:27:34:21

Thank you. Um, that's a really, really useful update. Um, so thank you for for that. Um, did you want to come back in Nottinghamshire County Council?

01:27:34:28 - 01:28:05:00

Uh, thank you sir. Matthew Adams, Nottinghamshire county Council. Um, I'd just like to draw your attention to footnote 94 of N3, uh, which says the results of predetermined, predetermined archaeological evaluation inform the design of the scheme and related archaeological planning conditions. Um, there are other areas. I mean, it has generally been since PG 16, um, after in from the early 90s that things have been left rather vague in terms of wording for policy.

01:28:05:09 - 01:28:44:27

Um, so to allow some flexibility, um, and to allow for the individual circumstances of each site to be taken into account in designing schemes. So, so sometimes, for instance, if you have a site that's formerly been quarried, there is no point in a trial change evaluation because, you know, the archaeology has been removed. So the reason there isn't a specific policy saying trial change evaluation must be undertaken is because, um, policy has has generally allowed us some level of

flexibility, as it still does, because there is no policy saying there should be um, um, geophysical survey or, you know, it's not that prescriptive.

01:28:45:04 - 01:29:29:18

Um, so I'd just like to make that point also, um, the the applicant was, was mentioning the, you know, having to undertake 2000 trial trenches. We haven't asked for that. It 3 to 5% has been our policy for for other sites, for other development sites. And it was when these schemes first started. Ah approach. Um, we have over the last few years um, started to take a more pragmatic approach. However, we would like to point out that the scale of the applicant is dealing with this size of site of 888 hectares and therefore, you know, assessment shouldn't be reduced just because they're dealing with a certain scale of site.

01:29:29:20 - 01:30:17:04

I believe there is a principle that we follow through and planning. Um, um, risk I think is a very important factor that you mentioned as well. Um, without trial change evaluation. Um, certainly of the high impact areas and the high potential areas for high archaeological potential, and pushing that to post consent introduces a significant level of risk that the scheme that is envisaged that has been put forward is not deliverable in the way that it is, um, presented and that essentially the the applicant is asking you to recommend the Secretary of State a scheme that may not be deliverable, and they certainly haven't provided the level of evidence and, and information that we would suggest as necessary.

01:30:17:16 - 01:30:48:19

Um, for us to recommend approval for a scheme like this. Um, there are other things, but I think as, um, Historic England have pointed out, that we have, um, local impact reports to come and comments in that and, and we aren't, you know, we're more than happy to to engage with the applicant directly. Um, we would note that engagement has been fairly low for a scheme of this nature and our experience to date. Thank you.

01:30:48:25 - 01:31:28:05

Okay. Thank you. And that leads me to what was going to be my last question of how are the best way for you, for you to take this forward between you to be for further discussions. But you've already sort of stated in some ways the Local impact report will be, I think, a a good way for you to highlight more of the concerns. And then obviously the applicant will respond. I'm sure Historic England will will have further comments as well on this matter as it comes forward. So we'll see. At this stage, um, I will go back to you in a second for the final comments, but I just want to check whether anybody from the floor wants to make any comments on on this, Mr.

01:31:28:07 - 01:31:28:27

Gibson.

01:31:29:24 - 01:32:00:19

Um, yes, I. First comment is a positive one, uh, towards the, uh, the applicants in the sense that I am pleased to see that the work that some of the work that they've done, uh, confirmed the previous work that we did under the HSF, uh, fund finding the ribbon development on the south of the road. Um, the

thing that leads on from that, though, from my perspective, is that ribbon development, it's a little bit of a snapshot map made the point.

01:32:00:21 - 01:32:36:25

We need to look around it. It could actually extend for another two three, 400m, 500m. Who knows. And that's why I think doing the requisite pre trenching work is actually quite important in that area to determine the extent, true extent, and to regard it as an extension of the Sam site strikes me as being the correct way forward. So in some senses, we're on board here, and in some senses I'm very much on board with the, uh, with the guys from, from Nottinghamshire in the sense that we do have to look at the full extent of what we're looking at.

01:32:36:27 - 01:33:10:21

And the HLF project also came up with a medieval manor house, uh, close to, um, certainly staple, uh, work in my own orchard this summer has come up with another medieval building, uh, of quite interest, and we found some Roman road. So there is a lot of work still to be done to trace the true path of the road, and to make sure that none of that actually hits into the impacted area. Um, so that's so from an archaeological perspective, I think there's still a lot to do.

01:33:10:23 - 01:33:26:11

And I'm very pleased if the all parties are actually going to be working together to look at this properly, um, rather than it being, um, discarded as something of lesser importance. Thank you.

01:33:27:00 - 01:33:39:01

Thank you for that, Mr. Gibson. I'll see if anybody's got any more comments. Um, I'll take the one more from from the floor, and then I'll ask the applicant to the final comments before we go for for a break.

01:33:39:26 - 01:34:10:01

Sorry, this is Julie Barlow, and this is a personal comment because I don't know anything about this area, but just for me, logically, 850 800,000 panels, not sure how many legs on each panels, but that's a heck of a lot of pinpricks. Uh, we heard earlier this morning that the red line is fixed, so therefore there isn't any flexibility in the area for the panels. It would be a reduction in the number of panels, and I'm not quite sure the developer would actually want that.

01:34:10:03 - 01:34:34:08

Um, and the other thing is, um, I think it's quoted about Mallard, but also the last insert that I'm aware of that was mentioned, uh, granted, was Tilt Bridge, and that put a lot of weight on heritage and archaeology. And also my personal view, this policy, there's guidelines, there's best practice and there's responsibility. Thank you.

01:34:35:15 - 01:34:40:13

Thank you for that. I'll turn to the applicant to briefly provide a summary. Back to those.

01:34:41:08 - 01:35:12:03

Thank you. Thank you, Laura Garcia. Um, for the appellant. Um, just about, um, the geophysical survey. Thank you for that. Um, we the the geophysical survey didn't indicate that the road continued,

but again, that is something that could be it could be investigated, um, and mitigated, uh, when further works are carried out as secured by the documentation we've already discussed. Um, the matter of flexibility.

01:35:12:05 - 01:35:47:01

Yes. The red line boundary is fixed, but the elements within that red line boundary, there are tolerances for changing, for the flexibility of the design. Again, paragraph 2.1.137 of N3. Um specifically says that the ability to microsite is a is an element to be taken into account. Um, the thing about policy and it being sort of old and updated if it's in the latest version of MPs was written in December 2023, updated in uh, adopted in 2024.

01:35:48:03 - 01:36:22:26

If there had been any strong feelings that trenching was a requirement, it could have been added in then it's absolutely to give flexibility. I completely agree with Mr. Adams on that, but that's because each site is different and should be taken on its own merits. There shouldn't be a blanket approach taken a one size fits all strategy for all. Um, for all DCO projects. I think that's that's why that flexibility is there. So that so that one can take a proportionate, um, approach. Um, and I think I'll leave it there so we can all have a cup of tea.

01:36:23:25 - 01:37:01:08

Okay. Thank you very much. So, um, I think what I'll do, I'll just very. Before we break, I'll just quickly outline how we'll take forward the rest of the hearing. Um, in terms of this agenda item, just recognizing the time that's left, we will discuss, um, the North Laverton windmill. Um, next on the return to the break. Then after that, um, the questions that I had really for the rest of the agenda are really for Nottinghamshire County Council, and it was more trying to understand a little bit more in your relevant representation about why you were, um, seeking removal of certain areas of the site.

01:37:01:22 - 01:37:27:16

I think rather than go through that today, whilst I think it would be useful if you can elaborate further in your deadline one submissions on that, which I think then can allow us to understand more what you are, and then we can take that forward to written questions if that's okay. So that, um, unless there's anything you particularly need wanted to say on, on those items.

01:37:32:26 - 01:37:33:19

Um, I.

01:37:34:12 - 01:37:35:00

Think that.

01:37:35:02 - 01:37:35:25

Oh, the windmill.

01:37:36:00 - 01:37:36:15

For the.

01:37:36:17 - 01:37:37:18

Windmills. Sorry.

01:37:37:22 - 01:37:51:16

We're going to cover the windmills. It was for the other. It was for the other assets, which in terms of Crow Tree Farm and also the areas north of North Laverton where my colleague. Yeah. Hi. Jason. Morden. Historic buildings. Conservation for county.

01:37:51:18 - 01:37:52:08

Council.

01:37:52:10 - 01:38:26:27

Uh, there they are. Our input from the point of view of immediate impacts on setting that we felt could be mitigated through removal of parts of the scheme. They're based largely on input that was provided by Bassetlaw District Council Conservation before they stopped being as involved. So I'll be reiterating what they're saying really for. And some of that overlaps with with the North Laverton windmill. Okay. We'll ask for an action point just for you to to elaborate further the deadline one, and then we will take that further forward at a later date.

01:38:26:29 - 01:38:50:12

But we will focus on North Laverton Windmill next. And then we will go on to agenda item seven, because I know people have been waiting while to get on to that. So. So we will adjourn for a break now. Um, and we'll adjourn until 5 to 4. That's okay. So the time is 1543, and we will adjourn until 1555.