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00:00:08:06 - 00:00:39:06

The time is now 930 on Thursday the 12th of February and time for this hearing to resume. Can I just confirm that everyone can hear me clearly? Thank you. Can I also confirm with the case team that the live streaming has commenced? Thank you. My name is Max Walch. I'm a chartered civil engineer. I've been appointed by the Secretary of State with the lead member of the panel to examine this application. I'll ask my colleague to introduce himself.

00:00:39:26 - 00:00:47:17

Good morning. My name is Andrew Robinson. I'm a planning inspector, a chartered town planner, and also appointed by the Secretary of State.

00:00:49:00 - 00:01:24:20

Thank you. Together, we constitute the examining authority. Okay. For this application. For those of you present in the room, you have may already spoken to or heard from Mr. Simon Ray wood. For those of you who have joined us virtually, then you will have spoken to Spencer Berryman. Together they are the case team for this project, and if you have any questions or queries about today's event, they should be your first point of contact. In terms of arrangements, I don't intend to run through these again in detail, except to say that no fire alarm test is planned for today.

00:01:24:22 - 00:01:59:06

So if it does sound, it is an emergency and we'll need to vacate the building. Toilet facilities are located on the first floor at the top of the stairs, and there's a single toilet on the ground floor under the stairs. Can everyone please set all devices and phones to silent? Like yesterday, we'll aim to take a break approximately every 90 minutes or so. Today is a continuation of issue specific hearing, to which we adjourn just before 5 p.m. yesterday, and it will be based on the published agenda, Starting with agenda item five.

00:01:59:27 - 00:02:30:04

I don't intend to reintroduce the participants of today's hearing who were attending yesterday, but I will check if we have anyone new who did not attend yesterday who would like to be introduced.

Firstly, can I check whether there is anybody in the room who was not present yesterday, who wishes to participate today to raise their hand and will ask you in turn to introduce yourself? Thank you. I can see, I think one hand up at the table and between two tables.

00:02:30:06 - 00:02:36:09

Um, have you got a microphone in front of you? Could you just press that button? Thank you. Okay. Right. Yes. My name is.

00:02:36:11 - 00:02:43:01

Gibson Andrew Gibson, and I am here to represent fields farming. I was not able to be present yesterday.

00:02:43:29 - 00:02:45:23

Thank you very much, Mr. Gibson.

00:02:48:00 - 00:02:54:19

Um. And virtually. Is there anybody who wasn't here yesterday? Could you raise a virtual hand?

00:02:56:10 - 00:03:31:14

I don't see any additions. Thank you very much. So we'll continue with the agenda item five, which is land use and agriculture. So as we did yesterday with this item, I'll ask um, fields for farming, the local councils and other wide piece to present their main points from the evidence submitted regarding land use, agriculture and socio economic matters. Um, and then I will ask the applicant to respond to the points made by the local bodies.

00:03:31:26 - 00:03:37:09

And then following that, I've got a few questions. Um, the essay we'd like to ask.

00:03:37:23 - 00:04:14:05

So I wonder if I don't hear Mr. Robinson. Mr. Robinson, perhaps I'll just help everybody find. Indicate first how we're intending dealing with them. Uh, best and most versatile, uh, land agricultural issues. Just obviously if you're Mr.. Extent to. Know who you're talking to inside the table. So Patrick Robinson, um, advocate for the applicant. And to my left, I've got Mr. Bridges, um, of who's the project manager for RTÉ's Who's Who's together with me going to be dealing with BMV matters, who'd be very obvious that we had Mr.

00:04:14:07 - 00:04:26:21

Kernan last time. So would it just help if we explain for a moment how we're going to deal with these issues, and then that may be easier for people addressing to know who effectively, who they're talking to. That'll be very helpful.

00:04:26:23 - 00:04:27:17

Thank you.

00:04:30:06 - 00:05:04:03

Monitors. Will bridges, project manager for risk. Um, as Mr. Robinson said, uh, the ish one Mr. Kiernan attended to address matters to deal with agriculture and land use. Um, uh, as hopefully you're aware he is unavailable for these hearings. Um, but obviously there's About various documents that have been submitted with the application and subsequently as well. Um, and I will seek to address any, um, any questions with reference to that existing material.

00:05:04:07 - 00:05:12:09

Um, but anything we can't do. Of course we will. We'll we'll try our best to answer now, but we will take away and address later. Thank you very much.

00:05:14:13 - 00:05:17:17

So that was all. If we can press on.

00:05:18:16 - 00:05:27:01

Thank you. Um, so, um, one of you is going to. Well, maybe more than one of you is going to speak for fields for farming, I think first.

00:05:28:01 - 00:05:30:11

Um, go ahead, Mr. Barnett.

00:05:31:05 - 00:05:32:13

Uh, good morning, everybody.

00:05:32:15 - 00:05:33:18

Uh, James Barlow.

00:05:33:27 - 00:05:35:19

Um, fields farming, but also.

00:05:35:21 - 00:05:36:06

A.

00:05:36:11 - 00:06:07:11

Local farmer. Um, just firstly, before I get on to that, I'd just like to, I'll say, almost apologize. Um, last night when we finished, um, you could see there was no appetite. Uh, for carrying on for an extra half an hour to go through this. And this is I just want you to maybe understand where we are coming from. I'm still farming. I farm every day. So when you finished last night, I went back to the farm and worked until 10:00. Had a calf born. I had to feed the calf. I have to make sure it survives.

00:06:07:13 - 00:06:43:10

I have to look after my livelihood. This morning, before you start, I go to the farm. I do my hours, I feed everything. Then I come here. We're not paid to be here. We're volunteers. I'm trying to look after my livelihood, prevent it from flooding, trying to help the local residents. We're not paid. Maybe in the future. These are the meetings. The developers should put some funds together for the local communities. So that we can employ professionals to sit here, instead of us having to get time from our work, trying to read thousands of pages of documents that we don't understand.

00:06:43:24 - 00:07:18:00

Maybe you could help us if you truly believe what you're doing is good, why don't you fund the opposite side? That's my first question. And so very simply, we're talking about the land and land use. The land, as you're all aware, is in the Trent Valley, the Trent Valley of Nottinghamshire. And I think you all should be aware from watching TV that the best land in any country, in any county, is in flood plains. The Trent Valley is flooded for many years, many years put in many nutrients into the soil along the Trent Valley.

00:07:18:06 - 00:07:47:18

This is the land that today. And if you're spoken to any of the local farmers to myself, you would actually know what that land was. Instead of talking to consultants many miles away, you'd have known how fertile the land is. You'd have known what yields were available from that land. So what I really want to say is that this land that we're talking about is some of the best land in the country. It is the wheat basket of England. It is along the Trent Valley on the most fertile lands. I'll pass over to my colleagues. Thank you.

00:07:49:00 - 00:07:53:15

Thank you, Mr. Barlow. Um, yes. If you could.

00:07:53:17 - 00:07:54:02

Just.

00:07:54:04 - 00:08:21:28

State your name again, please. Right. Andrea. Gibson. Yeah. Okay. Um, because I wasn't here yesterday, I've sort of jumped into this a little bit. Basically, following on from what Mr. Barlow has said, there are there are two issues. Yes, it is indeed fertile land. It is an area of and has been an area of production of wheat and mixed arable farming and indeed beef for

00:08:23:15 - 00:09:24:15

the last millennium, and more intensively, of course, since the mine drained the land, the floodplain in the end of the 18th century. Um, but the principle is to me, we take a step back from this, looking at it from their perspective. The farmers, they say quite correctly, this is farming land. It should remain farming land. And actually, as far as I could see from looking at the policy aspect of it, there is a clear policy conflict here because the idea is that if you are going to displace farming from the land and replace it with an industrial landscape, which is what this is, then what you should be doing is looking for the areas where that makes the least impact.

00:09:24:17 - 00:09:58:01

This is basically good quality farming land. We're not talking about brownfield land. We're not talking about grade three scrubland. This is good, productive farming land that you are seeking to replace with solar panels. And that, I think, really has to be borne in mind. And in fact, if you look at I'm trying to think now because I'm not 100%, uh, up to what's it on my own notes here.

00:09:58:06 - 00:10:33:27

Um, but there, there were comments from, for instance, from a previous occasion, um, a planning inspectorate, Elizabeth Ward, in 2014, who said the development should be limited to brownfield land and poorer quality unproductive land. BMV land should be avoided. The most compelling evidence would be required if it was to be used. The fact that BMV land happens to be available, that a landowner happens to want to make some cash out of it in the short term should not be compelling evidence.

00:10:33:29 - 00:11:07:14

The fact that there isn't poorer quality land immediately adjacent to where you wish to develop is not compelling evidence. So what we need to do is to look at this properly and say, in what way is it a good idea to take all of this productive land out of production to demand, then import substitution? So we are importing. And all you're doing is offshoring the job, the offshoring the problem rather than producing locally and producing good quality.

00:11:07:16 - 00:11:26:16

I have to say, just as an aside and a little bit of levity, I have in my bag here a sandwich. Um, the bread for this sandwich is made from the wheat, which is milled at his mill and grown in the fields locally. That is what I call sustainable. Thank you very much.

00:11:27:14 - 00:11:31:17

Thank you, Mr. Gibson. Um, I have another hand.

00:11:31:19 - 00:12:10:00

Up in the room. And Mrs. Barlow. Thank you. Julie Barlow fields for farming. Um, Personally, we're in a very fortunate position in we own our own land and farm our own land. The land or the vast majority of the land that subject to this um, development order, is owned by one landowner and is tenant farmers. There are multiple families affected by this this development multiple generations. And on a microeconomic socio economic, um, impact, this is quite major, significant.

00:12:10:02 - 00:12:43:00

Whatever word you want to do for our community. Yes, there are claims that there is a wider socio economic benefit, but that will mainly go from business rates to central government and the wider, um Bassetlaw, Nottinghamshire county councils, not to our community. There are a lot of people employed in agriculture in our village, so it's not just the farmers, it's the indirect support services for those farms. So socio economic.

00:12:43:02 - 00:12:47:19

There will be no benefit to our direct community. Thank you.

00:12:49:03 - 00:12:50:13

Thank you, Mr. Spano.

00:12:59:14 - 00:13:15:11

Excuse me. I was just making some notes. Anybody else in the room who wishes to speak on, um. This topic? I can't see any. Hands up. Is there anybody, virtually who wishes to speak? I assume not.

00:13:18:13 - 00:13:23:23

Thank you. Um. I'll give the applicant the opportunity to respond to those points, please.

00:13:25:00 - 00:13:30:11

Thank you. Um, well, Mr. Bridges will take us through some, I think, relatively high level points on this.

00:13:32:03 - 00:14:22:11

Thank you. Sir. Um, as as you're aware, uh, Chapter 15 app 072B sets out the um, the environmental statement position on agricultural land. But more recently in deadline three BMV note are rep 3049 summarizes the BMV position and particular refers to at paragraph 2.2. Um figure 15 one from the chapter 15 that I've referred to already, and sets out the how BMV obviously is displayed and the data that is available, um, to select sites before you go and do BMV surveys and the classification of um BMV on a mapping basis within this part of Nottinghamshire.

00:14:23:29 - 00:14:54:16

Um, I won't go through the site selection and matters of that. We talked about that at issue one about how site selection was done, but also how BMV was influenced. But I think Mr. Kernan and his chapter clearly demonstrates the, um, the broad nature of the desk based information that is available to utilize BMV until you get on site and do, um, intrusive, uh, BMV surveys to actually establish the precise nature of BMV classification within those fields.

00:14:55:16 - 00:14:59:16

Um, going on from that, um.

00:15:02:26 - 00:15:34:05

Chapter 15 obviously sets out the, um, the farming land and how much land is going to be utilized for this, uh, in terms of food security, which had been mentioned already. Um, this is summarized within our relevant responses. Response to relevant rep. 015 is a very good summary of, um, our position on the food security matters. I'm not going to go through the, evidence that we've already put in that response.

00:15:34:07 - 00:15:48:03

But that was a response to Natural England, not Natural England. Sorry. Um, the campaign for the Protection of Rural England and its draws upon the evidence that's already been submitted, um, to respond to those points.

00:15:52:17 - 00:15:58:17

Thank you for that, Mr. Robinson. Did you. Were you indicating you wanted to answer?

00:15:58:19 - 00:16:03:07

No, sir. No. Very happy. Mr.. I can deal with any questions if needed.

00:16:03:10 - 00:16:35:27

Thank you. Um, and I just turned to, um, Nottinghamshire. Um, I think you've possibly got some somebody who's got expertise in this who could. Um, what I want to ask you is just to update on your

position regarding the applicant's proposals for the use of agricultural land. Um, as I haven't seen the statement of common ground. I'm unclear on your position on it. Are you able to give us an indication on that, please? Yeah.

00:16:36:28 - 00:17:09:02

I just have to clarify that we we haven't made any representations on agricultural land in our relevant maps or the local impact study, because we we it's normally the case when we've been looking at these that the relevant district councils picked that matter up, and we were expecting law to have done that. But so we don't we haven't taken a view or we haven't had the expertise to work to look at that issue. Um, so I'm afraid I can't really offer any particular view on that.

00:17:09:09 - 00:17:34:06

Apart from noting, um, and, you know, referencing what has been said about the proportions of, um, that's the most valuable land being used. But that's just a note. Uh, I do note that there has been a statement of common ground and Submitted with Bassetlaw. Um, I've got quite got the reference in front of me, but but they have.

00:17:36:08 - 00:17:55:26

Their position statement does is somewhat neutral on the matter. Um, doesn't um. Um, it's more about ground conditions, I think, than anything else. So it is. BNP is referenced in the Bassetlaw Statement. Common ground. Thank you.

00:17:57:18 - 00:18:02:06

I've got a couple of further questions. Just of clarification. Um.

00:18:08:06 - 00:18:38:23

One is to do with the areas of ecological enhancement. So it would be helpful if you could, um, provide clarification on the amount of agricultural land that may still be permanently lost as a result of the area's use for ecological enhancements, as set out in the, um, Outline Soil Management Plan section 14, which is three oh 27 and how this could affect the assessment of the loss of BMV land over five hectares.

00:18:38:25 - 00:18:40:22

In the environmental statement.

00:18:43:24 - 00:19:08:03

Sir will bridges with applicant. Um, in terms of ponds in the eastern side of the site. That land take amounts to circa one hectare. Um scrub planting again to the eastern side of the site would be between 1 to 2 hectares and then woodland planting in total is 12.1 hectares.

00:19:09:24 - 00:19:36:10

I should say it is. It is our position that this is a permanent loss of agricultural land. Um, this is a mitigation that is for the lifetime of the project. And we once we the development is ceased, we have no control over the future use of that land, so it is not the position that we say they are retained forever. It would then revert to the landowner and it is up to the landowner how they are and managed and maintained.

00:19:39:08 - 00:19:53:15

Okay. So in the environmental statement, does that total which is just over 14 hectares I think. Um, is that included in loss of BMV land within the years?

00:19:54:20 - 00:19:57:16

I don't believe it's been treated as permanent loss of BMV land. No.

00:20:04:16 - 00:20:05:26

Thank you for that.

00:20:09:16 - 00:20:15:08

I've got a further clarification I wish to ask. Um.

00:20:18:04 - 00:20:53:26

There's been some correspondence about the absence of, um, Agricultural Land Classification Survey across the full order limits, including the cable route area. Um, there is some correspondence with Natural England who we don't have here, but can the applicant update on Annie's position following their review of the updated Osmp submitted at deadline three. Um, how has it been any movement with the discussions with Natural England on that?

00:20:54:11 - 00:21:17:17

Yes, sir. Will British applicant yes. Correct. The SMP, the revised SMP rep 3027. The clean version, um, has been submitted and has committed to providing those surveys pre pre post contemporary commencement. Um, and as I understand it that that has been agreed with Natural England to be satisfactory.

00:21:20:02 - 00:21:21:00

Thank you.

00:21:31:06 - 00:21:43:06

Thank you for that. In response to what you've heard. Have you got any further questions you want to ask? Um. Mr. Khan. Mr. Barlow. Sorry.

00:21:44:16 - 00:21:47:04

All right. James Barlow. I hear.

00:21:47:06 - 00:21:51:07

The word clarity mentioned quite often, and we obviously put some points.

00:21:51:09 - 00:21:52:01

Forward.

00:21:52:03 - 00:22:24:04

And then you ask the applicant to reply, to clarify. But reply to us. The statements that come back always seem to me to be statements that there's no way that we can follow when it's replying back with a list of numbers of statements has been forward of again, thousands of pages of documents. So are we here to try to understand? Are we here just to put statements forward. And a good example of that yesterday was when we talked about health and well-being.

00:22:24:06 - 00:22:54:26

We listened to a lady on the screen who went on for quite a while, and the expression on nearly everybody's face was, we don't really understand what the what that was saying. And then we referred to a three page summary that refers to a multi-page document. And again, I go back to the fact that we're working. We're trying to understand it. And every time there's a reply, it's a reply that's up here. There's no way I can understand what you're telling me. And is that how is that how this meeting is designed? Thank you.

00:22:57:00 - 00:23:32:12

And just a second question. Um, we've talked about that, about no loss of agricultural land because it's left with ponds and woodland as far as you're concerned. So as far as you're concerned, at the end of your project, there is loss of land. You're not putting it back to how you find it. You're leaving it to the landowner. So the project, that end of project, There is still a lot of land at that point. Just to clarify. And secondly, um, you've talked about putting concrete plinths down. I know at the last meeting you talked about the solar panels only having pinpricks and doing little damage to the soil.

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I also noticed that when I read these documents, it talks about fencing with concrete around every post, and the fencing must amount to, I don't know, ten kilometres of fencing each post with concrete. Is that concrete area also lost? Are you removing the concrete or is that again left in the ground when at the end of your project and that's left to the landowner to sort again I don't know. Thank you.

00:23:59:29 - 00:24:01:26

Thank you, Mr. Barlow. Um.

00:24:05:19 - 00:24:30:09

I understand your points about clarity, um, regarding points that have been made today and yesterday. Um, you've also raised a couple of specifics to do with the, um, the, the agricultural land that will be used for ponds and woodlands and, and, um, details of how the solar panels are founded. And I wonder if you could just, um.

00:24:33:01 - 00:25:13:12

Respond to, um, the, the comments being made about about clarity of answers to, um, to the questions of being raised by the apes yesterday and today and maybe whether there is some mechanism for answering them, um, in a way that's not so, um, written and formal in this meeting, I, I would only ask you to reflect on that. Um, so I think I'm asking about a method of communication with the APS, and then maybe you could address the two points on the ponds and woodland and the, um, the solar panels.

00:25:14:03 - 00:25:18:27

So thank you, Pat. Patrick Robinson for the for the applicant. Um.

00:25:21:07 - 00:25:57:22

Yes. I think the way you've just put that, which is, if I understand it correctly, is um, in terms of understanding impacts and understanding the application. It's there some way outside of both this format and and written questions and answers. Can can we engage with members of the public, members of the field to form farming and help more with the understanding of the issues? Well, the answer is absolutely yes. Um, if you wanted to explain a project like this, you wouldn't sit around a table like this and do it in a sort of video format.

00:25:57:24 - 00:26:30:00

You'd you'd discuss it. And I think some of the issues have come up so far, um, in today and yesterday, have then had discussions outside which have helped. Yes. We're absolutely happy to do that. We, um. We can now. I'll ask Mr. Bridges now, if you can. Just very briefly on the questions that he's addressed there, he's directed as to where you get the answers to, um, uh, issues of

00:26:31:17 - 00:27:01:21

use of BMV land and food security to just say a couple more words like, but what's the conclusion? Why do we say the policy test that's referred to is met? Why do we say food security is not something to be concerned about? Let me say a few words. I think there will be things we have heard before, but I think you've asked, can we do that? Um, and then separately, I will also ask Mr.,

00:27:01:23 - 00:27:33:02

um, bridges, just to deal quickly with a little bit more on. Is a pond permanently lost or not? I'm sure we can say a couple more words on that and issues of things like okay, concrete around underneath, um, or things that need concrete bases and fence posts. What happens to those? Well, he he can't deal with that. But there could be very, very many questions like that. And so we are happy to deal with those at any time outside of this process.

00:27:33:04 - 00:27:40:17

If it's a question of tell us more, we want to know about the project. Um, so that might have been asked. Mr. Robinson.

00:27:40:19 - 00:28:08:22

I think that that, you know, I'll let you deal with the, the, the, the public, to use a more normal term. Um, but I think I well, I'm sensing they would appreciate having a more, um, layman discussion about the proposals and, and being able to ask their questions and, and get answers, even if they don't particularly like the answer.

00:28:13:21 - 00:28:15:01

So, um, just.

00:28:15:03 - 00:28:59:20

To build on that last point. Um, I have always made myself available to the project manager, and I am available to speak to people and email at any time so that that is always an option that is open to people to do that. Um, just to reiterate, um, the BMV point, I think I gave the reference, but I will I

will give that again the BMV note. Rep 3049 is an eight page document been submitted at deadline three and very succinctly summarizes the position on best amount of versatile and how it has been, um, researched, how it's been used in this project, how it's been, how the project is adapted to it, I think I'm not going to read that document out.

00:28:59:22 - 00:29:18:03

It is eight pages and it's very clearly and in a very short manner, sets out the whole project's approach to BMV. We can provide that on email or in hardcopy, but I think that is the best way to deal with the BMV to have a look at that document before any further questions.

00:29:19:24 - 00:29:56:20

Um, on the matters regarding the ponds and fencing, the the outline management plan, which is a slightly bigger document, but is a very clear I think, um, takes it step by step through how matters of construction, um, how operation is relates to the management of soil and things such as the ponds. The soil will be stripped and stored to be used for reinstatement at the end of the project. And so that will be the that's why we're doing the surveys for the classification of land before the construction starts.

00:29:56:22 - 00:30:14:14

And in terms of fencing, um, the, the fencing that is proposed around, um, I'm not sure where Mr. Barlow has read that. There's concrete around that. It is, um, driven into the ground. Um, but that is explained in the outline to a management plan.

00:30:18:05 - 00:30:18:28

Thank you.

00:30:19:02 - 00:30:36:16

Sorry. Sorry, sir. The one thing I just wanted to address was decommissioning. Of course, there is, uh, requirements and decommissioning plans that we do not just leave the site and leave it for the landowner to deal with. We have we have commitments to restore and decommission the equipment off site.

00:30:38:23 - 00:30:54:00

Thank you, Mr. Bridges. Um, and thank you for acknowledging that, um, you know, you're available to, to talk to them. You're obviously here today, and, um, I'd encourage you to take the opportunity.

00:30:55:11 - 00:31:09:10

I understand what you're saying, but as I said at the start, I have a full time job, and I was hoping to get some clarity while we're sat here. So instead of and again, I'm going to refer back to the health and well-being one where we certainly didn't know what.

00:31:09:12 - 00:31:09:27

Was.

00:31:09:29 - 00:31:40:26

Said. And I think I tried to summarize it to you and said, are you saying there is an adverse effect? And again, instead of saying yes or no or anything, all we got was there is a summary which refers three pages, which refers to 50 pages, which refers to 50 pages. There was never an answer. And I know you're all solicitors and lawyers and magazines and say, you know what you can and can't say, but it really doesn't help us at all, does it? And just to answer the question, where I found the concrete on the post is in some of the thousands of pages of your documents. Where else could I find it? Thank you.

00:31:42:20 - 00:31:49:06

Thank you, Mr. Barlow. Any further questions on agenda item five?

00:31:52:25 - 00:32:26:10

Okay, I'm going to hand over to my colleague, um, with agenda item six, Biodiversity and ecology. Thank you, Mr. Watts. So the first part of this agenda item is concerned about the adequacy of ecological and habitat surveys. And we're covering this topic because there's been a number of concerns raised by interested parties on the adequacy of the surveys that have been undertaken, and also concerns regarding the omission of further survey work.

00:32:26:16 - 00:32:58:19

Um, and I'd like to explore those concerns in more detail, particularly with the parties here present who have submitted those comments. And then I'll turn to the applicant to provide some responses to those. And I will also have questions of my own on on the topics as well. I'm going to start with Nottinghamshire County Council, first on um, and then I will turn to fields for farming, because I know you've made some quite detailed submissions on surveys. Um, but firstly I'm going to turn to Nottinghamshire County Council.

00:32:58:27 - 00:33:15:09

um, because you've raised concerns on this in the relevant representation and your local impact report. Um, and so could you provide a current update or an update with your current position with regard to the service that's been undertaken and where your concerns remain?

00:33:19:18 - 00:33:20:03

Thank you.

00:33:20:05 - 00:33:20:20

Sir.

00:33:20:22 - 00:33:23:29

Stephen Poynter, Nottinghamshire County Council. Um, we've.

00:33:24:01 - 00:33:24:16

Had.

00:33:24:18 - 00:33:25:03

Further.

00:33:25:05 - 00:33:25:20

Liaison.

00:33:25:22 - 00:33:28:27

With our ecologist, um, who actually.

00:33:28:29 - 00:33:29:14

Is.

00:33:29:16 - 00:33:30:10

Now like a.

00:33:30:16 - 00:33:31:26

Flood consultant.

00:33:32:00 - 00:33:39:09

Yesterday is now generally happy with the, um, proposals and the responses made by.

00:33:39:24 - 00:33:41:04

Um, the applicant.

00:33:41:06 - 00:33:44:15

To our representations. Um,

00:33:46:14 - 00:34:24:06

it has resolved our concerns. Um, the only outstanding matter that, um, our ecologist has raised was around, Um, a matter regarding invasive weeds in terms of the ditches, uh, around the, um, around the site. Um, we do recognize, though, that the applicant has responded on that point regarding liaison, um, over drainage and the need to address matters or not, not prevent drainage issues, uh, by doing further works within the the ditches.

00:34:24:14 - 00:34:41:24

Um, that is noted. Um, but, um, you know, we are, uh, in terms of ecology now generally satisfied with the answers that have been provided. So we don't really have any outstanding concerns.

00:34:56:09 - 00:35:10:03

Thank you very much for your clarification on that. And I'm going to now turn to fields for farming. Um, because your relevant representation, your deadline, one written submission. Yes. We have a handful of years of farming.

00:35:24:23 - 00:35:56:27

Um, hi. Karen Hodgson for fields for farming. Um, well, I guess I'm going to start by just saying, like James, we all I have also a very busy life, and I could have spent many days trying to write a very evident, succinct riff referring to different pieces of research and different readings that I've done and different examples. But at the end of the day, when life takes over.

00:35:57:00 - 00:36:28:16

I feel like I'm left with trying to do my best now because I haven't had the time to do that. Um, so we do have concerns about the ecology and about the biodiversity loss. And I do understand, uh, Notts County Council's points of view and Natural England and Notts Wildlife Trust when they say they're satisfied, because when you look at what is written and what is promised, it sounds perhaps fair enough.

00:36:28:20 - 00:36:56:27

Yeah. Bits and bobs here where you might want to comment on or raise issues. However, um, the concern is really, will it happen? Um, if you go to the environmental statement page, um, 149 um, table 7.9 under appendix four. Um, in answer to I think it was Natural England. It's in this table.

00:36:58:13 - 00:37:38:20

The applicant states that biodiversity net gain at this point of time is not mandatory. Um, and um, so there are actually not mandatorily required, um, to put in any of these mitigations. Um, and I believe that does become mandatory in May of this year. So they just miss out on the legal side of things. However, there is I've read somewhere, but I didn't make a note of it, that there is the expectation, um, that, uh, from bodies that people in good faith.

00:37:38:22 - 00:38:10:00

Now developers should be definitely putting in those mitigations in the spirit of it becomes law, I believe, in May. Um, Um, so we it does read that you could well enhance biodiversity if the different actions were put into place. Now, we've just heard that the topsoil and this has just come to the top of my head, is going to be taken away and stored for future agricultural use in 40 years time.

00:38:10:11 - 00:38:41:09

Um, now, I don't know if it's possible to save soil for 40 years somewhere else to then reinstate onto the land for farming, I don't know. Um, however, what I do know is. Well, if that's what you're planning to do, what are you going to be planting in all the new trees and hedgerows? You're going to be, um, stripping off a lot of arable, um, what's being arable to then? Sow grass to create pasture, which could enhance biodiversity? Yes.

00:38:41:11 - 00:39:12:09

But if, if, if you're left with subsoil and debris and whatever is impacted and left behind, It's a lot of work, basically to restore that soil under the arrays. And there's a lot of research and concerns now about densely packed arrays. Um, there's not enough light. There's not enough water that can get underneath there so it doesn't become lovely grassland. The research when you have whenever you look at the research, most of the research is Lancaster University in Cambridge.

00:39:12:11 - 00:39:44:21

And they looked at biodiversity net gain for much smaller solar projects where the owners of that land and all involved were very, very committed to biodiversity and they could demonstrate biodiversity net gain. There isn't any research about these large scale solar projects because they've not happened yet. Cleeve Hill is the one that is now underway. Now, just as an example, mammal gates. Um, yeah, it sounds great. You need to have mammal gates to allow the mammals in and out, etc..

00:39:44:23 - 00:40:17:02

Um, they were set there in Cleeve Hill. They are so sparsely around the fencing, so small. They've rusted. The hinges don't open and shut, so the mammals can't get in and can't get out. The hairs are getting separated from their levers, because the levers can get through the little holes in the fence, and the parents can't get to them, and they can't find their way to these mammal gates. The mammal gates are overgrown with thistle and weeds, and again they stop the mammal gates from opening.

00:40:17:04 - 00:40:47:21

So it sounds great. Yeah. We're going to put lots of mammal gates, but, well, you don't actually end up putting lots. How many mammal gates are you going to put in there. Who's the question is who is going to be? I noticed that an officer I can't remember the name of the officer is appointed to oversee the biodiversity, um, attempts to improve. Well, that person will need a whole team over many, many years. Um, we visited one of the largest solar farms in not recently the.

00:40:47:23 - 00:41:24:04

There were a few saplings that had been planted for new hedgerows. There was barely any trees. They were all choking underneath the plastic support things on the stakes with weeds they weren't being tended to. The local farmers told us that the topsoil had been stripped off and attempted to sow seed, but they were sowing. It wasn't coming through as grassland because it was the wrong kind of soil. It was the subsoil. So, you know, this attention to detail takes money, it takes effort, it takes will, and I'm afraid.

00:41:24:06 - 00:42:00:03

Well, the proof will be in the pudding, won't it? You know, it reads well. And everybody like a local, um, Notts Wildlife Trust. Yes. If it's done in that way, it could have have benefits. But that's we're not we're not convinced that miles and miles and miles of hedgerow. That will need improvement. It's a complex thing to grow a native hedgerow. You can't just put in a few saplings and leave it for five years. It needs cutting back, cutting back in the first few years to then regrow and new branches come out.

00:42:00:05 - 00:42:30:03

So it's time consuming. You know, if so, this is a 40 year project. Are these mitigations have to be taken up by if the project is sold on to another developer? That's a question. If another developer takes this on. Are they having to take on all the mitigations? Um, there was in terms of yeah, it was mentioned, a lot of people mentioned about the inadequacy of the surveys.

00:42:30:13 - 00:43:04:02

Surveys were done, but a significant number. They couldn't get access because they were only on footpaths. They hadn't tried. I don't know why they hadn't negotiated with landowners to see if they could actually walk across their land to do better surveys. They just took to lanes and footpaths. They were rained off or there was poor weather on a number of occasions, so they weren't going to see any wildlife because the weather was bad. Um, so it's not a true reflection if you go to Knott's Geological and Biological Records Center.

00:43:04:08 - 00:43:36:07

Um, we've tried inputting new, fresh data because we thought, right, we need to start recording the wildlife, which we were doing. You have to wait for the county recorder to approve it. I've spoken to a number of the county recorders. Why haven't you uploaded my data? I sent you a sighting of a hare yesterday. You can't get through to them. They're all volunteers. It's just very haphazard. So even if you go to the Record Center, it's not an accurate representation. Even when people are trying to send sightings, it's all out of date.

00:43:36:20 - 00:44:05:18

Um, I had hoped to try to kind of follow them up more and really kind of hound them about why their records weren't as effective and truly representative. But I just haven't got the time to do that. But I can just tell you about my experience so far. So what is recorded and what you've served isn't a true reflection, um, that there's an admittance that the Skylark population can only be 55% mitigated. So I know I'm still talking a lot.

00:44:05:23 - 00:44:37:06

No, I'm just talking. Some of it is actually into the other agenda. So I'm going to come on to Skylark separately after this. I can bring you in on on that right there. And so, um, you've been touching on the survey, um, in your last point, is that all you want to say on the survey? And I know at the beginning you were talking about the mitigation, which we will be coming on to a bit a bit later, but I was happy to hear what you had to say on that. Anyway, to set the scene for the discussion. Is there anything in particular on the quality of the service.

00:44:37:08 - 00:44:46:09

I've got everything you've said about the the time periods and the access to to London concerned about which I will ask the applicant to respond.

00:44:46:11 - 00:45:17:02

Well, there was never a hair survey in the hairs or a protected species. And um, it's commented upon that they are abundant. Well, does that mean we. This is why we've lost biodiversity because of complacency. So they're abundant. So we don't need to worry about them because they're abundant. And but of course, until they're not abundant anymore and then everyone's very worried about them. And also what I noted in the reports, there's a lot of referencing to this is a local a local thing.

00:45:17:04 - 00:45:46:29

Well, local is part of international, isn't it? We're all one small part of a whole, so it's of local importance or local significance, as if that's not so important, but all the little locals add up to the district and the national and the European and the international and there's so that. Why is that something that seems to be dismissed? Because it's just local. We're all part of a whole. And that's all I've got to say, really. Thank you.

00:45:47:26 - 00:45:51:13

Thank you very much for that submission. This, um, which I,

00:45:53:07 - 00:46:10:19

I think I will turn to the applicant for a response and I'm going to sort of set the scene a little bit in how we are quite likely to respond, because there was a lot there. There was. And, um, I'll come to you in, in a moment, but yeah.

00:46:10:21 - 00:46:13:06

I'd just like to add a little bit before the response, if possible.

00:46:13:08 - 00:46:19:29

Please. Okay. Actually, yeah, I will take that. And then we will, we will let the outcome respond in one. Yes, Mr. Barlow okay.

00:46:20:01 - 00:46:51:04

Thank you. As you know, I like try and keep things simple. Uh, biodiversity is reliant on times of year. We have spring, winter, summer farm practice also follows the time of year. Farmers currently are paid by Natural England to leave stubble bare over winter for for biodiversity. And I'll take something very simple that I think has never been addressed. And so the field mouse. The simple field mouse. And I've heard it said how they can live under the panels. Yes, they can live with the panels.

00:46:51:08 - 00:47:23:28

How can they climb that ear of wheat to eat the grain off the top of that wheat? How can then the owl find the mouse? Because there is no wheat for the mouse to eat. Yes, he can live under the panels, but its food source is being taken away. The food source for the mouse has taken away. The food source for the owl has been taken away. It all follows that the assessment just isn't adequate. It just does not look at the true biodiversity of farming of the area. It is a picture taken at one point and a very poor picture at that.

00:47:24:00 - 00:47:36:12

It really does not look at where country people, we see these things. I don't think they see that. I don't think they understand what biodiversity is. They don't understand. Seasons. They don't understand the farming calendar. Thank you.

00:47:39:16 - 00:47:48:00

Thank you. Mr. Barlow, is there anybody else who wants to make a point on adequacy of surveys before I turn to the applicant to respond, Mr. Gibson?

00:47:48:02 - 00:48:20:04

Yeah, sorry. Gibson. Andrew. Gibson. Only to reinforce what? What Mr. Barlow has just said. Um, the point about the survey and quality of survey is if you want to see how many. And I know you're going to talk about skylarks later, but if you want to see how many skylarks there are, you have to go at the right time of day. If you and you if you want to see what the hare population is, you have to go at the right time of day and year. The same for deer population. And you have to actually look for the stuff that you're looking for.

00:48:21:00 - 00:48:36:25

And I know that it is only required for people to turn up and do a snapshot survey and say, well, we were here this day and we came in February and we came in July, and that's the end of it. But that doesn't actually measure what is really there.

00:48:39:28 - 00:49:06:01

Oh yeah, solar panels, I've noticed it's not quite like that. So it is. All I'm saying is, in terms of the adequacy of the survey, it's I don't believe it properly takes into account seasons, and I don't believe it properly takes into account the consequential issues of limiting the movement of certain animals. But anyway, I shall let you go from there. Thank you.

00:49:16:16 - 00:49:49:23

Okay. Thank you, Mr. Gibson. I will now turn to the applicant for your response. And I think it would be helpful for for the parties present, if you could. And you did provide responses to your in your, you know, your responses to written representations. But I think it would be useful if you could explain clearly, particularly on the concerns raised by fields for phone, which was regarding brown hares. It was regarding the Badgers report. It was about there was barn owls mentioned on site foraging habitats.

00:49:49:29 - 00:50:23:18

But there's also concerns being raised about great crested newts and in particular lack of sort of lack of surveys or looking at ponds 15 to 18. Could you just provide a summary of, you know, your response to that, just to help those present? Um, how how you've, how you've undertaken those surveys or not? And also, I would like a response on the local importance point that was made.

00:50:23:26 - 00:50:27:13

Um, and whether you have dismissed this or not.

00:50:29:22 - 00:50:59:04

So thank you. Patrick Robinson for the applicant. So to my right. Just for everybody who can't see nametags around the room to my right, we have Jim Gillespie and Emily McQueen from BSG ecology, who've been responsible for all the ecological work today. So they'll take us through those issues. And I think the only thing that Mr. Gillespie said to me just while this was going along is he's happy to deal with the effect of the enforcement of all of the controls that we're talking about, which I think would be helpful additions.

00:51:03:06 - 00:51:07:01

That James Gillespie for the applicant. And so.

00:51:12:00 - 00:51:13:10

Is there any particular order you want to.

00:51:13:12 - 00:51:14:01

Take the species.

00:51:14:03 - 00:51:14:21

In?

00:51:16:16 - 00:51:23:03

If you could start with brown hairs, I think that would be a useful start. And then and then we'll go from there.

00:51:26:03 - 00:51:38:12

Brown hair is a section 41. No, you need to be a bit closer to your microphone, I think. And I think what made it

00:51:40:11 - 00:51:41:03

sound better?

00:51:42:22 - 00:52:05:00

Brown hair, Brown eyes, brown hair is listed on section 41, The Knockout. It's a species of principle importance biodiversity in England. Species are there to guide determining authorities on their.

00:52:05:02 - 00:52:05:17

Section.

00:52:05:19 - 00:52:22:20

40 duty, which is to have regard to biodiversity. I wouldn't say that they were protected species in the sense that great crested newt or badger is a protected species. That's that point with regard to Survey.

00:52:26:26 - 00:52:30:17

Found. By any means been dismissed. Um,

00:52:32:05 - 00:52:42:09

when we look at what surveys we undertake for an environmental statement, um, we consider likely presence.

00:52:45:06 - 00:52:53:05

And whether a significant effect on the species is likely to arise.

00:52:56:18 - 00:53:22:11

The scheme has evolved with a number of designed in mitigation measures, so that they are part of the design of the scheme. So, for instance, broad swathes of semi-natural grassland along around around the solar arrays. Excuse me. And other more detailed answers like the use of.

00:53:24:13 - 00:53:35:21

Gaps in fencing. Now, as it stands, we have approximately 400 gaps in the fencing around the site to allow continued passage for mammals. The gaps are.

00:53:38:18 - 00:54:11:29

I think 250 by 300mm. And there are gaps rather than gates. So the maintenance issue is less of it is less of an issue. But anyway, so if you put those two things together you've got um, yes, we've got

hares on site, but we've got an increase in the amount of semi-natural grassland, tussock, grassland and so forth, which is beneficial to us. And we have an increase in hedges and hedgerow bottoms beneficial to hares.

00:54:12:08 - 00:54:27:01

And we have measures in place to allow continued movement Of hers around the site, so the likelihood of a significant effect arising

00:54:28:23 - 00:54:31:17

doesn't meaningfully arise.

00:54:33:24 - 00:54:58:21

Notwithstanding, that has was seen during other surveys on many occasions. So there clearly are. The clearly is a at least reasonable, if not good population. It has there. And we acknowledged that in the. Yes. So by proxy, we have determined that there is a good population that has and we've taken that into account within the is.

00:55:04:15 - 00:55:06:11

So anything more you'd like me to say on parents.

00:55:07:01 - 00:55:37:06

But you've just said there there's a, there's a good population of pairs. But just to be absolutely clear on the point of not doing the surveys. Can you provide a clear answer to that just for the benefit of the members of the public? You've said there's a good population of hairs. You've obviously recognized it. Has it been incorporated in your other surveys that you just haven't done an explicit one for hares? Is that the situation?

00:55:38:00 - 00:55:54:27

Absolutely. The situation is we didn't do an explicit survey for hares. It was scoped out to use a model of the technical balance of the ES at the outset, and that scoping out was agreed by.

00:56:00:17 - 00:56:09:14

My pace by and by the other consultation, which is the Wildlife Trust and Notts County Council.

00:56:12:08 - 00:56:38:11

Okay. And just just Briefly explain. You've you've mentioned the gaps in in in this. You just said there was 1200 across the same gaps. Yeah. Was it 1200 to 400 400. It must have had 400 gaps across. I'm glad to clarify that. 400 gaps across the site. So just just explain to me how that that helps with mitigation for for brown hair.

00:56:41:00 - 00:56:59:15

Um, so Brown had a highly mobile species. Uh, and it's important that for brown hair and a range of other mammals, that continued movement of the species is permitted. Um.

00:57:02:25 - 00:57:07:08

To the gaps are there to allow for continued human movement.

00:57:10:05 - 00:57:28:01

Thanks very much. Um, in terms of Banos. Banos was just mentioned before and by Mr. Mr. Barlow I think you mentioned barn owls. Just explain the um the survey that you did you've done to date on that and what, if anything, you need to do going forward?

00:57:30:06 - 00:57:47:16

Surveys for barn owls were undertaken by looking at all trees. Um, at the size that could support barn and all buildings, looking for signs of use

00:57:49:03 - 00:57:52:04

of any type of use. Um.

00:57:54:27 - 00:57:59:27

Now, just from memory. But I don't believe any evidence of, um,

00:58:01:16 - 00:58:02:10

nesting

00:58:03:27 - 00:58:36:06

was found. But they are a species which will move around and nest in different, different places at different times. So we've acknowledged. So we've found we've located all the buildings and all the trees that are showing the signs of use within the design of the scheme. We have made provision for minimum standoff distances during the construction phase and within the design of the scheme.

00:58:36:08 - 00:59:09:19

We've made provision for, again, broad swathes of rough grassland around a site connected up to provide continued and, I would argue, improved habitat for foraging. But now in terms of provision for future surveys, these will become relevant prior to construction, at which point we will recheck all of those features and any others.

00:59:11:29 - 00:59:21:02

That may have developed that may. For instance, a tree may have dropped to limb in the meantime and become and formed a natural cavity for fallback.

00:59:24:12 - 00:59:55:21

Excuse me. So we will recheck those features to determine what's going on with regard to prior to construction, and those features will be kept under review during construction as it moves forward so that steps can be taken to, for instance, delay construction in one area until the analysis is fledged. So there is no, um, disturbance of nesting mammals,

00:59:57:18 - 01:00:06:07

but that's quite a dynamic thing. So it's important to, um, recognize that that will be ongoing in order to serve its purpose.

01:00:11:08 - 01:00:25:20

Thank you. And is that that's a similar thing for Bat's business as well, in terms of further surveys that you would need to do. You've done surveys already. What's the extent of the extra surveys that you have to do for bats?

01:00:27:04 - 01:00:36:11

It's a similar approach survey in advance of construction to ensure that, uh, appropriate

01:00:38:03 - 01:00:50:02

buffer zones are put in place during the construction period or at the time that work is taking place around a given feature, um, to ensure that roofs aren't disturbed.

01:00:52:28 - 01:01:20:10

It just fine on the service. If I ask you to come back on some of the points raised by party's great crested news, which was, um, comments raised by Nottinghamshire Wildlife Trust as well. It was around pounds 15 to 18. Can you just, um, summarize your approach so far to great crested newts? Um, and you're finding some of what you would be doing going forward if indeed you need to.

01:01:22:08 - 01:01:26:12

Uh, there were four ponds off site for which, um,

01:01:28:06 - 01:01:35:04

no access was granted. Um, I think the.

01:01:37:07 - 01:01:41:27

Comments initially from the county council, um,

01:01:43:21 - 01:01:47:18

were triggered by the fact that the.

01:01:49:22 - 01:01:55:19

Some of the, some of those ponds are less than 250m from the red line planning. Sorry. From the.

01:01:59:02 - 01:02:03:06

Older extent. Um, the site boundary.

01:02:06:09 - 01:02:16:02

However, when you consider the distance to the nearest disturbance.

01:02:18:09 - 01:02:25:21

So breaking of ground and so on, the distances are much greater.

01:02:29:08 - 01:02:30:17

Just permit me.

01:02:46:17 - 01:02:49:00

On six, 13, 15 and 18.

01:02:52:17 - 01:03:23:18

On six is roughly 100m from the closest part of the side boundary, but it's about 450m. And from the proposed solar areas. And it's further than that. The development itself and anything, generally speaking, anything above 250m. If you've got a permanent impact, then you will be thinking, okay, we need to understand more about the Great Crested news.

01:03:25:28 - 01:03:35:27

On 13 is approximately ten metres from the closest part of the solar boundary. And.

01:03:39:02 - 01:03:43:03

It's about 340m from the proposed solar area.

01:03:45:15 - 01:03:58:26

On 15 is 240m from the site boundary, and about 250m from the closest temporary ground disturbance

01:04:00:26 - 01:04:19:19

And approximately 300m from the main installation. Found 18 is 180m from temporary ground disturbance, which is proposed capability and is approximately 250m to the nearest works, which is site security fencing.

01:04:22:03 - 01:04:22:21

Now

01:04:24:19 - 01:05:00:21

those temporary works can often be governed to ensure no no realistic chance of the of an offence by timing and checking the ground beforehand to to determine the news out there. Which means that through a method statement that doesn't involve securing a license, you can guarantee that you can be certain that you won't be affected and no events would arise for the further distances.

01:05:01:29 - 01:05:13:28

It's highly unlikely that events would arise in any case. Um, notwithstanding that further survey in the form of pre-construction checks would take place.

01:05:16:15 - 01:05:17:15

Because.

01:05:20:15 - 01:05:28:09

You don't always read the textbooks and you might find one wondering about, in which case we can work around it.

01:05:31:16 - 01:06:04:09

Well, thank you. That and moving on to just some of the points that were raised. Um, there's two that I think would be useful to for you to respond to the assessment of local importance. Um, and also the

concerns that I think collectively just raised at the front about the seasons and how you've how the assessment or the comments that the assessments hadn't recognised the different timings of the seasons. Could you respond to those two points that have been raised by the parties in the room?

01:06:04:11 - 01:06:04:29

Please

01:06:06:26 - 01:06:07:23

do my best.

01:06:11:10 - 01:06:13:10

With regards to.

01:06:15:24 - 01:06:24:04

What local importance means and the way that evaluation is undertaken as a standard now

01:06:25:24 - 01:06:31:18

in ecology chapters at least. Um is to place.

01:06:35:11 - 01:06:52:10

Ecological receptors in a within a frame of geographical reference, and use that frame of reference to express relative importance of the feature. So it is true that

01:06:53:26 - 01:07:06:04

something assessed as being a parasite. Importance is of less ecological importance than something of local importance. District.

01:07:08:08 - 01:07:10:06

County, regional and so on.

01:07:12:00 - 01:07:19:27

So that's how that system essentially works. Um, with regard to what you do about that.

01:07:30:09 - 01:07:38:04

What we are interested in is what the mitigation responses to effects of a certain level importance.

01:07:41:03 - 01:07:42:12

And probably speaking

01:07:44:00 - 01:07:52:07

on a side like this impact on most development sites, you're looking for, um,

01:07:53:27 - 01:07:58:07

Impacts that are facts that would trigger a policy response.

01:08:00:00 - 01:08:01:17

Now, at the local level.

01:08:03:28 - 01:08:17:25

Few receptors are likely to trigger a policy response unless they're of local importance unprotected, in which case they would trigger a response to ensure no expense.

01:08:21:04 - 01:08:26:07

So more so, the mitigation effort is concentrated

01:08:27:28 - 01:08:49:28

intensity onto the more important receptors. But notwithstanding that many of them locally important receptors get swept up in that anyway in terms of providing, sort of replacing maybe locally important habitat with more locally important habitat because it's a habitat

01:08:52:09 - 01:09:04:14

For instance. So just because it's of local importance and just because I've said it might not trigger a policy response, it doesn't mean that it's dismissed out of hand.

01:09:08:11 - 01:09:09:23

Sorry. The other point.

01:09:10:11 - 01:09:20:26

And the other point is about the how the assessment has taken into account the changing seasons, I think, is the concern that was being raised and.

01:09:26:14 - 01:09:29:27

The seasonality of the surveys and

01:09:31:26 - 01:09:32:26

all those.

01:09:34:23 - 01:09:42:23

I think in all cases, the standard guidance for those surveys. So.

01:09:46:10 - 01:09:55:17

But without following that guidance is It's self-evident that you would survey a woodland in spring. You would survey a grassland in summer.

01:09:58:14 - 01:10:24:02

Birds are surveyed during the breeding season, which is the key part of the year for them. And they surveyed over the wintering season which to keep part of the season for them too. Um, I could go on the list when we surveyed everything, but, um, I think the only way I can respond is to say that we follow guidance. And

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

the Wildlife Trust, Bassetlaw County Council have all confirmed the adequacy of this of those surveys.

01:10:38:25 - 01:10:53:25

Thank you very much for that. And I'll take a couple of in response. I'll let you have one opportunity to respond. Then I'll let the applicant and then I'll we'll move on to discussing skylarks. Okay, Mr. and Mrs. Barlow. Okay. James Barlow.

01:10:54:11 - 01:10:54:26

Um.

01:10:55:09 - 01:11:27:29

Just a couple of points there. Uh, again, we're talking about biodiversity and seasons, and I've just heard that grassland is surveyed in the summer, so wading birds that arrive in the winter aren't surveyed very simply. Um, barn owls we've talked about and, um, the, the site, the whole site, I believe, is something in the region of two miles by three miles long and wide. You can confirm that or not, that sort of area.

01:11:28:13 - 01:12:07:19

Um, you suggested that the presence of barn owls was there. You also suggested that they they can come from anywhere. Typically, barn owls will forage. They'll feed between 0.6 and 1.2 mile from their nest from their nest sites. So we've seen them foraging on site. We know their how long they will fly to forage. So suggesting that there are no nesting barn owls within that site is perhaps not looking in the right places if you don't want to find them.

01:12:07:29 - 01:12:39:24

It's certainly contrary to what the residents and walkers say. So again, the assessments seem to find what we want to find, not what we see. Um, and again, very simply, are there wading birds on grassland? Now, because we do a survey in the summer. You won't find wading birds on grassland in summer. Owls, as I say, owls are there. You've seen them foraging. And, you know, if you study nature, you know how far owls will forage from their nests.

01:12:40:11 - 01:12:41:02

Thank you.

01:12:42:05 - 01:12:49:11

Thank you. We'll take Mrs. Barlow and then Miss Hodgson, and then I'll turn to the applicant to respond to those points.

01:12:49:18 - 01:13:21:15

Thank you. Um, Julie Barlow feels for farming and personally, um, we're tending to look at these subject matters in isolation, which I understand there's got to be structure. Um, but there are overlaps. Um, yesterday, um, the close of the meeting, and we went home and read the summary on our wellbeing, which concluded that there is, um, again, for our well-being in this area from this project. Personally speaking, I've lived most worked most of my life in an office.

01:13:22:06 - 01:13:30:01

My well-being is going out walking the lines at weekends when time allows. And helping on the farm.

01:13:31:29 - 01:14:06:01

Currently you've bought this land. It's open landscape, lots of nature. You see things that amaze me. I've spent more time at home these last few years, and I am amazed at the diversity of the wildlife in this area. So that's one. And not being able to walk open countryside and see the wildlife will have a big impact on me personally. And I know that's just one individual. Um, what I will also say is we've talked about 400 gates across the site.

01:14:06:06 - 01:14:26:15

As I understand it, the site is 2200 acres, five gates an acre at the minute. That area is totally open. Yes, there's hedgerows, but there's big gaps in those hedgerows. Large mammals, small mammals, invertebrates can move freely. There is no restriction whatsoever. Thank you.

01:14:32:24 - 01:15:14:12

Um, Karen Hodgson fields for farming. Um, I just wondered why, if you went to do, um, the survey, and you weren't able to see anything because the weather was off. Why did you not go back a different day? So you could have gone on in the summer, and it's like wintry weather. So you're not going to be able to record a typical summer's day. That didn't seem to be any attempt to go back a further time. And then I just wondered about an answer to my other question earlier. You know, if the site does get sold on, um, does the next developer is are they obligated to carry on with the same mitigations and conditions? I'm assuming they are.

01:15:15:02 - 01:15:15:20

Um.

01:15:17:10 - 01:15:18:10

Thank you.

01:15:19:18 - 01:15:25:00

Thank you. I'll ask the applicant to respond to those points that have been being raised.

01:15:32:28 - 01:15:34:07

And so.

01:15:37:21 - 01:15:48:17

I survey for nest sites of Barnwell. Um, when Barnwell are nesting around the site as well.

01:15:50:27 - 01:15:59:00

The main reason to have open nest sites of Barnwell is that they are. Barnwell is a scheduled wildlife and countryside species,

01:16:00:25 - 01:16:30:12

which means that any disturbance of a nest in Barnwell simply will cause an offense, and that could be at some distance. So we need to know where nest sites are or where they could be, so we can keep an eye on them when it comes to construction. That's why we survey for nest sites. We also consider the foraging potential of the site.

01:16:34:20 - 01:16:47:26

Which does then bring in indirectly the consideration of minors from anywhere? If they're on this site that they'll be foraging in the foraging habitat.

01:16:52:03 - 01:16:52:23

So.

01:16:56:11 - 01:17:00:24

Practically speaking, the main reason we didn't survey for nest sites off site is because.

01:17:03:11 - 01:17:18:20

You could it would be practically impossible to do that. And because of the size and because of access issues and so on and so forth, to know that it's a comprehensive survey. Um.

01:17:22:02 - 01:17:36:04

The issue of loss or gain of foraging habitat is one that's addressed through design and mitigation at the outset, as part of the scheme that mentioned it earlier. Broad swathes of

01:17:37:21 - 01:17:51:09

grass and habitat that will support shrews and so forth. For now, regardless of where they come from, are actually building built into the built into the scheme.

01:17:55:02 - 01:18:00:27

Um point about grassland surveys in summer or late spring.

01:18:04:21 - 01:18:14:04

And even into autumn. Actually, if I'm being completely accurate, um, the point of the survey is it is a dedicated grassland survey

01:18:15:20 - 01:18:32:12

when you're there surveying for a grassland species, that's what you want to be focused on. The point about a bird survey is it's similarly focused on birds at the time of year that it's there. So the.

01:18:35:14 - 01:18:47:05

The issue of not seeing birds because we're not surveying grassland at the right time of year is, uh.

01:18:49:18 - 01:19:03:14

I would respond by saying, we focus on birds, we focus on grassland. And anything we see in the intervening period is and is a is an incidental record that would that would be noted.

01:19:08:08 - 01:19:35:21

Thank you. I think just the final comment about from Miss Hodgson, um, about whether any future occupier would have to have the responsibilities to take on. Um, I think that's a wider question about how the whole development consent order works, but maybe just for the benefit of the question, you could provide a brief Response to that. And how very briefly, how it works.

01:19:38:12 - 01:19:40:05

I'll do my best as an ecologist.

01:19:45:28 - 01:19:49:29

Requirement six which is the lamp. The

01:19:51:15 - 01:20:00:08

Landscape and Ecology Management plan is a requirement that would be a requirement of the order and therefore.

01:20:02:17 - 01:20:19:06

Implementation against the measures in the lamp. And what would be a requirement and any enforcement issues. That is a standard enforcement issue. Thereafter.

01:20:21:27 - 01:20:23:20

It's probably as much as I can say.

01:20:26:17 - 01:20:57:06

I think just just just for the benefits there. that it's it's tied up in how the, the the developing sense or the works which we will actually be discussing in a bit more detail tomorrow, how that all fits in. Um, so it's, it's the, it's it is that really that's the mechanism for it? I think that's all I'll say on that point. Maybe if, if separately outside, if you've got any more sort of general queries, maybe approach the applicant and just, just find out how that that works.

01:20:57:08 - 01:21:05:16

But we will be discussing the running order in more detail tomorrow. But Mr. Roberts, if you won't say so. But we have gone through that perhaps a single.

01:21:05:18 - 01:21:12:00

Sentence which is at this point helpful. Um, the DCO is

01:21:13:15 - 01:21:35:10

a effectively is is a piece of legislation. Anybody who seeks to take advantage of it, that is develop or operate the scheme is bound by its terms as a matter of law. So you can't sell it on and get rid of it. It it moves. The piece of legislation moves to anybody who's seeking to rely on it.

01:21:37:24 - 01:21:40:00

Thank you very much for that. And.

01:21:43:06 - 01:21:57:22

I think that brings us to the end of talking about surveys. Um, I'm just wondering, it might actually be beneficial to before moving on to talk about something else, whether we actually take a break and whether we

01:21:59:10 - 01:22:12:13

take just over 15 minutes. Okay. Yeah. So we will adjourn this this hearing now for a break. And we will resume at 11:10. Okay.