



Event Transcript

Project:	Connahs Quay Low Carbon Power Project
Event:	Issue Specific Hearing 2 (ISH2) – Part 1
Date:	14 January 2026

Please note: This document is intended to assist Interested Parties.

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The video recording published on the Planning Inspectorate project page is the primary record of the event.

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1

00:00:01.045 --> 00:00:01.485

Good morning.

2

00:00:02.145 --> 00:00:04.405

Uh, good. Uh, uh, it's now 10 o'clock

3

00:00:04.825 --> 00:00:06.645

and time for this hearing to begin.

4

00:00:07.225 --> 00:00:08.725

Uh, I'd like to welcome you all

5

00:00:08.785 --> 00:00:12.405

to this issue specific hearing on the theme of Ecology,

6

00:00:12.635 --> 00:00:14.125

traffic, and Transport

7

00:00:14.505 --> 00:00:17.045

for the Connor's Key Low Carbon Power Project.

8

00:00:18.105 --> 00:00:20.445

Can I just confirm that you can hear me in the room clearly.

9

00:00:20.715 --> 00:00:22.085

Okay. Thank you.

10

00:00:22.785 --> 00:00:23.885

And can I also confirm

11

00:00:23.885 --> 00:00:25.965

that we are live streaming the event and recording it?

12

00:00:25.975 --> 00:00:29.565

Thank you very much. Uh, my name is Nikki Lee,

13

00:00:29.565 --> 00:00:31.405

and I have been appointed by the Secretary of State

14

00:00:31.405 --> 00:00:34.005

as the Examining Inspector to examine this application.

15

00:00:34.505 --> 00:00:35.925

You might also hear that referred to

16

00:00:35.925 --> 00:00:37.205

as the examining authority.

17

00:00:38.145 --> 00:00:39.525

I'm joined by my colleagues from

18

00:00:39.525 --> 00:00:40.565

the planning inspector at Mr.

19

00:00:40.595 --> 00:00:42.565

Jake Stevens, the case manager. And I'm with Mr.

20

00:00:42.705 --> 00:00:44.685

Sam Stevens, the case officer at the rear of the room

21

00:00:44.685 --> 00:00:46.765

that handling the administration for today's hearing.

22

00:00:47.465 --> 00:00:49.645

And online we have Mr. Harry Davis, who's dealing

23

00:00:49.645 --> 00:00:52.285

with the joiners for the virtual component of the meeting.

24

00:00:56.285 --> 00:00:58.045

Additionally, we have the team from TM Services

25

00:00:58.305 --> 00:00:59.365

who are handling all of the audio

26

00:00:59.425 --> 00:01:02.165

and visual components of this meeting and live streaming

27

00:01:02.225 --> 00:01:03.285

and recording the event.

28

00:01:03.625 --> 00:01:07.045

And we have Cumin Translation Services who will, uh,

29

00:01:07.355 --> 00:01:10.605

live translate any spoken Welsh into English for the benefit

30

00:01:10.625 --> 00:01:13.565

of any non Welsh speakers in the room or online.

31

00:01:14.705 --> 00:01:17.565

We welcome contributions in Welsh during this examination.

32

00:01:18.675 --> 00:01:20.965

Translation facilities are present today, uh,

33

00:01:21.025 --> 00:01:22.845

and will be any hearings we also hold in the future.

34

00:01:23.545 --> 00:01:25.845

Uh, and if you wish to make your contribution in Welsh,

35

00:01:25.845 --> 00:01:26.925

please feel free to do so.

36

00:01:27.545 --> 00:01:29.365

For those in the room when Welsh is being spoken.

37

00:01:29.585 --> 00:01:31.445

Uh, if you want to hear an English translation,

38

00:01:31.445 --> 00:01:32.685

there are headphones available.

39

00:01:33.545 --> 00:01:35.085

Uh, and if you're online,

40

00:01:35.095 --> 00:01:36.565

there is an option on Microsoft Teams

41

00:01:36.705 --> 00:01:38.205
to accept the translation,

42

00:01:38.625 --> 00:01:40.605
or alternatively, there is a phone option.

43

00:01:40.625 --> 00:01:43.925
But, um, please be aware that that can take longer for you

44

00:01:43.925 --> 00:01:45.205
to get in and connect to that.

45

00:01:46.065 --> 00:01:49.925
Um, I just want to check if there is anybody who would like

46

00:01:49.925 --> 00:01:51.725
to make a representation in whilst today, just so

47

00:01:51.725 --> 00:01:54.005
that it would help the people online to dial in, in advance

48

00:01:54.065 --> 00:01:55.765
to the correct translation facility

49

00:01:59.065 --> 00:02:00.525
Or anyone online who would like

50

00:02:00.525 --> 00:02:02.085
to make a presentation in Wesh.

51

00:02:05.165 --> 00:02:06.775
Okay. I'm not seeing any hands up at the moment,

52

00:02:06.795 --> 00:02:08.095
but please feel free if at any point

53

00:02:08.095 --> 00:02:09.895
during the meeting you want to, uh, present in Wes,

54

00:02:10.115 --> 00:02:12.415

if we could just, I might just give a little opportunity

55

00:02:12.415 --> 00:02:14.055

to remind those online that the two options

56

00:02:14.275 --> 00:02:15.535

so they can hear a translation

57

00:02:15.755 --> 00:02:17.575

and also distribute the headphones in the room.

58

00:02:17.705 --> 00:02:20.575

Thank you. Uh, right,

59

00:02:22.825 --> 00:02:24.975

Again, apologies for those of us with us yesterday,

60

00:02:25.035 --> 00:02:26.055

uh, and the repetition.

61

00:02:26.355 --> 00:02:28.495

I'm just gonna briefly go over some housekeeping matters.

62

00:02:28.915 --> 00:02:30.535

If you could please settle your, uh,

63

00:02:30.535 --> 00:02:31.775

phones and devices to silent.

64

00:02:31.975 --> 00:02:34.215

I appreciate you may need to take calls today, so if you do,

65

00:02:34.215 --> 00:02:36.575

if you could just exit the room, please deal with your call

66

00:02:36.575 --> 00:02:38.895

outside and feel free to come back at your own convenience.

67

00:02:39.675 --> 00:02:41.855

Uh, toilets are outta the door and on the left,

68

00:02:42.395 --> 00:02:43.815
and there is no planned fire alarm today,

69

00:02:43.815 --> 00:02:46.375
but if there is a fire alarm go off, we can exit through,

70

00:02:46.595 --> 00:02:48.015
uh, the fire exits in this door

71

00:02:48.015 --> 00:02:49.255
and out through the car park.

72

00:02:49.255 --> 00:02:50.975
Or equally, if you're on this other room, you can exit

73

00:02:50.975 --> 00:02:52.615
through that door and go out through the front entrance.

74

00:02:55.875 --> 00:02:57.575
Uh, this meeting will follow the agenda

75

00:02:57.575 --> 00:02:58.975
that's been published on the

76

00:02:59.485 --> 00:03:01.205
National Infrastructure Planning website on the

77

00:03:01.365 --> 00:03:04.925
13th of January this year, uh, which is examination library

78

00:03:05.605 --> 00:03:08.085
reference EV 3 0 0 1 in English,

79

00:03:09.025 --> 00:03:12.085
and, excuse me, EV 3 0 0 2 in Welsh.

80

00:03:12.755 --> 00:03:14.725
It'd be helpful if you had a copy of that in front of you,

81

00:03:14.725 --> 00:03:17.285

and I believe the applicant's produced some copies both in

82

00:03:17.285 --> 00:03:19.405

English and Welsh for those who may want it in the room.

83

00:03:20.465 --> 00:03:21.525

Uh, and if also,

84

00:03:21.545 --> 00:03:23.965

if the applicant could please display the agenda on the

85

00:03:23.965 --> 00:03:25.285

screen for the benefits of everyone.

86

00:03:25.285 --> 00:03:28.645

Thank you. This agenda is just purely for guidance, uh,

87

00:03:28.705 --> 00:03:31.205

and I will take other considerations from the room

88

00:03:31.225 --> 00:03:32.485

during the meeting if you wish

89

00:03:32.485 --> 00:03:34.605

to discuss it on these specific themes.

90

00:03:35.355 --> 00:03:37.805

I'll try and conclude the hearing as as soon as we've, uh,

91

00:03:37.805 --> 00:03:39.245

gone through all of the issues on the themes.

92

00:03:39.785 --> 00:03:42.845

But, um, if discussion can't be co concluded on the items,

93

00:03:42.985 --> 00:03:44.925

we can extend that to written correspondence.

94

00:03:47.025 --> 00:03:49.285

Uh, and likewise, if you want to follow up

95

00:03:49.285 --> 00:03:50.605

with questions at a later date, similarly,

96

00:03:50.605 --> 00:03:51.965

you can follow up with written correspondence.

97

00:03:53.395 --> 00:03:55.885

Today's hearing is being undertaken in a hybrid way,

98

00:03:55.885 --> 00:03:57.125

which means that some of you're hearing

99

00:03:57.125 --> 00:03:58.125

with us in the room today,

100

00:03:58.305 --> 00:04:00.925

but equally, some people are joining us online virtually,

101

00:04:01.185 --> 00:04:02.925

and I wanna make sure that we give a fair opportunity

102

00:04:02.925 --> 00:04:05.005

to all parties to engage as they wish.

103

00:04:06.465 --> 00:04:08.845

The recording of today's hearing will be put on our, uh,

104

00:04:08.845 --> 00:04:12.405

the con's key, a Low Carbon Power website on the National

105

00:04:12.405 --> 00:04:15.485

Infrastructure Planning website page as soon as practical

106

00:04:15.485 --> 00:04:17.085

after we finish this meeting and, uh,

107

00:04:17.085 --> 00:04:20.005

checked all the redactions and tra uh, transcriptions.

108

00:04:20.465 --> 00:04:22.885

But with this in mind, each time we come to you to speak,

109

00:04:22.885 --> 00:04:25.365

please if you could, um, speaking to the microphone,

110

00:04:25.365 --> 00:04:27.045

stating your name and

111

00:04:27.045 --> 00:04:28.845

who you are representing each time just for the helps

112

00:04:28.865 --> 00:04:30.005

for the benefits, one

113

00:04:30.105 --> 00:04:31.445

of viewing the recording later

114

00:04:31.785 --> 00:04:32.885

if the camera doesn't pick you up.

115

00:04:32.885 --> 00:04:34.165

And secondly, for people online,

116

00:04:34.165 --> 00:04:37.285

they understand who's making that, uh, uh, representation.

117

00:04:38.265 --> 00:04:39.965

If you're not at a table, if you're, uh, uh, one

118

00:04:39.965 --> 00:04:40.965

of the seats at the back of the room

119

00:04:40.965 --> 00:04:43.005

and you wish to speak, please feel free to do so.

120

00:04:43.005 --> 00:04:44.885

If you put your hand up, I'll get a, a microphone brought

121

00:04:44.885 --> 00:04:46.125

to you, or you're more than welcome to come and speak

122

00:04:46.125 --> 00:04:47.445
to the microphones at the front room.

123

00:04:49.265 --> 00:04:52.645
Uh, a link to the Planning Inspector's Privacy notice was

124

00:04:52.805 --> 00:04:55.165
provided in the Rule six letter that we sent out, uh, prior

125

00:04:55.165 --> 00:04:56.245
to these hearings.

126

00:04:56.665 --> 00:04:58.205
Um, I assume you're familiar with 'em,

127

00:04:58.205 --> 00:05:00.325
but if you're concerned about how you may be captured on

128

00:05:00.325 --> 00:05:02.285
film or any recording of your personal data,

129

00:05:02.285 --> 00:05:04.005
please have a chat with our case team at the back

130

00:05:04.005 --> 00:05:05.565
of the room and they'll be able to address your concerns.

131

00:05:08.225 --> 00:05:11.325
I'm now gonna go through, um, the participants of today's,

132

00:05:11.385 --> 00:05:13.205
uh, hearing, and I'll allow you to introduce yourself.

133

00:05:13.225 --> 00:05:15.005
So I'll start with those in the room first if I can.

134

00:05:15.065 --> 00:05:19.365
And if I, um, can ask you to state, uh, who you are,

135

00:05:20.065 --> 00:05:23.005

who you're representing, and if there is a particular item

136

00:05:23.005 --> 00:05:25.165

that you wish to speak on in the agenda, I'll try

137

00:05:25.165 --> 00:05:26.525

and make sure I can come back to you.

138

00:05:26.525 --> 00:05:28.005

If you just let me know also how you wish

139

00:05:28.005 --> 00:05:29.205

to be addressed, whether it's Mr.

140

00:05:29.355 --> 00:05:31.645

Miss Ms, or Doctor,

141

00:05:31.665 --> 00:05:33.685

or whatever your post, uh, pre nominal is.

142

00:05:33.685 --> 00:05:36.925

Sorry. So let's, uh, make a start with the applicant please.

143

00:05:38.545 --> 00:05:40.445

Uh, good morning, sir. My name's James

144

00:05:40.805 --> 00:05:41.845

Raan of King's Counsel.

145

00:05:41.975 --> 00:05:44.405

Spell Strike and S-T-R-A-C-H-A-N.

146

00:05:45.105 --> 00:05:47.285

Uh, I'm appearing on behalf of the applicant.

147

00:05:48.265 --> 00:05:52.045

And today, sir, can I just, I'll separate it into ecology

148

00:05:52.185 --> 00:05:53.525

and transport, if I may.

149

00:05:53.865 --> 00:05:58.485

Uh, on ecology, to my right is Dr. James Riley,

150

00:05:59.465 --> 00:06:03.205

uh, who is the Habitat Regulations Assessment lead

151

00:06:03.505 --> 00:06:04.925

at E-com.

152

00:06:05.865 --> 00:06:08.645

Uh, so if it's convenient, I'm just going to summarize

153

00:06:08.755 --> 00:06:12.005

that Dr. Riley is a member of the Chartered Institute

154

00:06:12.005 --> 00:06:14.085

of Ecology and Environmental Management

155

00:06:14.085 --> 00:06:16.005

and a chartered environmentalist.

156

00:06:16.345 --> 00:06:18.125

He has many other qualifications,

157

00:06:18.305 --> 00:06:21.845

but I thought perhaps it may be simpler rather than run

158

00:06:21.845 --> 00:06:25.325

through those in due course, we'll provide you a, a list of

159

00:06:25.845 --> 00:06:28.365

qualifications of those who've given evidence to you, if

160

00:06:28.365 --> 00:06:30.085

that's acceptable, but I'll summarize it in that way.

161

00:06:30.585 --> 00:06:34.405

So he will principally be, uh, dealing with questions

162

00:06:34.405 --> 00:06:36.645

concerning habitats and habitat regulations.

163

00:06:36.735 --> 00:06:40.805

Thank you. Uh, to his right is Miss Anna Davies,

164

00:06:41.705 --> 00:06:44.365

who is a, the lead ecologist for the project.

165

00:06:45.185 --> 00:06:47.845

She is also a full member of the Chartered Institute

166

00:06:47.845 --> 00:06:49.605

of Ecology and Environmental Management.

167

00:06:50.305 --> 00:06:52.165

And again, we'll give her, give her

168

00:06:52.805 --> 00:06:54.405

qualifications experience in more detail later.

169

00:06:55.225 --> 00:06:59.645

And she will be dealing with ecology, um, beyond the,

170

00:06:59.745 --> 00:07:02.005

the habitats issues that Dr.

171

00:07:02.075 --> 00:07:06.245

Riley's covering we have behind us.

172

00:07:06.705 --> 00:07:09.565

And that's not to diminish their importance,

173

00:07:09.565 --> 00:07:11.765

but we have binders because we're not sure whether

174

00:07:12.585 --> 00:07:15.165

you'll need to hear from them today,

175

00:07:15.345 --> 00:07:18.085

but they're available if you've got any particular

176

00:07:18.365 --> 00:07:19.645
questions on the topics.

177

00:07:20.015 --> 00:07:21.445
First, uh, Mr.

178

00:07:21.555 --> 00:07:23.845
Neil Gates is there,

179

00:07:24.345 --> 00:07:27.845
and Mr. Gates is the lead ornithologist

180

00:07:28.465 --> 00:07:29.765
in relation to the project.

181

00:07:30.215 --> 00:07:33.125
Again, we can provide you his qualifications in due course,

182

00:07:33.705 --> 00:07:35.245
but that is even

183

00:07:35.305 --> 00:07:37.285
to the extent you have any particular

184

00:07:37.765 --> 00:07:39.085
questions on for Ornithology.

185

00:07:39.185 --> 00:07:41.365
He will move them to the front and he can speak,

186

00:07:42.225 --> 00:07:45.805
and we have to his right, uh,

187

00:07:46.025 --> 00:07:50.965
Dr. Gary Gray, who is the air quality lead,

188

00:07:51.785 --> 00:07:55.085
um, the dealing with air quality, uh,

189

00:07:55.905 --> 00:07:56.965

in all its guises,

190

00:07:56.985 --> 00:08:01.085

but for the purposes today, insofar as its effects, um,

191

00:08:01.525 --> 00:08:02.725

ecology and habitats.

192

00:08:03.065 --> 00:08:04.845

And if you have any specific questions, again,

193

00:08:04.845 --> 00:08:06.365

we can move them to the front.

194

00:08:07.225 --> 00:08:08.845

And we also have Mr.

195

00:08:08.955 --> 00:08:11.965

Nick State, who you've heard from yesterday,

196

00:08:12.145 --> 00:08:15.125

the environmental impact assessment lead at the very end.

197

00:08:15.505 --> 00:08:18.485

And I've given you his qualifications already,

198

00:08:19.265 --> 00:08:22.245

but he is obviously responsible for the EIA,

199

00:08:22.245 --> 00:08:24.405

the environmental impact assessment as a whole.

200

00:08:25.905 --> 00:08:30.165

Um, so that's ology on transport. We have Mr.

201

00:08:30.815 --> 00:08:33.365

Spiro Gie, he's here,

202

00:08:34.145 --> 00:08:38.125

and when we get to transport, uh, I will bring him forward

203

00:08:38.125 --> 00:08:40.165
to the table so he can speak.

204

00:08:40.465 --> 00:08:42.605
Um, he's the lead transport planner

205

00:08:43.465 --> 00:08:46.125
and a chartered member of the Institute of Logistics

206

00:08:46.125 --> 00:08:48.525
and Transport with various other qualifications which

207

00:08:48.525 --> 00:08:49.765
we'll provide to you.

208

00:08:49.825 --> 00:08:51.485
So those are the people I'm

209

00:08:51.485 --> 00:08:53.645
anticipating contributing, and the topics.

210

00:08:54.735 --> 00:08:59.365
Thank you. Uh, if I could move

211

00:08:59.365 --> 00:09:01.125
to Flincher County Council now please.

212

00:09:02.655 --> 00:09:05.845
Hello again, sir. Um, my name is Uz Charlie Pope.

213

00:09:05.945 --> 00:09:08.725
I'm a Senior planning Officer with Flincher County Council

214

00:09:09.145 --> 00:09:11.485
and Lead Officer in this instance today.

215

00:09:12.065 --> 00:09:16.005
Um, I won't go through everybody's qualifications here.

216

00:09:16.035 --> 00:09:17.725

It's safe to say that we're qualified enough

217

00:09:17.725 --> 00:09:18.885

to represent in our areas.

218

00:09:19.545 --> 00:09:21.725

To my left, I have Ms.

219

00:09:21.725 --> 00:09:24.205

Emma Broad, she's the county ecologist,

220

00:09:24.745 --> 00:09:27.485

and is likely to be speaking on agenda items three

221

00:09:28.145 --> 00:09:29.525

to my right plus one.

222

00:09:29.645 --> 00:09:32.805

I have Mr. Stewart Jones, our Public Rights of Way officer,

223

00:09:33.375 --> 00:09:35.685

who's, uh, likely to be speaking on agenda items

224

00:09:36.195 --> 00:09:38.605

four at the end and any other business.

225

00:09:39.225 --> 00:09:42.645

And to my right, plus two, I have Ms. Susan Thomas,

226

00:09:42.945 --> 00:09:45.485

and she's our Highways Development Control manager.

227

00:09:45.905 --> 00:09:48.005

And if required, is likely to be contributing to

228

00:09:48.625 --> 00:09:50.685

agenda items four as well.

229

00:09:51.775 --> 00:09:52.775

Thank You. Thank you.

230

00:09:56.745 --> 00:10:00.725

Um, if I could move to statutory parties that are on, uh,

231

00:10:00.755 --> 00:10:01.765

virtually joining us.

232

00:10:01.765 --> 00:10:05.765

So that would be any, uh, statutory consultees such as, uh,

233

00:10:05.765 --> 00:10:08.485

natural Resources Wales, whilst Simply Government naturally,

234

00:10:08.485 --> 00:10:11.765

and anyone who wish wishes to identify on the, uh,

235

00:10:11.765 --> 00:10:13.005

virtual call today.

236

00:10:18.035 --> 00:10:19.285

Okay. I'm not seeing Good morning, sir.

237

00:10:19.305 --> 00:10:23.125

Oh, sorry, my name's. Good morning. My name's Chris Jones.

238

00:10:23.385 --> 00:10:25.045

Um, I'm lead specialist advisor

239

00:10:25.115 --> 00:10:26.325

with Natural Resources Way

240

00:10:26.325 --> 00:10:27.765

Development, planning and Vice Service.

241

00:10:28.625 --> 00:10:31.205

I'm here to talk about agenda three if required. Thank you.

242

00:10:31.295 --> 00:10:32.725

Thank you. Thank you, Mr.

243

00:10:39.515 --> 00:10:41.045

Okay. I think good morning. Oh, sorry.

244

00:10:41.665 --> 00:10:43.045

Oh, sorry. I was just say good morning.

245

00:10:43.045 --> 00:10:45.765

Um, I'm Katie Reynolds, also from Natural Resources Wales,

246

00:10:45.985 --> 00:10:49.525

um, and I'm a Senior Marine Advisor, um, assisting

247

00:10:49.525 --> 00:10:51.645

with assisting Chris on this. Thanks. Thank you.

248

00:10:51.915 --> 00:10:52.205

Yeah.

249

00:10:57.795 --> 00:11:02.085

Okay. Are there any other hands up online

250

00:11:02.085 --> 00:11:04.205

before I go to interested parties in

251

00:11:04.205 --> 00:11:05.445

the room and then online?

252

00:11:06.175 --> 00:11:08.365

Can't see any on the call. So if I could just move,

253

00:11:08.425 --> 00:11:11.325

are there any parties in the room, interested persons, uh,

254

00:11:11.325 --> 00:11:13.445

parties in the room who would like to

255

00:11:13.965 --> 00:11:15.605

identify themselves now, or,

256

00:11:15.905 --> 00:11:18.605

but equally, feel free to put your hand up and speak later

257

00:11:18.605 --> 00:11:20.445

and identify yourself at the time that we come to you.

258

00:11:24.315 --> 00:11:27.125

Okay, thank you. And similarly, online, is there anybody

259

00:11:27.125 --> 00:11:29.765

that would like to, uh, identify themselves now

260

00:11:29.825 --> 00:11:31.485

and say an item on the agenda

261

00:11:31.485 --> 00:11:33.605

that they would specifically like me to come

262

00:11:33.605 --> 00:11:35.325

to you on later in the hearing?

263

00:11:46.835 --> 00:11:49.885

Okay, thank you.

264

00:11:52.575 --> 00:11:56.845

Right. Um, like I was saying, please feel free if you wish

265

00:11:56.845 --> 00:11:58.765

to speak at any point, just hearing if you're in the room,

266

00:11:58.905 --> 00:12:00.205

put your hand up, I'll try and come to you

267

00:12:00.205 --> 00:12:01.965

and we'll, uh, introduce you then if you

268

00:12:01.965 --> 00:12:03.085

haven't already introduced yourself.

269

00:12:03.385 --> 00:12:05.445

And equally, if you're online, if you, oh,

270

00:12:05.525 --> 00:12:06.525

I just see your hand up online,

271

00:12:06.525 --> 00:12:07.565
then now it's, I think it's Mr.

272

00:12:07.825 --> 00:12:08.825
Is it Mr in Spencer?

273

00:12:15.225 --> 00:12:16.245
Is It Mr. Spence?

274

00:12:16.245 --> 00:12:19.125
Sorry, just struggling to see on my screen.

275

00:12:19.145 --> 00:12:21.205
The, uh, the hand up.

276

00:12:27.895 --> 00:12:31.325
Hello? Is that, is it Ian Spence, do you wish

277

00:12:31.325 --> 00:12:33.885
to say anything?

278

00:12:34.705 --> 00:12:35.765
No, sorry. Oh, sorry.

279

00:12:35.825 --> 00:12:37.925
Uh, yep. Sorry,

280

00:12:38.245 --> 00:12:40.205
I keep forgetting my microphone's turned

281

00:12:40.205 --> 00:12:41.285
Off I another field. Uh,

282

00:12:41.795 --> 00:12:42.795
Yeah. So, uh,

283

00:12:42.795 --> 00:12:46.245
Ian Spence decide National Society, if anything,

284

00:12:46.245 --> 00:12:49.285

that would be, uh, item three that I might wish

285

00:12:49.285 --> 00:12:52.365

to comment on, but I don't have anything specific I want

286

00:12:52.365 --> 00:12:55.445

to say at the moment, but there may be issues that crop up

287

00:12:55.445 --> 00:12:56.605

that I'd like to comment on.

288

00:12:56.895 --> 00:12:58.725

Thank you. Great. I will try

289

00:12:58.725 --> 00:13:00.805

and, uh, make sure that I keep my eyes on the screen,

290

00:13:00.865 --> 00:13:02.085

see if I see your hand up and come to you.

291

00:13:02.085 --> 00:13:03.805

But please don't just interrupt me

292

00:13:03.805 --> 00:13:05.725

if I, if I do miss, thank you. Yeah,

293

00:13:05.735 --> 00:13:06.735

Thank.

294

00:13:10.315 --> 00:13:13.325

Okay. Okay, so moving on to the purpose

295

00:13:13.325 --> 00:13:14.405

of today's hearing.

296

00:13:15.105 --> 00:13:19.405

Um, the purpose of today is to explore the themes of

297

00:13:20.005 --> 00:13:22.845

ecology, traffic, and transport, and the impacts and effects

298

00:13:23.025 --> 00:13:24.645

and any proposed mitigation measures

299

00:13:24.645 --> 00:13:26.605

that the applicant has identified with regards

300

00:13:26.625 --> 00:13:29.245

to the proposed development at Connor's

301

00:13:29.245 --> 00:13:30.285

Kilo Carbon Power Project.

302

00:13:30.985 --> 00:13:33.165

And particularly, we'd like to hear from interested parties

303

00:13:33.165 --> 00:13:34.765

present with their views and any queries that,

304

00:13:34.765 --> 00:13:36.685

and they may have to help this examination.

305

00:13:38.905 --> 00:13:43.605

In particular, with regards to ecology, I'd like

306

00:13:43.605 --> 00:13:46.605

to consider the proposed developments impact on the existing

307

00:13:46.605 --> 00:13:48.445

habitats and the designated sites

308

00:13:49.025 --> 00:13:52.765

and the mitigation that is being proposed, these impacts

309

00:13:52.765 --> 00:13:55.365

and mitigations with regards to those specific sites

310

00:13:55.425 --> 00:13:56.925

and species at these sites,

311

00:13:57.745 --> 00:13:59.845

and the provision of new habitats and how these

312

00:13:59.845 --> 00:14:01.365

and the existing sites we manage

313

00:14:01.365 --> 00:14:02.405

going forward in the future.

314

00:14:04.785 --> 00:14:07.445

And with regards to transport, uh,

315

00:14:07.445 --> 00:14:08.605

and traffic, I'd like

316

00:14:08.605 --> 00:14:10.685

to consider the potential impacts on the local community

317

00:14:10.865 --> 00:14:13.245

and the wider road network from the proposed development

318

00:14:14.065 --> 00:14:15.525

and including the planned movement

319

00:14:15.525 --> 00:14:19.765

of abnormal indivisible loads, any disturbance of disruption

320

00:14:19.765 --> 00:14:21.925

to the public rights of way during the proposed development

321

00:14:23.745 --> 00:14:26.565

and any associated risks to the other transport arrangement

322

00:14:27.065 --> 00:14:28.565

for marine or aviation travel.

323

00:14:34.075 --> 00:14:37.415

So moving on to item number three on the agenda, uh,

324

00:14:38.995 --> 00:14:40.735

I'm gonna briefly ask the applicant to

325

00:14:41.255 --> 00:14:44.175

describe their assessment findings regarding the terrestrial

326

00:14:44.175 --> 00:14:46.735

and aquatic ecology impacts of the proposed development

327

00:14:47.235 --> 00:14:50.135

and specific mitigation measures that they are proposing.

328

00:14:51.035 --> 00:14:53.205

I'll then ask some questions to understand the nature

329

00:14:53.205 --> 00:14:55.925

and scope of these assessments, uh, and their impacts

330

00:14:56.105 --> 00:14:58.005

and the mitigations that are being proposed.

331

00:14:58.265 --> 00:15:00.805

And then I'll seek views of other parties here in the room

332

00:15:00.805 --> 00:15:03.125

and online to help explore that further.

333

00:15:05.025 --> 00:15:07.565

So, item 3.1, existing habitats

334

00:15:07.565 --> 00:15:09.685

and their designated sites overview.

335

00:15:10.735 --> 00:15:13.245

Could I please ask the applicant to summarize what you found

336

00:15:13.245 --> 00:15:15.045

during your assessment for terrestrial

337

00:15:15.045 --> 00:15:16.525

and aquatic ecology impacts

338

00:15:17.065 --> 00:15:20.165

and the specific mitigation measures that you proposed?

339

00:15:21.345 --> 00:15:24.045

And what are the residual mitigation measures and impacts?

340

00:15:24.065 --> 00:15:25.525

Uh, sorry. What are the residual impacts

341

00:15:25.775 --> 00:15:26.965

after those mitigations?

342

00:15:27.935 --> 00:15:28.935

Thank you

343

00:15:30.535 --> 00:15:31.845

James TR0 for the applicant.

344

00:15:32.145 --> 00:15:35.885

Sir, I'm gonna hand over to Dr. Riley to give you that.

345

00:15:36.265 --> 00:15:37.885

And then Ms. Davies

346

00:15:37.985 --> 00:15:41.085

and the division of labor is really habitats,

347

00:15:41.685 --> 00:15:43.605

habitats protected sites,

348

00:15:44.825 --> 00:15:46.565

and then other ecology

349

00:15:47.435 --> 00:15:50.645

outside those protected sites between the two. Thank

350

00:15:50.645 --> 00:15:51.645

You.

351

00:15:53.545 --> 00:15:55.605

Uh, good morning, Dr. James Riley

352

00:15:55.625 --> 00:15:56.645
on behalf of the applicant.

353

00:15:57.345 --> 00:15:59.045
Um, as has just been mentioned,

354

00:15:59.245 --> 00:16:01.685
I will summarize the Habitats Regulations assessment,

355

00:16:02.105 --> 00:16:04.725
so the impacts on international important wildlife sites.

356

00:16:05.305 --> 00:16:07.685
Uh, and probably the best way for me to do that is

357

00:16:07.825 --> 00:16:10.245
by Impact Pathway, discussing the,

358

00:16:10.245 --> 00:16:11.525
the impact we're gonna have, and then

359

00:16:11.525 --> 00:16:13.245
what mitigation there would be for that

360

00:16:13.545 --> 00:16:14.645
as we've considered it.

361

00:16:15.745 --> 00:16:18.085
Um, and then I'll hand over to Ms. Davis

362

00:16:18.185 --> 00:16:19.725
who will cover other designated sites

363

00:16:19.745 --> 00:16:20.845
and ecology more broadly.

364

00:16:21.945 --> 00:16:26.005
Uh, so just for, for clarity, uh, the document I'm going

365

00:16:26.005 --> 00:16:28.605

to be referring to is the Habitat Regulations Report

366

00:16:28.605 --> 00:16:30.885

to inform Habitat's Regulation Assessment, uh,

367

00:16:30.885 --> 00:16:34.565

which is application document A PP 2 53.

368

00:16:35.345 --> 00:16:39.165

Uh, and designated sites are shown on Figure 11.1, which is

369

00:16:39.965 --> 00:16:42.845

document a PP 1 24.

370

00:16:43.945 --> 00:16:47.485

Um, so the Habitats Regulation Assessment considers all, uh,

371

00:16:47.585 --> 00:16:49.845

internationally designated sites, special areas

372

00:16:49.845 --> 00:16:51.645

of conservation, special protection areas

373

00:16:51.645 --> 00:16:56.205

and RZA sites, uh, in both England and Wales, uh, both alone

374

00:16:56.465 --> 00:16:57.925

and where relevant in combination

375

00:16:57.925 --> 00:16:59.485

with other plans and projects.

376

00:17:00.505 --> 00:17:03.845

Uh, so to deal with the first, uh, impact pathway

377

00:17:03.905 --> 00:17:06.645

or the main impact pathway, uh, there is the potential

378

00:17:06.645 --> 00:17:09.445

for direct habitat loss from designated sites.

379

00:17:10.345 --> 00:17:13.525

Uh, this is pages 63 to 66 of the appropriate assessment.

380

00:17:14.145 --> 00:17:17.205

So there will be some, uh, limited direct loss

381

00:17:17.205 --> 00:17:21.685

of habitat from the D estuary, S-A-C-S-P-A and Ramsar site.

382

00:17:21.685 --> 00:17:23.285

That's a single location, but it has three

383

00:17:23.285 --> 00:17:24.885

designations applied to it.

384

00:17:25.545 --> 00:17:28.765

Uh, due to the proposed new outfall, uh,

385

00:17:28.895 --> 00:17:33.645

there will be a temporary loss of 650 square meters of,

386

00:17:33.825 --> 00:17:38.045

uh, species pour, uh, grass dominated salt marsh, uh,

387

00:17:38.045 --> 00:17:40.685

during construction, so including the construction footprint

388

00:17:40.685 --> 00:17:41.685

and the construction works area.

389

00:17:42.425 --> 00:17:45.045

And then there will be a, a permanent loss

390

00:17:45.545 --> 00:17:48.045

of less than five square meters of

391

00:17:48.045 --> 00:17:52.165

that salt marsh from the new outfall itself, uh,

392

00:17:52.585 --> 00:17:54.045
in their relevant representation.

393

00:17:54.195 --> 00:17:56.965
Natural eng, uh, sorry, natural resource as Wales actually,

394

00:17:57.465 --> 00:18:00.285
uh, asked about whether there'd be any salt marsh clearance

395

00:18:00.305 --> 00:18:02.565
in the water connection corridor, uh,

396

00:18:02.565 --> 00:18:03.725
we can confirm there won't be.

397

00:18:03.785 --> 00:18:07.685
So the only salt marsh loss will be in the new outfall area,

398

00:18:07.865 --> 00:18:10.205
and the only permanent loss will be due to the footprint

399

00:18:10.205 --> 00:18:11.485
of the new outfall itself.

400

00:18:12.625 --> 00:18:16.805
Um, there will also be no erosion loss

401

00:18:16.825 --> 00:18:18.365
of salt marsh from the new outfall

402

00:18:18.365 --> 00:18:19.605
because the velocities

403

00:18:19.665 --> 00:18:21.045
of the discharge from the outfall are

404

00:18:21.045 --> 00:18:22.085
not high enough to lead to erosion.

405

00:18:22.225 --> 00:18:23.965

So it is literally the direct footprint

406

00:18:23.965 --> 00:18:25.045
losses that we're talking about.

407

00:18:26.305 --> 00:18:28.605
So in order to address that, the conclusion

408

00:18:28.625 --> 00:18:29.845
of the assessment is

409

00:18:29.845 --> 00:18:32.845
that there would be no adverse effect on the integrity of,

410

00:18:33.145 --> 00:18:36.205
uh, the DSG European sites for two reasons.

411

00:18:36.595 --> 00:18:40.765
Firstly, because of a commitment to extend the, uh,

412

00:18:41.245 --> 00:18:42.365
existing management agreements

413

00:18:42.365 --> 00:18:45.365
for the existing conservation areas that Juniper manage

414

00:18:45.715 --> 00:18:48.085
through the lifetime of the the new facility.

415

00:18:49.265 --> 00:18:50.805
And secondly, uh,

416

00:18:50.805 --> 00:18:55.205
because of a proposal to retreat the defenses south

417

00:18:55.205 --> 00:18:58.325
of the existing power station to create a, uh,

418

00:18:58.625 --> 00:19:01.605
1,300 square meter retreat area.

419

00:19:02.465 --> 00:19:04.885

Uh, and that is the main mitigation measure.

420

00:19:05.185 --> 00:19:08.805

So within this area, the salt marshes, uh,

421

00:19:08.835 --> 00:19:11.285

like all these coastal habitats are a dynamic system

422

00:19:11.505 --> 00:19:12.565

and there is accretion

423

00:19:12.565 --> 00:19:14.525

and erosion throughout the, the system.

424

00:19:14.525 --> 00:19:19.405

Naturally as sea levels rise, the salt marshes in the area

425

00:19:19.405 --> 00:19:21.125

that I'm talking about, this existing area

426

00:19:21.125 --> 00:19:23.005

of salt mars south of the existing power station,

427

00:19:23.825 --> 00:19:26.245

as sea levels rise, it would normally retreat in land.

428

00:19:26.785 --> 00:19:29.845

Uh, but it can't do that because of the existing defenses.

429

00:19:29.845 --> 00:19:31.405

So you get what's called coastal squeeze.

430

00:19:31.585 --> 00:19:33.965

And, and this, this is, this will happen anyway

431

00:19:33.965 --> 00:19:35.165

because of the existing defenses.

432

00:19:35.955 --> 00:19:40.365

What we are therefore looking to do is to, uh, address

433

00:19:40.485 --> 00:19:41.725
that coastal squeeze issue

434

00:19:41.985 --> 00:19:45.045
by retreating the defenses in land effectively so that

435

00:19:45.045 --> 00:19:47.645
that existing area of salt Mart, rather than being lost

436

00:19:48.195 --> 00:19:51.565
over time, will persist, uh, and may even expand.

437

00:19:52.305 --> 00:19:55.965
Um, and that's why we have considered that to be mitigation,

438

00:19:56.385 --> 00:19:58.565
uh, rather than compensation

439

00:19:58.565 --> 00:20:02.325
because we are within the context of guidance.

440

00:20:02.465 --> 00:20:04.365
And what guidance there is on the distinction

441

00:20:04.365 --> 00:20:05.685
between mitigation and compensation.

442

00:20:05.765 --> 00:20:09.605
Compensation is usually referred to as a net creation.

443

00:20:09.785 --> 00:20:12.125
So for example, you might be losing an area

444

00:20:12.125 --> 00:20:15.005
of calcar grassland within a designated site, uh,

445

00:20:15.005 --> 00:20:16.045
because you're developing on it,

446

00:20:16.045 --> 00:20:18.525

but there might be another area which we often call site

447

00:20:18.525 --> 00:20:21.085

fabric, which doesn't support that particular habitat.

448

00:20:21.425 --> 00:20:23.725

So you say, well, we're creating new Cale Carious crest in

449

00:20:23.725 --> 00:20:26.445

there, you are creating an entirely new habitat.

450

00:20:26.465 --> 00:20:28.605

So I think that is inarguably compensation.

451

00:20:29.115 --> 00:20:31.565

What we are doing, as I say, is, uh,

452

00:20:32.165 --> 00:20:34.845

enabling an existing area of salt marsh that would not

453

00:20:34.845 --> 00:20:37.445

otherwise persist to continue to persist.

454

00:20:37.505 --> 00:20:40.205

So we're not creating it, we are creating the, the,

455

00:20:40.265 --> 00:20:41.845

the mechanism for it to, we are,

456

00:20:41.845 --> 00:20:43.245

we are effectively reintroducing natural

457

00:20:43.245 --> 00:20:44.685

coastal processes to that location.

458

00:20:45.785 --> 00:20:48.045

Um, so that is our, our explanation

459

00:20:48.045 --> 00:20:49.805

for why we consider that to be mitigation.

460

00:20:50.105 --> 00:20:53.645

Um, and there will be a, a framework strategy, uh,

461

00:20:53.785 --> 00:20:55.245

to be submitted into the examination,

462

00:20:55.245 --> 00:20:57.445

which will include some details of, uh,

463

00:20:57.505 --> 00:20:58.685

how that will be monitored.

464

00:20:59.065 --> 00:21:02.285

Uh, and, and, uh, any, you know, any step in

465

00:21:02.285 --> 00:21:04.005

that we might be required in order to ensure

466

00:21:04.005 --> 00:21:05.685

that the habitat is developing as,

467

00:21:05.705 --> 00:21:08.205

or rather the, the conditions are what they should be

468

00:21:08.205 --> 00:21:09.885

to allow the salt marsh to retreat in them.

469

00:21:10.105 --> 00:21:13.485

Notwithstanding what I've said, uh, we have

470

00:21:13.485 --> 00:21:16.245

nonetheless produced a, um,

471

00:21:17.675 --> 00:21:19.765

without prejudice derogation report,

472

00:21:20.295 --> 00:21:24.405

which is document PDA 0 0 3, which was, uh,

473

00:21:24.405 --> 00:21:25.845
submitted at deadline A.

474

00:21:26.745 --> 00:21:28.565
Um, so if you, Mr.

475

00:21:28.565 --> 00:21:29.605
Inspector determine,

476

00:21:29.785 --> 00:21:33.205
or the Secretary of State in, in their capacity determines,

477

00:21:33.705 --> 00:21:37.805
uh, that, uh, it's compensation, then, then we have

478

00:21:38.045 --> 00:21:39.805
provided the argument there to provide the,

479

00:21:40.025 --> 00:21:41.245
the steps you need to go through.

480

00:21:41.345 --> 00:21:43.725
No alternatives, imperative reasons we own public interest.

481

00:21:44.345 --> 00:21:45.885
Uh, although as I say, we,

482

00:21:45.885 --> 00:21:48.125
we've reiterated my view on that being mitigation.

483

00:21:48.385 --> 00:21:52.005
Uh, we do note that, uh, in their relevant representation,

484

00:21:52.005 --> 00:21:55.725
natural Resources Wales did comment that they could see how

485

00:21:55.725 --> 00:21:56.885
that could be mitigation.

486

00:21:56.985 --> 00:21:59.205

So, so there is some support for our view there.

487

00:22:02.185 --> 00:22:04.965

Uh, with regards to reinstating the salt marsh.

488

00:22:04.985 --> 00:22:08.285

So remember I said that most of the salt marsh loss, uh,

489

00:22:08.595 --> 00:22:11.285

will be temporary, uh, with regard to reinstating

490

00:22:11.355 --> 00:22:13.645

that there is a commitment being added to the framework,

491

00:22:13.995 --> 00:22:17.005

Kemp, which is application document 2, 4 6, uh,

492

00:22:17.055 --> 00:22:18.845

which would include the requirement

493

00:22:18.845 --> 00:22:20.885

for salt marsh method statement, uh,

494

00:22:20.885 --> 00:22:23.765

which would set out exactly how the, the soils were going

495

00:22:23.765 --> 00:22:25.325

to be treated, how they were gonna be handled, how

496

00:22:25.325 --> 00:22:27.845

that vegetation was going to be restored and and monitored.

497

00:22:28.265 --> 00:22:30.125

Uh, that will be done in the agent with the contractors.

498

00:22:30.145 --> 00:22:31.885

And, and we would agree that with natural resource

499

00:22:31.885 --> 00:22:33.045

as well as prior to construction.

500

00:22:34.985 --> 00:22:36.845

Uh, so that's the direct habitat law.

501

00:22:38.605 --> 00:22:40.285

I will assume you will stop me at any point you want

502

00:22:40.285 --> 00:22:42.045

to come in at anything. But, uh, oh,

503

00:22:42.265 --> 00:22:43.725

Can I just ask, I, I would like

504

00:22:43.725 --> 00:22:44.925

to pick up on that just for Yes.

505

00:22:45.045 --> 00:22:47.405

A couple of questions and it may, I, I, I appreciate, um,

506

00:22:47.535 --> 00:22:50.005

colleagues from Natural Resources Wales, uh,

507

00:22:50.005 --> 00:22:52.885

expressed a view that they would, they, I apologies, we,

508

00:22:52.885 --> 00:22:55.045

we we discussed about holding this hearing yesterday

509

00:22:55.045 --> 00:22:56.405

and why, why we're holding it early.

510

00:22:56.585 --> 00:22:59.045

And I, I appreciate, uh, uh, there's a couple

511

00:22:59.045 --> 00:23:00.205

of things that cropped up yesterday.

512

00:23:00.345 --> 00:23:02.645

Uh, your recommendations, natural resources as well,

513

00:23:02.665 --> 00:23:03.925

so some changes to the timetable,

514

00:23:03.925 --> 00:23:04.965

which I've tried to include.

515

00:23:05.425 --> 00:23:07.405

And also, um, your concern

516

00:23:07.405 --> 00:23:08.925

that we were holding this hearing slightly earlier,

517

00:23:09.005 --> 00:23:10.245

I just wanted to reassure you

518

00:23:10.245 --> 00:23:13.045

that it's highly likely I will be holding another issue

519

00:23:13.325 --> 00:23:17.885

specific hearing, um, later in the examination.

520

00:23:17.945 --> 00:23:20.445

But I wanted to air this as early as possible

521

00:23:20.585 --> 00:23:23.325

and appreciate that the things like the delegation case,

522

00:23:23.325 --> 00:23:27.525

which have come in, um, uh, you haven't had chance

523

00:23:27.525 --> 00:23:28.965

to have a look at much as I,

524

00:23:29.005 --> 00:23:30.365

I haven't had a great opportunity.

525

00:23:30.845 --> 00:23:32.845

I, I, I see your hand up, uh, Mr. Jones,

526

00:23:32.985 --> 00:23:34.565

I'm just gonna come back if I cannot,

527

00:23:34.785 --> 00:23:36.885
to Dr. Riley on a few points, and if Okay.

528

00:23:36.925 --> 00:23:37.965
I can come to you after that

529

00:23:37.985 --> 00:23:40.885
and to see if, um, if there's anything that I've missed

530

00:23:40.885 --> 00:23:42.205
and you want to add to, if that's okay.

531

00:23:42.405 --> 00:23:43.525
I will, I will try and come back to you.

532

00:23:43.745 --> 00:23:44.765
So, yes, if I could,

533

00:23:44.765 --> 00:23:47.885
because, uh, I, I'm, I'm assuming you're gonna move on

534

00:23:47.885 --> 00:23:49.605
to another part of the, uh, habitat.

535

00:23:49.605 --> 00:23:52.045
Correct. So I'd just like to touch on, uh, the two things

536

00:23:52.045 --> 00:23:53.405
that you've, you've brought out so far.

537

00:23:53.425 --> 00:23:55.245
The first is the outfall and I appreci.

538

00:23:55.335 --> 00:23:57.765
We're talking about a surface water outfall here, not a,

539

00:23:57.765 --> 00:24:00.125
not a coolant, an abstraction, uh, intake

540

00:24:00.125 --> 00:24:01.485

and outtake outfall we Correct.

541

00:24:02.665 --> 00:24:04.445

Is there, is there a,

542

00:24:04.495 --> 00:24:08.485

could you justify why the outfall needs to be in D sry

543

00:24:08.545 --> 00:24:12.245

and potentially why it couldn't discharge to a watercourse

544

00:24:12.905 --> 00:24:14.765

within the existing site boundary?

545

00:24:14.965 --> 00:24:16.765

'cause that would've prevent you, in my opinion, if having

546

00:24:16.765 --> 00:24:18.005

to go into the D sry at all.

547

00:24:18.025 --> 00:24:21.285

So I'm curious as to why you have to discharge into They

548

00:24:21.285 --> 00:24:23.725

and why you, you know, if it would not be an option

549

00:24:23.725 --> 00:24:25.125

to discharge within your own site,

550

00:24:25.125 --> 00:24:27.365

which then flows naturally to the estuaries.

551

00:24:27.365 --> 00:24:28.365

That's my first question.

552

00:24:29.145 --> 00:24:30.765

Uh, and again, similarly if you want me

553

00:24:30.765 --> 00:24:31.925

to follow up second question later,

554

00:24:31.925 --> 00:24:34.685

but my second question relates to the salt marshes

555

00:24:34.685 --> 00:24:36.285

to the south of the site that you are looking to,

556

00:24:36.485 --> 00:24:37.605

I believe manage realign.

557

00:24:37.605 --> 00:24:41.485

Mm-hmm. I'm assuming the shoreline management policy

558

00:24:41.705 --> 00:24:44.165

for the section of the coastline has that as an

559

00:24:44.725 --> 00:24:45.845

accepted policy already.

560

00:24:46.745 --> 00:24:49.565

And, uh, otherwise you'd be going against the designated

561

00:24:49.765 --> 00:24:51.485

shoreline management policy for the, for

562

00:24:51.485 --> 00:24:52.525

that section of coastline.

563

00:24:53.425 --> 00:24:56.045

And if it already has a policy of accepted,

564

00:24:56.145 --> 00:25:00.125

of managed realignment, that element of coastal squeeze

565

00:25:00.145 --> 00:25:02.685

and habitat mitigation is presumably

566

00:25:03.595 --> 00:25:07.325

already allocated in the National Register for Wales

567

00:25:08.025 --> 00:25:09.365

as mitigation.

568

00:25:09.865 --> 00:25:12.805

And therefore, are you double counting it by saying, well,

569

00:25:12.805 --> 00:25:15.485

we'll do the work and claim it when actually it's already

570

00:25:15.485 --> 00:25:18.485

been assessed that to make provision for those

571

00:25:19.005 --> 00:25:20.245

wildlife species and habitat.

572

00:25:20.315 --> 00:25:21.765

It's already been assessed in another

573

00:25:22.115 --> 00:25:23.565

overarching plan. Mm-hmm.

574

00:25:24.345 --> 00:25:25.965

Uh, I'll deal with your second point first.

575

00:25:26.125 --> 00:25:27.525

I may need to speak to a colleague about your,

576

00:25:27.525 --> 00:25:29.685

your first point, because I'm not involved in the,

577

00:25:29.705 --> 00:25:31.605

in the drainage strategy.

578

00:25:31.825 --> 00:25:33.045

Um, so that is something

579

00:25:33.045 --> 00:25:34.125

we may have to take away and come back to you.

580

00:25:34.125 --> 00:25:35.645

But I will, I will just check with the colleague on that.

581

00:25:35.645 --> 00:25:38.485

With regard to your second point, uh, no, the,

582

00:25:38.505 --> 00:25:41.565

the area in question is not currently proposed

583

00:25:41.745 --> 00:25:43.525

for managed realignment as part

584

00:25:43.525 --> 00:25:45.005

of the Shoreline Management Plan.

585

00:25:45.585 --> 00:25:49.005

Uh, what we are proposing at a project level is

586

00:25:49.005 --> 00:25:50.885

to effectively continue to hold the line in terms

587

00:25:50.885 --> 00:25:52.765

of protecting the defenses, but pull the line

588

00:25:52.765 --> 00:25:54.125

back effectively.

589

00:25:54.505 --> 00:25:56.005

Now, that's a level of detail

590

00:25:56.005 --> 00:25:59.005

that the Shoreline Management plan would not go into,

591

00:25:59.005 --> 00:26:01.805

certainly not at, not at this site specific level.

592

00:26:01.985 --> 00:26:04.445

So, uh, yes, we, we, we are aware of the risk

593

00:26:04.445 --> 00:26:06.645

of double counting areas where managed retreat would

594

00:26:06.645 --> 00:26:07.805

already be a coastal policy.

595

00:26:08.155 --> 00:26:10.125

That kind of managed retreat is usually over quite large

596

00:26:10.175 --> 00:26:13.885

areas, uh, and, and as you say, is determined strategically.

597

00:26:13.905 --> 00:26:18.045

But in this location, the, the, the policy is hold the line.

598

00:26:18.345 --> 00:26:21.205

So we will be, we will be continuing to defend the site,

599

00:26:21.625 --> 00:26:23.885

but we will be pulling back the line itself.

600

00:26:23.985 --> 00:26:27.765

So we, we won't be, we won't be, um, simply allowing

601

00:26:28.515 --> 00:26:30.165

erosion to run a market, if you like.

602

00:26:30.505 --> 00:26:31.645

Uh, because obviously we still need

603

00:26:31.645 --> 00:26:33.165

to protect the existing eup facility.

604

00:26:33.345 --> 00:26:37.245

Um, so, so that's the answer to that one, uh, one moment

605

00:26:37.245 --> 00:26:38.405

with regard to your first point.

606

00:26:40.305 --> 00:26:41.565

So if, if it's okay, I'll just come

607

00:26:41.565 --> 00:26:43.525

to Mr. Jones now while you are discussing, give you a bit

608

00:26:43.525 --> 00:26:46.045

of a chance to build, sorry, Mr. Jones, uh,

609

00:26:46.105 --> 00:26:47.165

uh, natural resources as well.

610

00:26:47.165 --> 00:26:48.845

So is there something you wanted to come in on earlier?

611

00:26:50.395 --> 00:26:52.405

Well, thank you, sir. Um, it, it was just

612

00:26:52.405 --> 00:26:54.645

to note your comments about the preliminary meeting

613

00:26:54.705 --> 00:26:57.245

and, um, uh, issue specific hearing one yesterday.

614

00:26:57.765 --> 00:27:00.085

I just wanted to confirm that we were observing those

615

00:27:00.085 --> 00:27:01.085

through the external link.

616

00:27:01.085 --> 00:27:02.365

So sort the comments are noted,

617

00:27:02.365 --> 00:27:03.885

so if you wanted to clarify that for you. Thank

618

00:27:03.885 --> 00:27:04.885

You, sir. Oh, thank you. Yeah. Uh,

619

00:27:04.885 --> 00:27:05.685

hopefully, like I say, we,

620

00:27:05.685 --> 00:27:08.685

we've hopefully can adopt the, apart from the deadline one

621

00:27:08.685 --> 00:27:10.725

and the earlier part of the timetable, we can, uh,

622

00:27:10.725 --> 00:27:13.605

adopt the, the comments that you made regarding that.

623

00:27:13.605 --> 00:27:18.165

Thank you. And, um, also the, uh, like I say,

624

00:27:18.165 --> 00:27:20.285

your concerns about the, uh, this having,

625

00:27:20.285 --> 00:27:22.885

this hearing early on in the examination, I,

626

00:27:22.965 --> 00:27:24.245

I am considering that we will be

627

00:27:24.245 --> 00:27:25.485

likely to be holding another hearing.

628

00:27:25.885 --> 00:27:27.845

I see another hands up. I can apologies, sir.

629

00:27:27.845 --> 00:27:29.525

I can only see your first name, which I think is Andrew.

630

00:27:31.065 --> 00:27:32.325

Uh, yeah, morning, uh,

631

00:27:32.325 --> 00:27:33.965

Andrew Whitehead from Natural England.

632

00:27:34.625 --> 00:27:39.325

Um, I, yeah, um, firstly just to say that it's,

633

00:27:39.325 --> 00:27:40.365

it's quite reassuring

634

00:27:40.365 --> 00:27:41.605

that you're looking at having another

635

00:27:41.605 --> 00:27:42.765
hearing later in the process.

636

00:27:43.225 --> 00:27:47.325
Um, the, the other point I wanted to make was just

637

00:27:47.325 --> 00:27:48.605
around a couple of the things that,

638

00:27:48.605 --> 00:27:50.405
that Dr. Riley has mentioned there.

639

00:27:51.425 --> 00:27:56.085
The HRA as it is currently written, as far as I understand,

640

00:27:57.155 --> 00:28:01.125
does conclude adverse effect on site integrity for the loss

641

00:28:01.125 --> 00:28:02.365
of the salt marsh habitat.

642

00:28:03.585 --> 00:28:07.365
And the five meter square area of permanent loss

643

00:28:07.435 --> 00:28:11.845
that he referenced only comes out in the derogations paper.

644

00:28:12.865 --> 00:28:15.445
Um, so yeah, just, just highlights

645

00:28:16.325 --> 00:28:17.765
I guess those points really.

646

00:28:19.175 --> 00:28:21.525
Thank you. So, sorry, I'm just trying

647

00:28:21.525 --> 00:28:22.645
to digest that myself.

648

00:28:22.705 --> 00:28:25.845

You are, you are, you are implying there that,

649

00:28:27.645 --> 00:28:28.645

'cause I, I think in the,

650

00:28:28.705 --> 00:28:31.885

in the report on impact on European sites, you,

651

00:28:31.885 --> 00:28:33.405

you do mention the permanent loss, don't you?

652

00:28:33.465 --> 00:28:36.005

Are you saying it's not mentioned in the, the, the report

653

00:28:36.545 --> 00:28:37.845

on the impact environmental? No.

654

00:28:38.625 --> 00:28:43.365

Uh, yeah, I'm So in the, in the HRA

655

00:28:43.365 --> 00:28:45.645

that was submitted and that we

656

00:28:45.845 --> 00:28:48.765

provided our relevant representations on yes, the area

657

00:28:49.425 --> 00:28:54.165

of salt marsh loss is, um, I think it's 650 square meters

658

00:28:54.825 --> 00:28:57.885

is talked about as the area of loss.

659

00:28:58.505 --> 00:29:00.085

I'd appreciate that there will be some of

660

00:29:00.085 --> 00:29:01.325

that will recover over time.

661

00:29:01.465 --> 00:29:04.045

But the five meters square area that

662

00:29:04.625 --> 00:29:07.045

Dr. Riley just talked about as being permanent loss

663

00:29:07.785 --> 00:29:11.045

is a figure that is only first mentioned in the delegations

664

00:29:11.325 --> 00:29:13.125

paper, that, that has just been produced,

665

00:29:15.225 --> 00:29:18.085

Uh, just to, sorry, yes,

666

00:29:18.105 --> 00:29:19.925

Dr. James Riley on behalf of the applicant.

667

00:29:19.925 --> 00:29:23.405

Just to, to clarify on that point, uh, the,

668

00:29:23.465 --> 00:29:25.525

the permanent loss is discussed in the habitat's

669

00:29:25.525 --> 00:29:26.805

regulation assessment, as you've said.

670

00:29:27.385 --> 00:29:29.765

Uh, what we have said there is indeed

671

00:29:29.765 --> 00:29:31.925

that the temporary loss is 650 square meters

672

00:29:32.065 --> 00:29:35.085

and that the, uh, permanent losses will be,

673

00:29:35.085 --> 00:29:37.125

there will be permanent losses, but they will be very small

674

00:29:37.405 --> 00:29:38.405

IE square meters.

675

00:29:38.985 --> 00:29:41.125

The specific figure of five square meters

676

00:29:41.165 --> 00:29:43.125

or less, I think, disappear in other documents.

677

00:29:43.125 --> 00:29:44.925

But, but yes, that specific figure

678

00:29:44.925 --> 00:29:48.765

of five square meters isn't cited in the HRA, uh,

679

00:29:49.325 --> 00:29:50.765

although the recognition of the permanent loss

680

00:29:50.825 --> 00:29:52.725

and that that permanence will be very small cited,

681

00:29:52.825 --> 00:29:54.565

but that specific measurement does

682

00:29:54.565 --> 00:29:55.645

indeed first appear in the irrigation.

683

00:29:55.665 --> 00:29:58.925

But, but the impact, uh, from permanent losses

684

00:29:59.025 --> 00:30:01.525

and temporary losses is both discussed in the HRA report.

685

00:30:01.945 --> 00:30:05.725

Um, with regard to, uh, your first point,

686

00:30:05.725 --> 00:30:08.285

which we've just had a, a brief discussion about it, so

687

00:30:08.285 --> 00:30:12.085

that the, the rationale for why the drainage, why,

688

00:30:12.105 --> 00:30:14.845

why there has to be a new outfall at all effectively, uh, in

689

00:30:14.845 --> 00:30:17.925

that location is, is effectively in the derogation report in

690

00:30:18.045 --> 00:30:21.045

the, uh, no alternative section of that document.

691

00:30:21.545 --> 00:30:24.045

Um, so since I'm not a drainage specialist,

692

00:30:24.045 --> 00:30:26.125

it's probably better that, uh,

693

00:30:26.425 --> 00:30:29.165

the relevant parties yourselves digest that, that section of

694

00:30:29.165 --> 00:30:32.325

that document and, um, have any questions on that.

695

00:30:32.865 --> 00:30:34.485

Um, but effectively that's where,

696

00:30:34.485 --> 00:30:36.685

because as part of the delegations case effectively,

697

00:30:36.685 --> 00:30:38.725

you have to set out why there is no alternative

698

00:30:39.025 --> 00:30:40.325

to doing what you are going to do.

699

00:30:40.385 --> 00:30:41.925

So it that is in that document.

700

00:30:42.735 --> 00:30:46.845

Thank you. I'm just picking up on that now

701

00:30:46.845 --> 00:30:50.205

because if, if that's the case that

702

00:30:51.505 --> 00:30:54.245

you are establishing the reason why you need the outfall

703

00:30:55.635 --> 00:30:59.925

into the estuary and you are justifying that.

704

00:30:59.985 --> 00:31:01.565

Now in the delegation case,

705

00:31:04.805 --> 00:31:07.405

I think there's probably an argument to say all along

706

00:31:07.975 --> 00:31:09.485

there should be a delegation case,

707

00:31:14.145 --> 00:31:18.405

Uh, James Strom for the applicant's, uh, in relation

708

00:31:18.465 --> 00:31:21.725

to the assessment, pre, pre derogation,

709

00:31:21.725 --> 00:31:25.365

which is without prejudice, it's already identified

710

00:31:25.365 --> 00:31:27.885

that if you put a, an outfall in that location,

711

00:31:28.545 --> 00:31:30.605

but with the mitigation that's proposed,

712

00:31:30.735 --> 00:31:32.885

there will be no adverse effects on the

713

00:31:32.885 --> 00:31:34.645

integrity of the sites.

714

00:31:35.425 --> 00:31:40.365

And therefore one doesn't need to set out in detail

715

00:31:41.265 --> 00:31:43.525

the absence of alternatives.

716

00:31:43.875 --> 00:31:45.725

Okay. Without prejudice to that,

717

00:31:45.725 --> 00:31:47.685

because we say that's sufficient.

718

00:31:48.385 --> 00:31:51.125

If it's said, well, this is compensation rather than

719

00:31:51.125 --> 00:31:53.485

mitigation, mitigation, avoiding the harm through,

720

00:31:53.755 --> 00:31:57.685

through the measures proposed, if it said it's compensation,

721

00:31:59.065 --> 00:32:00.365

the without prejudice,

722

00:32:00.365 --> 00:32:03.085

that the derogation report then goes on to

723

00:32:04.045 --> 00:32:05.725

consider the statutory requirements,

724

00:32:05.755 --> 00:32:07.525

including no alternatives.

725

00:32:08.225 --> 00:32:09.925

And that's why it's done in that way.

726

00:32:10.785 --> 00:32:14.805

But so the, so there isn't a requirement

727

00:32:14.805 --> 00:32:17.245

to consider alternatives, if I, I put it that way,

728

00:32:17.245 --> 00:32:19.365

unless you get to the compensation provisions.

729

00:32:20.085 --> 00:32:22.965

I think the relevant section, um,

730

00:32:23.125 --> 00:32:24.165

I know that'd be correct if I'm wrong,

731

00:32:24.165 --> 00:32:28.405

but is, is in section 4.1

732

00:32:29.585 --> 00:32:31.965

and you'll see when, and,

733

00:32:32.025 --> 00:32:34.445

and so you may need time to suggest that,

734

00:32:34.505 --> 00:32:37.165

but you'll see that it is considered a number

735

00:32:37.305 --> 00:32:38.645

of different alternatives

736

00:32:39.225 --> 00:32:42.805

and why they don't work for the okay solution either.

737

00:32:43.185 --> 00:32:46.245

Um, I mean things like rainwater reuse infiltration

738

00:32:46.265 --> 00:32:49.565

to the ground, other lo as you were mentioning other

739

00:32:50.195 --> 00:32:54.725

outfall locations, some of which would still have, uh,

740

00:32:55.095 --> 00:32:59.485

other effects on, on the protective site.

741

00:32:59.585 --> 00:33:02.965

So, uh, I, I'm not asking anyone to comment on that now,

742

00:33:02.985 --> 00:33:04.685

but we, we have done that.

743

00:33:04.765 --> 00:33:07.965

I hope that explains why it appears in the derogation rather

744

00:33:07.965 --> 00:33:09.525

than the earlier material.

745

00:33:10.875 --> 00:33:15.645

Okay, thank you. Um, Uh,

746

00:33:18.225 --> 00:33:20.965

Dr. Riley, would you like to carry on with the next, um,

747

00:33:20.975 --> 00:33:23.885

items that you were going to address on item 3.1?

748

00:33:25.065 --> 00:33:26.445

Uh, thank you. Yes.

749

00:33:26.545 --> 00:33:29.285

Uh, so again, Dr. James Riley on behalf of the applicant.

750

00:33:29.505 --> 00:33:32.685

So the next impact pathway I was going to discuss is loss

751

00:33:32.685 --> 00:33:34.005

of functioning link land.

752

00:33:34.785 --> 00:33:38.765

Um, so, uh, under this scheme, the, uh,

753

00:33:40.565 --> 00:33:41.605

construction lay down area

754

00:33:41.865 --> 00:33:45.045

and the permanent works extension to the west

755

00:33:45.045 --> 00:33:48.605

of the existing works, the existing site development, uh,

756

00:33:48.795 --> 00:33:51.485

will result in the loss of approximately 26 hectares

757

00:33:51.665 --> 00:33:55.605

of grassland, uh, which has been identified in surveys

758

00:33:55.605 --> 00:33:57.765

as being functionally linked to the SPA

759

00:33:57.765 --> 00:33:59.525

because of its use by curlew.

760

00:34:00.345 --> 00:34:04.925

Um, so land to, to, uh,

761

00:34:05.325 --> 00:34:08.085

mitigate that loss, uh, is set out.

762

00:34:08.305 --> 00:34:10.485

It has been discussed with, uh, natural resource

763

00:34:10.485 --> 00:34:12.005

as wells at some length.

764

00:34:12.005 --> 00:34:13.925

We've had several meetings about that, uh,

765

00:34:13.985 --> 00:34:17.205

and is set out in, uh, paragraphs 10.2 19

766

00:34:18.025 --> 00:34:21.525

to 10.2 0.23 of the habitats regulations assessment.

767

00:34:22.465 --> 00:34:25.885

Uh, and it's essentially a case of, uh, enhancing, uh,

768

00:34:25.885 --> 00:34:27.765

an area of land, which is called groan

769

00:34:27.765 --> 00:34:32.205

and fields, uh, within the SPA, um, in an area

770

00:34:32.235 --> 00:34:35.325

that does not currently, uh, support curlews

771

00:34:35.325 --> 00:34:38.365

as currently designed and effectively enhancing wet

772

00:34:38.365 --> 00:34:40.765

grassland in that area across those 26 sector area

773

00:34:40.905 --> 00:34:44.805

and creating a network of, of linear foot drains to, uh,

774

00:34:45.325 --> 00:34:48.045

increase the ability of that location to support, uh,

775

00:34:48.515 --> 00:34:51.525

curlews and the curlew mitigation strategy,

776

00:34:51.935 --> 00:34:56.405

which is document a PP 2 54, uh, sets out the details of

777

00:34:56.405 --> 00:34:57.965

that area and its management.

778

00:34:58.465 --> 00:35:02.165

Um, and, um, my colleague, Mr. Gates, if, if we want

779

00:35:02.165 --> 00:35:04.085

to get into the details of the curlew management is,

780

00:35:04.085 --> 00:35:05.325

is available to talk to that.

781

00:35:06.105 --> 00:35:09.245

Um, again, we noted that in, uh,

782

00:35:09.265 --> 00:35:11.725

the relevant representations, natural England suggested

783

00:35:11.725 --> 00:35:14.325

that this might be compensation rather than mitigation.

784

00:35:15.025 --> 00:35:18.765

Um, from our point of view, uh, we consider

785

00:35:18.765 --> 00:35:20.645

that this is a mitigation measure

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00:35:20.645 --> 00:35:21.965

with regard to functionally linked land.

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00:35:21.965 --> 00:35:25.605

There is, uh, a lot of precedent, uh, in development,

788

00:35:25.725 --> 00:35:30.045

consent orders and, uh, other planning space for loss

789

00:35:30.045 --> 00:35:31.045

of functioning linked land

790

00:35:31.065 --> 00:35:33.845

to be considered mitigation rather than compensation.

791

00:35:34.425 --> 00:35:38.725

Uh, examples of dcos are the clink DC0, that's a live one.

792

00:35:38.725 --> 00:35:40.245

But in terms of ones that have been consented,

793

00:35:40.245 --> 00:35:43.445

east Yorks are Solar Farm, lower Thames Crossing,

794

00:35:44.585 --> 00:35:45.725

sun Energy Farm,

795

00:35:45.785 --> 00:35:48.445

and there are numerous others that could be cited as well.

796

00:35:49.025 --> 00:35:52.085

Uh, there's also local planning precedent, for example, uh,

797

00:35:52.085 --> 00:35:53.125
in the Soland area,

798

00:35:53.135 --> 00:35:54.885
there is something called the Soland Wade

799

00:35:54.885 --> 00:35:58.285
and Brent Goose strategy, which is specifically, uh,

800

00:35:58.365 --> 00:36:01.365
a strategy to enable developers to mitigate for the loss

801

00:36:01.365 --> 00:36:04.445
of functioning linked land for birds, uh, associated

802

00:36:04.445 --> 00:36:05.965
with the soland special protection areas.

803

00:36:06.585 --> 00:36:08.685
And it, it is, again, treated in planning terms

804

00:36:08.705 --> 00:36:10.125
and by naturally as mitigation.

805

00:36:10.625 --> 00:36:11.965
Uh, so there's a lot of precedent

806

00:36:11.965 --> 00:36:13.045
for this to be considered mitigation.

807

00:36:13.125 --> 00:36:16.205
I think the reason why it is mitigation is

808

00:36:16.205 --> 00:36:17.925
because the adverse effect on integrity

809

00:36:17.995 --> 00:36:19.685
that you are addressing,

810

00:36:19.825 --> 00:36:23.005

or that would arise if you weren't doing anything, is, uh,

811

00:36:23.205 --> 00:36:25.965

a reduction in the curlew population of the SPA due

812

00:36:25.965 --> 00:36:28.005

to increased competition for resources

813

00:36:28.005 --> 00:36:29.085

because of the loss of high

814

00:36:29.085 --> 00:36:30.325

tide roosting and foraging areas.

815

00:36:30.825 --> 00:36:33.205

If you ensure there is no loss of high tide roosting

816

00:36:33.205 --> 00:36:35.005

and foraging areas, no net loss, then

817

00:36:35.005 --> 00:36:37.445

that first adverse effect on integrity doesn't arise.

818

00:36:38.025 --> 00:36:39.605

Um, so that's why, and,

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00:36:39.625 --> 00:36:41.845

and why we have considered that to be mitigation,

820

00:36:42.425 --> 00:36:43.445

uh, nonetheless.

821

00:36:43.775 --> 00:36:46.765

Again, um, for the, I'm sorry, I should observe,

822

00:36:46.765 --> 00:36:48.165

we also know that natural resources as well as again,

823

00:36:48.165 --> 00:36:50.965

in in their relevant representation did, uh, comment

824

00:36:50.965 --> 00:36:52.325
that they could see why

825

00:36:52.325 --> 00:36:53.965
that could be argued to be mitigation.

826

00:36:54.905 --> 00:36:58.965
Um, notwithstanding that, uh, we have also concur,

827

00:36:59.015 --> 00:37:01.565
we've also included that impact within the,

828

00:37:01.565 --> 00:37:05.325
without prejudice, HRA delegations report, PDA 0 0 3,

829

00:37:05.325 --> 00:37:06.965
that was submitted at Deadline one.

830

00:37:07.425 --> 00:37:09.685
Uh, again, in the event that yourself

831

00:37:09.725 --> 00:37:11.965
or the Secretary of State determines that, uh,

832

00:37:11.965 --> 00:37:14.445
it is compensation, otherwise, I say there's a lot

833

00:37:14.445 --> 00:37:16.525
of precedent for loss of functioning linked land

834

00:37:16.525 --> 00:37:17.765
to be treated as mitigation.

835

00:37:19.865 --> 00:37:23.125
Um, we did note the natural re uh, start again, apologies.

836

00:37:23.125 --> 00:37:24.245
Natural England, uh,

837

00:37:24.245 --> 00:37:25.765

did raise some concerns about the approach

838

00:37:25.765 --> 00:37:28.685

to in combination assessment in relation to loss

839

00:37:28.685 --> 00:37:29.925

of functioning linked land.

840

00:37:30.305 --> 00:37:32.365

Uh, and we had a meeting with, uh,

841

00:37:32.435 --> 00:37:35.205

natural England in December to talk through a number

842

00:37:35.205 --> 00:37:36.645

of these, uh, impacts.

843

00:37:36.705 --> 00:37:38.485

And we, we explained our thinking to them.

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00:37:39.105 --> 00:37:43.085

Um, and the main point there, I think, is that, uh, the,

845

00:37:43.085 --> 00:37:44.565

the, the legislative requirement,

846

00:37:45.245 --> 00:37:47.285

although we have done a consideration of other plans

847

00:37:47.285 --> 00:37:49.925

and projects, uh, in combination for completeness,

848

00:37:50.265 --> 00:37:53.165

the legislative requirement is that we consider the impacts

849

00:37:53.165 --> 00:37:54.885

of our project alone

850

00:37:55.105 --> 00:37:57.285

or in combination with other plans and projects.

851

00:37:57.425 --> 00:37:59.805

If we are considering, as we are,

852

00:38:00.035 --> 00:38:02.245

that without mitigation our adverse effect would have,

853

00:38:02.625 --> 00:38:05.925

our project would have an adverse effect alone, then,

854

00:38:06.025 --> 00:38:07.485

and we are mitigating for that effect,

855

00:38:07.485 --> 00:38:09.965

then effectively there is no requirement

856

00:38:10.065 --> 00:38:12.245

or mechanism for an in combination effect.

857

00:38:12.255 --> 00:38:14.805

We've included it as a matter for completeness, uh,

858

00:38:14.835 --> 00:38:15.885

naturally around the call.

859

00:38:15.905 --> 00:38:16.965

So they may able to comment on that.

860

00:38:17.085 --> 00:38:19.165

I think they, they took my point on that call at the time,

861

00:38:19.225 --> 00:38:21.365

but I thought I'd cover that point. Can I

862

00:38:21.365 --> 00:38:23.365

Just say there are some hands up on the Yes.

863

00:38:23.405 --> 00:38:24.605

I, I was going to stop there.

864

00:38:24.705 --> 00:38:26.885

So, yes, so that's, that, that's the summary of

865

00:38:26.885 --> 00:38:27.965

that impact. Thank

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00:38:27.965 --> 00:38:28.965

You. Um, I, I know

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00:38:28.965 --> 00:38:31.205

I've got a, a couple, uh, I think, uh,

868

00:38:31.405 --> 00:38:33.725

I think Mr. Spence was first, if I could come to you.

869

00:38:33.785 --> 00:38:34.925

Do you have, do you have something that you would

870

00:38:35.020 --> 00:38:36.965

wish to say on that Mr. Spence? On on

871

00:38:36.965 --> 00:38:37.965

That? Yes. Thank you. So

872

00:38:37.965 --> 00:38:39.765

Ian Spence, decide Naturalist Society.

873

00:38:40.625 --> 00:38:42.645

Uh, having heard what was said, fine,

874

00:38:43.265 --> 00:38:45.445

but we do need to point out

875

00:38:45.445 --> 00:38:48.725

that Grut is something like 20 miles from the site

876

00:38:49.625 --> 00:38:54.085

and, um, I, Mike Pollard would be able to speak more

877

00:38:54.085 --> 00:38:57.685

to this, but my understanding is that curlew

878

00:38:57.685 --> 00:38:59.125

that currently winter

879

00:38:59.425 --> 00:39:02.325

and feed on the fields that will be taken over

880

00:39:02.425 --> 00:39:06.765

by the power station are not necessarily going

881

00:39:06.765 --> 00:39:09.485

to suddenly go 20 miles to go and do their feeding.

882

00:39:09.785 --> 00:39:12.245

Yes. Uh, and it's a shame

883

00:39:12.245 --> 00:39:14.685

that there wasn't some land acquired, say,

884

00:39:14.685 --> 00:39:16.205

just across the other side of the river,

885

00:39:16.335 --> 00:39:19.485

which I understand was possibly available.

886

00:39:19.925 --> 00:39:21.525

I don't dunno the full ins and outs of that,

887

00:39:22.105 --> 00:39:27.085

but, uh, we don't know that the Kew at Connors key will

888

00:39:28.075 --> 00:39:31.085

necessarily find the site at Grom,

889

00:39:31.605 --> 00:39:35.125

although I'm glad that that has been put aside as something

890

00:39:35.145 --> 00:39:37.245

to be that's been done. Thank you.

891

00:39:37.415 --> 00:39:38.485

Thank you. Mr. Spence. Yes.

892

00:39:38.485 --> 00:39:41.405

That's similar concern to what I was going to raise it also.

893

00:39:41.585 --> 00:39:44.045

Um, I see there is another hand up. Sorry, sir.

894

00:39:44.045 --> 00:39:45.685

I can only see your first name again, which is Mike.

895

00:39:45.735 --> 00:39:47.205

Would you like to introduce yourself?

896

00:39:48.655 --> 00:39:50.805

Thank you. Yeah, my name's Mike Pollard.

897

00:39:50.885 --> 00:39:53.565

I also represent the D Side Naturalist Society,

898

00:39:54.145 --> 00:39:57.045

and I've been leading for the society on looking at the

899

00:39:57.065 --> 00:40:00.005

impact on winter and curlews and passage curlews.

900

00:40:00.505 --> 00:40:01.845

Um, just to emphasize the,

901

00:40:01.865 --> 00:40:03.445

the fields in question are important

902

00:40:03.445 --> 00:40:04.685

for other bird species as well.

903

00:40:04.785 --> 00:40:08.245

For example, migratory wimble, um,

904

00:40:08.615 --> 00:40:11.245

shell duck display on the fields during the breeding season

905

00:40:11.545 --> 00:40:13.565
as part of a really important population.

906

00:40:13.565 --> 00:40:14.965
So there's, there's further interest,

907

00:40:15.425 --> 00:40:18.045
but, uh, curlews are the primary importance

908

00:40:18.745 --> 00:40:20.765
and, uh, up regularly up to sort of 50

909

00:40:20.825 --> 00:40:24.485
to a hundred curlews foraging at different times of the day.

910

00:40:25.065 --> 00:40:27.285
Um, sometimes linked to the hot, the hot tide,

911

00:40:27.305 --> 00:40:28.365
but also due to the weather.

912

00:40:28.725 --> 00:40:30.005
'cause there's, there's a heck of a lot of food

913

00:40:30.005 --> 00:40:31.045
in these fields for them.

914

00:40:31.665 --> 00:40:36.605
So, um, yeah, we are concerned that, um, the,

915

00:40:36.745 --> 00:40:40.365
the compensatory habitat is a long distance from Connor's

916

00:40:40.365 --> 00:40:43.205
key, but we recognize it will, it was a good site

917

00:40:43.205 --> 00:40:45.165
to provide compensatory habitat

918

00:40:45.445 --> 00:40:46.485

'cause it's an extensive area.

919

00:40:46.485 --> 00:40:48.845

It doesn't have rights of way is low lying

920

00:40:48.865 --> 00:40:52.805

and is relatively close to curly populations that winter

921

00:40:52.805 --> 00:40:54.285

around the point of air area.

922

00:40:54.905 --> 00:40:58.005

But we do know that winter in Curlys are very site faithful.

923

00:40:58.355 --> 00:41:01.765

Once the adults establish a wintering territory, they tend

924

00:41:01.765 --> 00:41:03.805

to return to it year after year.

925

00:41:04.705 --> 00:41:07.805

So we know that birds at Connors key are likely, uh,

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00:41:08.425 --> 00:41:10.965

you know, to be using that foraging habitat year after year.

927

00:41:10.965 --> 00:41:14.205

We do have a concern that this compensatory habitat on

928

00:41:14.205 --> 00:41:15.245

its own isn't sufficient.

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00:41:15.345 --> 00:41:18.325

So we have proposed a number of mitigation measures on site

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00:41:18.865 --> 00:41:22.405

as part of the scheme, which I know Juniper have listened to

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00:41:22.405 --> 00:41:24.445

and taken, hopefully taken on board,

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00:41:24.855 --> 00:41:27.765

which includes improving the management of the,

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00:41:27.765 --> 00:41:31.325

what we call the ash lagoon field, uh, north of the,

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00:41:31.425 --> 00:41:32.765

um, of the fields.

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00:41:33.315 --> 00:41:34.445

There's a few things

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00:41:34.445 --> 00:41:36.165

that could be done there, which would enhance that.

937

00:41:36.165 --> 00:41:38.285

And curlews do use that for feeding at the moment,

938

00:41:38.305 --> 00:41:41.245

little extra grazing, uh, bringing all of

939

00:41:41.245 --> 00:41:43.965

that field into the same management for curlews,

940

00:41:44.665 --> 00:41:48.045

and also reducing some of the tree planting schemes close

941

00:41:48.045 --> 00:41:50.285

to the curlew feeding areas

942

00:41:50.435 --> 00:41:51.685

because we've gotta remember

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00:41:51.685 --> 00:41:53.805

that the lay down area will be restored

944

00:41:53.805 --> 00:41:55.205

to Kew habitats as well.

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00:41:55.545 --> 00:41:59.005

So it's really important in terms of the future, you know,

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00:41:59.005 --> 00:42:01.405

restoration of some kew habitat that we,

947

00:42:01.405 --> 00:42:03.085

that trees aren't planted to close,

948

00:42:03.085 --> 00:42:04.805

because curies will avoid areas

949

00:42:04.805 --> 00:42:06.365

where there are tree plantings.

950

00:42:07.185 --> 00:42:09.725

Um, and, and also they, they tend to harbor, um,

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00:42:10.155 --> 00:42:11.285

potential predators.

952

00:42:12.145 --> 00:42:14.725

Um, so those were our main thoughts.

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00:42:15.385 --> 00:42:17.165

Um, and, uh,

954

00:42:17.305 --> 00:42:20.205

but broad broadly, we have made been supportive

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00:42:20.205 --> 00:42:22.405

of the compensatory habitat being a good location,

956

00:42:23.065 --> 00:42:25.645

but personally I've not heard of that sort of

957

00:42:26.355 --> 00:42:28.765

habitat creation, some distance from the site being

958

00:42:28.765 --> 00:42:29.845

regarded as mitigation.

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00:42:29.845 --> 00:42:32.645

So that was a bit of a surprise to me to see that.

960

00:42:33.185 --> 00:42:35.085

But I sort of can understand there's sort, um,

961

00:42:35.085 --> 00:42:36.605

technical questions around that.

962

00:42:37.385 --> 00:42:42.125

Um, curlew do actually use the, the site at currently,

963

00:42:42.665 --> 00:42:45.245

um, but it's not in favorable condition for them.

964

00:42:45.265 --> 00:42:46.605

So certainly that can be improved.

965

00:42:46.825 --> 00:42:49.445

Uh, water levels can be raised, grapes can be created.

966

00:42:49.905 --> 00:42:52.045

So we're very supportive of all those proposals.

967

00:42:52.585 --> 00:42:55.805

Um, and any, any work that can improve these, um,

968

00:42:56.075 --> 00:42:58.005

invertebrates in those fields will help.

969

00:42:59.225 --> 00:43:01.045

Um, but yeah, I think the point both Ian

970

00:43:01.045 --> 00:43:02.525

and I are making that it is a quite a long way

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00:43:02.525 --> 00:43:03.605

from Connor's key.

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00:43:04.305 --> 00:43:08.125

So site near more nearby had been able to be located, then

973

00:43:08.125 --> 00:43:09.405

that would be much better.

974

00:43:10.025 --> 00:43:13.725

But clearly, you know, that's outside of our remit.

975

00:43:14.185 --> 00:43:17.645

But, um, but uh, thanks for for listening. Thank

976

00:43:17.645 --> 00:43:18.645

You Mr. Pollard. Thank you for

977

00:43:18.645 --> 00:43:22.085

that. Um, I'm just going to try

978

00:43:22.085 --> 00:43:23.805

and digest something that is a couple of things

979

00:43:23.805 --> 00:43:25.525

that have just picked out that, which I found very helpful.

980

00:43:26.225 --> 00:43:30.965

Uh, firstly, um, the fields at Gro,

981

00:43:32.065 --> 00:43:33.245

what's going to happen to any,

982

00:43:33.565 --> 00:43:34.925

I wasn't quite sure picking up from this policy.

983

00:43:35.045 --> 00:43:36.325

I think you were talking more about

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00:43:36.325 --> 00:43:37.685

what was existing at coe,

985

00:43:37.685 --> 00:43:39.005

but I was curious, something that was going

986

00:43:39.005 --> 00:43:41.365

through my hand is what about any existing

987

00:43:42.165 --> 00:43:45.965

wildlife habitat populations at, are they gonna be displaced

988

00:43:45.965 --> 00:43:47.365

by the curly that then go there?

989

00:43:47.785 --> 00:43:49.925

And then the second part is, is really following up,

990

00:43:50.065 --> 00:43:52.405

you know, and I think this has been raised by, by a number

991

00:43:52.405 --> 00:43:55.925

of parties himself included, is who,

992

00:43:55.935 --> 00:43:57.205

who's gonna tell these curly

993

00:43:57.205 --> 00:43:58.845

that you've bought 'em a field 20 miles down the road

994

00:43:58.845 --> 00:43:59.885

and signpost them to it?

995

00:44:02.575 --> 00:44:03.685

Thank you, uh, Dr.

996

00:44:03.685 --> 00:44:04.925

Strange Riley, I behalf the applicant,

997

00:44:04.925 --> 00:44:06.325

so I'll deal with that second point first.

998

00:44:06.465 --> 00:44:08.445

So, so this is an, is an important point.

999

00:44:08.825 --> 00:44:13.205

So, so the, the requirement for mitigation, uh,

1000

00:44:13.265 --> 00:44:15.645

to ensure non adverse effect on integrity is in relation

1001

00:44:15.645 --> 00:44:18.365

to the curlew population of the special protection area,

1002

00:44:18.585 --> 00:44:20.565

not specifically the curlew population

1003

00:44:20.565 --> 00:44:21.845

who happened to be at groment.

1004

00:44:22.505 --> 00:44:25.085

So what we are ensuring is

1005

00:44:25.085 --> 00:44:27.645

that there is sufficient functionally linked land

1006

00:44:27.705 --> 00:44:30.845

for Curlews around, uh, for the Curley population

1007

00:44:30.845 --> 00:44:31.965

of the SPA.

1008

00:44:32.345 --> 00:44:33.605

Uh, it was alluded to the fact

1009

00:44:33.605 --> 00:44:35.405

that curies are in the groin area as well.

1010

00:44:35.905 --> 00:44:39.405

Um, so that there is no net habit, no, there's no net loss

1011

00:44:39.405 --> 00:44:41.765

of foraging habitat or high day high tide roosting habitat

1012

00:44:41.765 --> 00:44:43.045

around the SPA.

1013

00:44:43.385 --> 00:44:46.365

So this compensatory habitat provision and the discussions

1014

00:44:46.365 --> 00:44:49.045

and agreements with have with natural resources whale, uh,

1015

00:44:49.045 --> 00:44:51.645

and the suggestion that grown field is the fields that,

1016

00:44:51.645 --> 00:44:54.765

that will be a good field to enhance is with regard

1017

00:44:54.825 --> 00:44:56.765

to the SBA population.

1018

00:44:56.785 --> 00:44:59.125

The SBA population is, is the target.

1019

00:44:59.515 --> 00:45:00.965

It's the SBA population

1020

00:45:00.965 --> 00:45:03.205

of curlew against which favorable conservation

1021

00:45:03.205 --> 00:45:04.285

status will be assessed.

1022

00:45:04.905 --> 00:45:08.085

Uh, it's the SBA population of curlew,

1023

00:45:08.085 --> 00:45:11.005

which the conservation objectives are set and,

1024

00:45:11.005 --> 00:45:14.365

and against which we do HRA rather than for specific parts

1025

00:45:14.365 --> 00:45:16.565

of what is an extremely large European site.

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00:45:17.185 --> 00:45:20.365

Now, that said, uh, with regards to some, uh,

1027

00:45:20.365 --> 00:45:21.725
recommendations that were made

1028

00:45:21.745 --> 00:45:24.285
to doing enhancements on the existing site, uh, to

1029

00:45:24.285 --> 00:45:27.725
with the ash lagoons, uh, I'm not personally involved in

1030

00:45:27.725 --> 00:45:29.845
that, but, um, I've made a note of it

1031

00:45:29.845 --> 00:45:31.365
and we can certainly take that away

1032

00:45:31.365 --> 00:45:33.245
and discuss it if it hasn't already been discussed.

1033

00:45:33.265 --> 00:45:34.925
But that's a separate matter.

1034

00:45:35.345 --> 00:45:38.365
Um, the issue with regard to the compensation is,

1035

00:45:38.365 --> 00:45:39.445
is exactly what you were saying.

1036

00:45:39.945 --> 00:45:42.485
You know, it is unlikely that curlews from groan it,

1037

00:45:42.485 --> 00:45:45.485
that area, uh, when they're in that area

1038

00:45:45.485 --> 00:45:46.845
because bear in mind the curlies in

1039

00:45:46.845 --> 00:45:48.765
that area won't necessarily always be such groment.

1040

00:45:48.765 --> 00:45:50.205

They move around all these birds move

1041

00:45:50.205 --> 00:45:51.925

around the European sites and indeed they will move

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00:45:51.925 --> 00:45:53.205

between European sites as well.

1043

00:45:53.625 --> 00:45:55.485

And indeed they're migratory quite a lot of them as well.

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00:45:55.545 --> 00:45:58.645

So, so this is about ensuring that the SPA

1045

00:45:58.645 --> 00:46:01.725

as a whole contains sufficient high tide foraging

1046

00:46:01.725 --> 00:46:02.725

and boosting habitat.

1047

00:46:02.855 --> 00:46:05.125

Thank you. So just, just a couple of things from

1048

00:46:05.125 --> 00:46:07.365

that again, uh, I must come back to the Lagoon

1049

00:46:07.445 --> 00:46:10.605

'cause I know, um, D side na Naturalist Society has, um,

1050

00:46:10.605 --> 00:46:14.595

picked up on that a few times, but, um, it just seems, yes.

1051

00:46:14.665 --> 00:46:16.675

Okay. You, I understand that you are, you're saying

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00:46:16.675 --> 00:46:20.595

for the whole population of the SPA is actually that's,

1053

00:46:21.055 --> 00:46:24.355

and then secondly, um, I would like

1054

00:46:24.355 --> 00:46:25.995

to thank you for picking out.

1055

00:46:26.355 --> 00:46:28.795

I would like to refer you to the comments made by, uh,

1056

00:46:29.085 --> 00:46:31.235

sorry, I'm gonna stick with DNS if it's easier for me

1057

00:46:31.235 --> 00:46:32.275

to pronounce at the moment.

1058

00:46:32.735 --> 00:46:33.995

Um, DNS

1059

00:46:33.995 --> 00:46:36.195

and their comments regarding that slu, I've seen that

1060

00:46:36.195 --> 00:46:37.755

as a number of representations that have come in.

1061

00:46:37.755 --> 00:46:38.955

And if you could please address that

1062

00:46:38.975 --> 00:46:42.475

and comment back to them, albeit in writing if it's easier.

1063

00:46:42.895 --> 00:46:47.395

Uh, they're, they're, they're suggested options for the, uh,

1064

00:46:47.395 --> 00:46:49.915

reappraisal and reopening of the Sluis on that side.

1065

00:46:51.445 --> 00:46:52.355

Sorry. Yes, I was just

1066

00:46:52.355 --> 00:46:53.635

having a discussion with a colleague.

1067

00:46:53.635 --> 00:46:55.235

Uh, I'll, we'll take that away and discuss it.

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00:46:55.335 --> 00:46:56.835

Uh, I'm being told it's outside the order limits,

1069

00:46:56.855 --> 00:46:58.315

but it is something that we'll, we'll,

1070

00:46:58.725 --> 00:47:01.195

we'll discuss. Um, right.

1071

00:47:01.435 --> 00:47:02.955

I hadn't identified that. Thank you. It,

1072

00:47:02.955 --> 00:47:04.835

It, it has just occurred to me that I didn't know redress

1073

00:47:04.835 --> 00:47:06.475

your, your second point, which was, uh,

1074

00:47:06.475 --> 00:47:07.795

will the enhancements to groan

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00:47:07.795 --> 00:47:09.395

and fields displace other wildlife.

1076

00:47:09.695 --> 00:47:12.355

So the enhancements will, will be designed in such a way

1077

00:47:12.355 --> 00:47:13.995

that they won't be displacing other wildlife.

1078

00:47:14.015 --> 00:47:15.875

So what, what, it's not a case of

1079

00:47:16.425 --> 00:47:18.955

radically transforming the habitat that is there.

1080

00:47:19.375 --> 00:47:21.075

It is, grassland will remain grassland.

1081

00:47:21.075 --> 00:47:23.555

It's more a case of enhancing the quality of that grassland,

1082

00:47:23.855 --> 00:47:26.355

uh, rewetting areas, putting in foot drains.

1083

00:47:26.355 --> 00:47:27.755

It will diversify the habitat.

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00:47:28.055 --> 00:47:30.525

It will have to be de designed in such a way.

1085

00:47:30.525 --> 00:47:31.885

And, and these are discussions we've been having

1086

00:47:31.885 --> 00:47:33.965

with natural resource as wells to ensure

1087

00:47:33.965 --> 00:47:36.685

that the existing interest isn't, isn't negatively affected,

1088

00:47:37.065 --> 00:47:39.005

uh, but it is considered by both ourselves.

1089

00:47:39.005 --> 00:47:41.005

And I think, well, in fact, it's just been mentioned by,

1090

00:47:41.025 --> 00:47:42.805

by side Naturalist society as well, that, uh,

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00:47:42.805 --> 00:47:44.525

there is considerable capacity at Grown

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00:47:44.525 --> 00:47:46.925

and fields to improve its ability to support curlew.

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00:47:47.185 --> 00:47:49.525

Uh, and that is effectively the purpose of, of

1094
00:47:49.525 --> 00:47:51.125
what we're looking to do here as our mitigation.

1095
00:47:51.775 --> 00:47:53.005
Thank you. Um,

1096
00:48:02.685 --> 00:48:04.285
a key parts of why I wanted

1097
00:48:04.285 --> 00:48:06.645
to hold this hearing early on in the examination,

1098
00:48:07.315 --> 00:48:12.085
it's relating to effectively a decision

1099
00:48:12.085 --> 00:48:13.685
that I'm gonna have to make in the recommendations

1100
00:48:13.685 --> 00:48:18.085
to Secretary of State as to whether in our opinion, um,

1101
00:48:20.745 --> 00:48:22.525
is what you're proposing to do is mitigation

1102
00:48:22.525 --> 00:48:25.845
or compensation, Uh, and how that sits.

1103
00:48:25.925 --> 00:48:28.245
I I'm gonna be very heavily reliant on, on,

1104
00:48:28.385 --> 00:48:30.285
on experts within my organization, but,

1105
00:48:30.285 --> 00:48:32.445
but you know, primarily from Natural Resources Wales

1106
00:48:32.445 --> 00:48:34.645
and Natural England, and comments from all, uh,

1107
00:48:34.885 --> 00:48:36.645

ecological bodies, including the local authorities

1108

00:48:36.785 --> 00:48:39.525

to help guide me on that, that recommendation.

1109

00:48:40.205 --> 00:48:43.125

I, I completely appreciate the comments that, um,

1110

00:48:43.635 --> 00:48:46.005

that resources Wales and networking have made so far that,

1111

00:48:46.025 --> 00:48:50.045

you know, um, it, the deadlines are a little bit short.

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00:48:50.045 --> 00:48:51.725

Apologies for that. Uh, we are, we are working

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00:48:51.725 --> 00:48:52.925

to quite a tight timescale.

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00:48:53.305 --> 00:48:55.285

Um, but I, I would rather wait

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00:48:55.425 --> 00:48:58.525

to make sure I get quality advice from yourselves than have

1116

00:48:58.525 --> 00:49:01.205

to, uh, push you against any hard deadlines.

1117

00:49:01.205 --> 00:49:03.605

So just so you're aware, those are the things that I, I,

1118

00:49:03.725 --> 00:49:05.005

I really would be looking to for help

1119

00:49:05.005 --> 00:49:06.245

from, from those parties with.

1120

00:49:06.245 --> 00:49:08.165

And I appreciate, you know, you've already advised today you

1121

00:49:08.165 --> 00:49:10.125

don't feel that you're in a position to comment on some

1122

00:49:10.125 --> 00:49:12.325

of the more recent submissions that come in as,

1123

00:49:12.425 --> 00:49:13.445

as are I am not.

1124

00:49:13.515 --> 00:49:16.205

Also, however, um, if you could,

1125

00:49:16.235 --> 00:49:17.445

when you get your opportunities

1126

00:49:17.445 --> 00:49:19.285

to make your written representations to me,

1127

00:49:19.345 --> 00:49:20.445

if you could help me make

1128

00:49:20.585 --> 00:49:22.805

and guide me in that place, that would be very useful.

1129

00:49:23.225 --> 00:49:26.645

And similarly, as you'd be aware at procedural deadline a

1130

00:49:26.665 --> 00:49:29.765

now, which is the end of December, we've received the draft,

1131

00:49:30.665 --> 00:49:33.245

um, without prejudice derogation Casey,

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00:49:33.525 --> 00:49:35.725

I could have your views on that as, as, as soon as

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00:49:36.365 --> 00:49:38.565

a possible after you know, those deadlines,

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00:49:38.565 --> 00:49:40.405

just once you've had a chance to digest 'em

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00:49:40.405 --> 00:49:42.325

and make me make your observations

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00:49:42.325 --> 00:49:44.045

and what your recommendations to me would be,

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00:49:44.045 --> 00:49:46.085

because that's going to be a key, I think just want

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00:49:46.085 --> 00:49:47.965

to highlight to you how important this issue is,

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00:49:48.025 --> 00:49:49.845

is there are a number of very key issues

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00:49:50.265 --> 00:49:51.365

for this proposed development.

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00:49:51.365 --> 00:49:52.365

But this is one that I can see

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00:49:52.365 --> 00:49:54.485

between potentially very challenging going forwards

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00:49:54.635 --> 00:49:57.525

because that has obviously got quite a different, um,

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00:49:58.955 --> 00:50:01.565

direction in, in the, the commentary

1145

00:50:01.565 --> 00:50:03.125

that I would be making to the Secretary of State.

1146

00:50:03.735 --> 00:50:04.735

Thank you.

1147

00:50:05.425 --> 00:50:08.045

So James Tro for the applicant. That's understood.

1148

00:50:08.135 --> 00:50:11.685

Thank you, sir. Um, can I just give you one other reference,

1149

00:50:12.305 --> 00:50:16.725

um, on the preceding topic, which was salt marsh

1150

00:50:17.345 --> 00:50:21.605

and the outfall in the derogation report,

1151

00:50:21.955 --> 00:50:26.725

4.1, 0.24, it explains,

1152

00:50:27.015 --> 00:50:29.885

sorry, I hope this is slightly outta turn, but just well

1153

00:50:29.885 --> 00:50:34.685

before we move away from it, um, it explains that of course,

1154

00:50:34.755 --> 00:50:38.485

what the applicant is doing is looking at the design

1155

00:50:38.585 --> 00:50:40.565

as it stands now,

1156

00:50:40.565 --> 00:50:43.165

the outline surface water drainage strategy.

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00:50:43.785 --> 00:50:48.125

And as part of that, the, um,

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00:50:48.795 --> 00:50:52.325

it's not been able to be able to be demonstrated so far

1159

00:50:52.755 --> 00:50:56.205

that there is any viable different drainage strategy,

1160

00:50:57.065 --> 00:51:01.285

but, uh, there is continued exploration of

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00:51:01.315 --> 00:51:04.925

what you were in fact referring to is the, the possibility

1162

00:51:04.945 --> 00:51:06.325

to use other outfalls.

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00:51:07.185 --> 00:51:11.365

And so it's not, clearly, it's not a closed door in

1164

00:51:11.365 --> 00:51:12.965

that respect, um,

1165

00:51:13.705 --> 00:51:17.325

but the nature of these assessments means realistic,

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00:51:17.325 --> 00:51:18.325

worst case, et cetera.

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00:51:18.325 --> 00:51:22.525

One has to assess the scheme based on not

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00:51:22.865 --> 00:51:25.405

yet having a viable alternative drainage strategy,

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00:51:25.735 --> 00:51:29.285

hence the outfall, hence mitigation,

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00:51:30.015 --> 00:51:34.285

hence without prejudice, uh, comp derogation compensation,

1171

00:51:34.285 --> 00:51:35.685

whichever way you look at it.

1172

00:51:36.065 --> 00:51:39.165

So I didn't want to give, I, is,

1173

00:51:39.165 --> 00:51:40.965

that's the way the law takes us in

1174

00:51:40.965 --> 00:51:42.205

the stages that had to be followed.

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00:51:42.505 --> 00:51:46.725

But the short point is the applicant continues to look at

1176

00:51:47.315 --> 00:51:49.085

alternative drainage strategies,

1177

00:51:49.255 --> 00:51:51.805

which would avoid that outfall,

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00:51:52.125 --> 00:51:53.125

I think. I think that's what I was trying

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00:51:53.125 --> 00:51:53.445

to get to.

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00:51:53.505 --> 00:51:54.565

If, if that could be avoided.

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00:51:54.725 --> 00:51:57.165

A lot of problems go away very quickly for, for all parties.

1182

00:51:57.405 --> 00:51:59.205

I think, albeit that there'll be still issues

1183

00:51:59.205 --> 00:52:00.325

with the functioning linked land,

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00:52:00.345 --> 00:52:02.165

That's a different Yes, I totally said that,

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00:52:02.185 --> 00:52:04.485

but I just, I, I just wanted to flag out

1186

00:52:04.485 --> 00:52:06.085

that part in the derogation report,

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00:52:06.085 --> 00:52:07.365

which explains that. Thank

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00:52:07.365 --> 00:52:08.365

You. Um,

1189

00:52:08.365 --> 00:52:12.845

before we move, would any parties like to comment in,

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00:52:12.865 --> 00:52:15.365

in, in the rumor online on that at all, uh,

1191

00:52:15.725 --> 00:52:16.805

a flinch account Council?

1192

00:52:19.265 --> 00:52:22.325

Uh, we, we, we do have a few comments to make on, uh,

1193

00:52:22.325 --> 00:52:24.245

agenda item 3.1 if that's, yeah,

1194

00:52:24.245 --> 00:52:25.565

that's an appropriate time. Yes,

1195

00:52:25.565 --> 00:52:26.125

Please. Yeah.

1196

00:52:26.745 --> 00:52:28.965

Um, so, uh,

1197

00:52:30.945 --> 00:52:33.405

so we've got five areas of concern

1198

00:52:33.975 --> 00:52:37.205

based upon our assessment thus far in this regard.

1199

00:52:37.345 --> 00:52:40.165

We intend to liaise and engage with the applicant prior

1200

00:52:40.165 --> 00:52:43.085

to submission on the LIR with regard to that,

1201

00:52:43.085 --> 00:52:45.085

but I think it might be useful just for yourself just

1202

00:52:45.085 --> 00:52:47.765

to have a bit of a headline of what these five areas are.

1203

00:52:48.425 --> 00:52:51.285

So in the first instance, we've got uncertainty in regard

1204

00:52:51.285 --> 00:52:53.365

to the ecological baseline, um,

1205

00:52:53.625 --> 00:52:56.325

and we are going to be seeking clarification in terms

1206

00:52:56.345 --> 00:52:57.805

of potential surveying gaps

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00:52:58.385 --> 00:53:01.525

and potential deviation from guidance and best practice.

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00:53:02.405 --> 00:53:05.445

Secondly, um, we want further consideration of

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00:53:06.125 --> 00:53:08.085

temporary versus permanent impacts.

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00:53:08.985 --> 00:53:10.805

So the loss of, uh, habitat

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00:53:10.805 --> 00:53:13.485

during construction period over nine years has nine years

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00:53:14.065 --> 00:53:15.565

has been considered temporary.

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00:53:16.545 --> 00:53:18.885

Um, and we are of the view that this length of time

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00:53:19.465 --> 00:53:21.405

has the potential to destroy the, um,

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00:53:21.555 --> 00:53:24.725

species lifecycle requirements and that may result,

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00:53:24.725 --> 00:53:27.405

therefore then in a permanent loss of species.

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00:53:27.825 --> 00:53:30.125

So, and population in terms of that.

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00:53:30.385 --> 00:53:33.845

So, um, we would consider a loss of habitat

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00:53:33.845 --> 00:53:36.245

for nine years plus to be considered a permanent loss

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00:53:36.345 --> 00:53:37.605

as opposed to a temporary loss,

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00:53:37.775 --> 00:53:39.805

which obviously then further affects assessment

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00:53:39.805 --> 00:53:41.005

and clarification thus far.

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00:53:42.545 --> 00:53:46.885

Um, in terms of habitat loss, and this is the third element

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00:53:46.985 --> 00:53:51.045

and gain calculations against the future baseline, uh,

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00:53:51.355 --> 00:53:54.525

we'd be seeking, um, clarification on habitat calculations

1226

00:53:54.585 --> 00:53:57.525

and assessment, uh, in terms of what's being lost

1227

00:53:57.525 --> 00:53:58.645

and the amount being lost.

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00:53:58.745 --> 00:54:01.445

And we found certain inconsistencies in some

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00:54:01.445 --> 00:54:03.245

of the documents that have been submitted,

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00:54:03.665 --> 00:54:06.965

so we'd be seeking clarification on those inconsistencies.

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00:54:07.305 --> 00:54:08.725

And that includes the loss

1232

00:54:08.725 --> 00:54:11.165

of irreplaceable salt marsh habitat

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00:54:11.185 --> 00:54:12.845

as we've been previously discussing.

1234

00:54:13.865 --> 00:54:18.125

Um, so as has also been discussed, our fourth element is the

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00:54:18.755 --> 00:54:20.725

impacts and, uh, mitigation

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00:54:20.725 --> 00:54:24.885

and compensation for the designated sites features we'd be

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00:54:24.885 --> 00:54:27.725

seeking for clarification on the construction methods

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00:54:27.745 --> 00:54:29.645

to be used in the designated sites

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00:54:29.745 --> 00:54:31.485

and the impact associated with that.

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00:54:32.185 --> 00:54:35.245

And also evidence to inform the appropriateness of the areas

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00:54:35.665 --> 00:54:38.605

and measures proposed for mitigation

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00:54:38.905 --> 00:54:40.685

and offsite compensation.

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00:54:40.945 --> 00:54:44.285

So I think back to that debate of is it mitigation

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00:54:44.345 --> 00:54:45.645

or is it compensation?

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00:54:46.745 --> 00:54:50.965

Um, and finally, uh, our fifth concern in terms of

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00:54:51.645 --> 00:54:54.605

existing habitats is the application of MBB

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00:54:55.105 --> 00:54:57.845

and that alignment with the stepwise approach.

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00:54:59.545 --> 00:55:02.005

Um, we've got concerns over the justifications

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00:55:02.185 --> 00:55:05.325

of the alignment with the stepwise approach, as well as how

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00:55:05.325 --> 00:55:08.485

that MBB has been calculated and justified.

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00:55:09.305 --> 00:55:12.485

So, I mean, essentially we've got five concerns relating to

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00:55:13.025 --> 00:55:16.525

the assessment and how conclusions have been raised in terms

1253

00:55:16.665 --> 00:55:18.525

of that assessment.

1254

00:55:19.575 --> 00:55:24.045

Thank you. Um, I appreciate, I mean,

1255

00:55:24.455 --> 00:55:28.165

we're probably covering off all in one go items 3.1, 3.2,

1256

00:55:28.165 --> 00:55:30.045

and 3.3 there that we're talking about.

1257

00:55:30.305 --> 00:55:35.205

I'd like to try and, um, come back to the agenda we given in

1258

00:55:35.205 --> 00:55:36.245

and try and pick up on.

1259

00:55:36.265 --> 00:55:38.845

We are picking up initially on, uh, I'll try

1260

00:55:38.845 --> 00:55:40.965

and take each of those items that you've raised one by one.

1261

00:55:41.685 --> 00:55:44.165

I I'm also very conscious, um, of the comments

1262

00:55:44.165 --> 00:55:45.965

that I received, um, prior

1263

00:55:45.965 --> 00:55:47.725

to the hearing from Natural Resources

1264

00:55:47.725 --> 00:55:48.925

Wales and Natural England.

1265

00:55:49.085 --> 00:55:51.845

I, I, if, feel free, if you wish to speak, I know

1266

00:55:51.915 --> 00:55:53.085

what you've already expressed to me,

1267

00:55:53.345 --> 00:55:55.405

but if, if there's something that I I, I wanna make sure

1268

00:55:55.405 --> 00:55:56.845

that I don't miss it if you do want to come in.

1269

00:55:56.845 --> 00:55:58.765

So I'm not pressuring you at all in any way,

1270

00:55:58.765 --> 00:56:01.005

but if you please tap me or shout

1271

00:56:01.065 --> 00:56:03.605

or, uh, if, if I am missing and you would like to come

1272

00:56:03.605 --> 00:56:05.765

and make a comment on anything that has been raised so far.

1273

00:56:06.505 --> 00:56:10.845

Um, so just going back to the issue of existing habitats

1274

00:56:11.065 --> 00:56:14.525

and the designated sites overview, I think I've,

1275

00:56:14.555 --> 00:56:15.605

I've, thank you.

1276

00:56:15.685 --> 00:56:16.565

I think I've gathered some

1277

00:56:16.755 --> 00:56:17.965

more information there that'll help.

1278

00:56:17.965 --> 00:56:20.845

There'll be some more, uh, questions coming from myself

1279

00:56:20.845 --> 00:56:22.525

and other parties in the written questions.

1280

00:56:23.145 --> 00:56:25.205

Um, I'm gonna move on to I icon 3.2,

1281

00:56:25.205 --> 00:56:28.565

which is the site's specific species impact I think we've

1282

00:56:28.645 --> 00:56:30.445

probably covered some of that already, talking about the

1283

00:56:30.445 --> 00:56:32.725

poor old Kew, but, um,

1284

00:56:33.145 --> 00:56:35.205

it would be nice if I can just make sure I haven't missed

1285

00:56:35.405 --> 00:56:37.045

anything or equally if there was something I've missed

1286

00:56:37.325 --> 00:56:40.325

previously about some of the other habitats, uh,

1287

00:56:40.825 --> 00:56:43.245

or local nature sites in the area that you would want

1288

00:56:43.245 --> 00:56:44.605

to highlight or pick out to me.

1289

00:56:44.605 --> 00:56:48.005

So, and then I'll finally come onto the MBB bit at, um,

1290

00:56:48.425 --> 00:56:49.685

at the end if that's okay,

1291

00:56:49.745 --> 00:56:50.965

and try and cover that one as well.

1292

00:56:53.145 --> 00:56:54.965

That's fine, Jen. Strong for the applicant.

1293

00:56:54.965 --> 00:56:59.285

That's fine, sir. Just, just to note, um, and,

1294

00:56:59.505 --> 00:57:02.125

and entirely up to you how you want to cover it,

1295

00:57:02.465 --> 00:57:06.725

Dr. Riley had only got to the first two parts of the HRA,

1296

00:57:06.985 --> 00:57:11.805

namely, right, uh, salt marsh and, uh, functioning land.

1297

00:57:12.785 --> 00:57:16.765

The HRA also covers other impact pathways, noise,

1298

00:57:16.865 --> 00:57:20.965

for example, and disturbance to species, um,

1299

00:57:21.555 --> 00:57:24.845

atmospheric pollution, air quality issues,

1300

00:57:25.185 --> 00:57:26.445

uh, water quality.

1301

00:57:27.345 --> 00:57:29.525

Um, we we're entirely in your hands.

1302

00:57:29.585 --> 00:57:30.645

He could, he can, I think

1303

00:57:30.705 --> 00:57:32.245

Please, He can outline those two.

1304

00:57:32.745 --> 00:57:37.165

Um, yes, and we were just taking them in

1305

00:57:37.985 --> 00:57:40.245

sub in, in, uh, topic order as it were.

1306

00:57:40.505 --> 00:57:41.605

So it is entirely up.

1307

00:57:41.605 --> 00:57:43.685

Uh, well, I think we can skip over those or, or

1308

00:57:43.755 --> 00:57:45.805

However you, uh, uh, whatever works best.

1309

00:57:45.965 --> 00:57:49.165

I, I sort of had a stab at coming up with the free issues

1310
00:57:49.185 --> 00:57:50.765
around which I'd like to Yeah,

1311
00:57:51.095 --> 00:57:53.845
probe a little bit further in this hearing if you want,

1312
00:57:53.945 --> 00:57:56.285
if it's easier for you in presenting information

1313
00:57:56.285 --> 00:57:57.525
to take all three in one hit

1314
00:57:58.065 --> 00:58:01.245
and say, this is, this is what's happening, this habitat,

1315
00:58:01.245 --> 00:58:03.565
this is the provision of habitat over here, which is NBB

1316
00:58:03.565 --> 00:58:04.645
as well, and this is the speed.

1317
00:58:04.785 --> 00:58:07.565
If that's an easier way to go through, feel free, as long

1318
00:58:07.565 --> 00:58:09.485
as we sort of get through those free topics

1319
00:58:09.555 --> 00:58:11.165
regarding ecology, I'll be happy

1320
00:58:11.615 --> 00:58:12.685
James Storm for the applicant.

1321
00:58:12.685 --> 00:58:13.885
That's fine, I think. We'll, I'll,

1322
00:58:13.885 --> 00:58:15.845
I'll hand over back to Dr. Riley.

1323
00:58:16.035 --> 00:58:18.525

Okay. Could I just make one point, um,

1324

00:58:19.785 --> 00:58:24.085

having just heard Flincher County Council's comments, um,

1325

00:58:24.625 --> 00:58:29.005

all, all noted, um, we are obviously, I hope continuing to,

1326

00:58:29.235 --> 00:58:31.565

well, I know we are, but in continued engagement

1327

00:58:31.565 --> 00:58:36.325

with Flincher, if there are points of detail of any relating

1328

00:58:36.325 --> 00:58:37.725

to our assessments

1329

00:58:37.725 --> 00:58:41.285

or any of the material, then the sooner we're made aware

1330

00:58:41.285 --> 00:58:42.805

of it, we can then discuss it

1331

00:58:42.805 --> 00:58:44.845

and see if it's an issue or not.

1332

00:58:45.385 --> 00:58:47.445

But we, I would just reiterate that invitation.

1333

00:58:47.445 --> 00:58:49.005

Please come talk to us

1334

00:58:49.005 --> 00:58:52.005

and let us know what the, the specific points are.

1335

00:58:52.265 --> 00:58:55.445

But that's, I off offer that invitation for you, sir.

1336

00:58:55.445 --> 00:58:57.045

Thank you. But anyway, I'm gonna get back to Dr.

1337

00:58:57.045 --> 00:58:58.045

O'Reilly by May.

1338

00:58:59.785 --> 00:59:00.565

Uh, thank you, uh,

1339

00:59:00.565 --> 00:59:01.925

Dr. James Riley on behalf of the applicant.

1340

00:59:02.045 --> 00:59:04.485

I will, there are a few more topics as, as has been alluded

1341

00:59:04.505 --> 00:59:07.285

to specifically regard to impacts and designated sites.

1342

00:59:07.285 --> 00:59:09.045

So it does cover your, your, your agenda.

1343

00:59:09.425 --> 00:59:11.405

Uh, and then I can hand over to, to Ms. Davis

1344

00:59:11.465 --> 00:59:13.485

and she may talk more widely about protected species,

1345

00:59:13.485 --> 00:59:16.125

which may be, may be what you're interested in as well.

1346

00:59:16.745 --> 00:59:18.525

Um, so the other, the third topic

1347

00:59:18.525 --> 00:59:20.965

that we discussed in the habitat regulation assessment is

1348

00:59:21.135 --> 00:59:22.725

noise and visual disturbance.

1349

00:59:23.385 --> 00:59:25.045

Um, this is pages 66

1350

00:59:25.045 --> 00:59:27.325

and 67 of the appropriate assessment report.

1351

00:59:27.825 --> 00:59:30.085

Um, so this is specifically with regard

1352

00:59:30.085 --> 00:59:33.085

to the DS three special protection area and, and Ramsar site

1353

00:59:33.105 --> 00:59:35.245

and the disturbance of, uh, birds using that.

1354

00:59:35.585 --> 00:59:38.845

And then also an assessment of, uh, possible disturbance

1355

00:59:38.845 --> 00:59:41.925

of otter associated with the, uh, river D

1356

00:59:42.145 --> 00:59:44.405

and ball lake SAC as well and,

1357

00:59:44.405 --> 00:59:45.925

and their movements outside the system.

1358

00:59:46.385 --> 00:59:50.965

Um, in summary, um, a 70 decibel threshold

1359

00:59:50.965 --> 00:59:52.325

for noise disturbance was agreed

1360

00:59:52.325 --> 00:59:53.645

with Natural Resources Wales.

1361

00:59:53.945 --> 00:59:57.285

Um, since the affected areas are are all in Wales, we felt

1362

00:59:57.285 --> 00:59:59.525

that that was appropriate to, to follow their guidelines

1363

00:59:59.525 --> 01:00:01.405

and, and seek gr with them on that matter.

1364

01:00:02.105 --> 01:00:06.405

Um, we then actually applied a 60 decibel threshold,

1365

01:00:06.405 --> 01:00:08.045

which is in other words, half as loud.

1366

01:00:08.105 --> 01:00:09.805

So we were considerably more

1367

01:00:09.805 --> 01:00:11.125

precaution in our assessment there.

1368

01:00:11.515 --> 01:00:14.205

That is a threshold. We did know Natural England's comments

1369

01:00:14.385 --> 01:00:15.405

and, and we have discussed it

1370

01:00:15.405 --> 01:00:18.685

with them in their meetings in December about, uh, whether

1371

01:00:18.685 --> 01:00:20.965

or not they, they care for that threshold and how it's used,

1372

01:00:20.965 --> 01:00:22.085

but it, but it is a threshold.

1373

01:00:22.085 --> 01:00:24.445

We have agreed with Natural England on other DCO

1374

01:00:24.445 --> 01:00:25.765

projects and other projects.

1375

01:00:26.265 --> 01:00:29.685

Um, and it is one that, that, uh, we've

1376

01:00:29.685 --> 01:00:32.565

therefore applied here as precautionary fundamentally, uh,

1377

01:00:32.575 --> 01:00:34.445

paragraphs 10.2 point 12

1378

01:00:34.445 --> 01:00:38.005

and 10.2 point 17 of the appropriate assessment conclude

1379

01:00:38.005 --> 01:00:39.805

that adverse effects on integrity

1380

01:00:39.865 --> 01:00:41.765

during construction can be avoided,

1381

01:00:42.365 --> 01:00:44.045

provided that there is acoustic fencing

1382

01:00:44.045 --> 01:00:47.405

between the proposed development and the D sary, uh, itself.

1383

01:00:47.825 --> 01:00:50.445

So the actual river D to the to the north, um,

1384

01:00:50.895 --> 01:00:52.925

works within the SPA rams our site.

1385

01:00:52.925 --> 01:00:55.205

So in other words, the, the, the water connection corridor

1386

01:00:55.385 --> 01:00:57.685

and the, the new outfall would have to be undertaken

1387

01:00:57.685 --> 01:00:59.205

outside the wintering bird period,

1388

01:00:59.205 --> 01:01:01.885

which is the key be key period for, um,

1389

01:01:02.365 --> 01:01:03.485

SPA birds in this area.

1390

01:01:04.225 --> 01:01:06.605

Uh, and there would need to be the application of, uh,

1391

01:01:06.605 --> 01:01:08.725

best practical man noise control means as well,

1392

01:01:08.725 --> 01:01:11.245

which are set out in the HA such as shrouds on piling.

1393

01:01:11.265 --> 01:01:14.845

So shrouded piling was specifically modeled, uh, with regard

1394

01:01:14.845 --> 01:01:15.965

to operational noise.

1395

01:01:16.385 --> 01:01:19.605

Uh, we modeled, uh, uh, worst case scenario

1396

01:01:19.605 --> 01:01:21.045

with the entire plant operating and,

1397

01:01:21.185 --> 01:01:24.445

and the noise levels do not exceed 60 decibels, um,

1398

01:01:24.715 --> 01:01:27.125

even without mitigation, uh, at the SPA.

1399

01:01:27.225 --> 01:01:29.525

So there is no requirement for mitigation there.

1400

01:01:29.525 --> 01:01:34.125

That's in paragraph 7.3 0.2 and 7.3 0.3 of the HRA.

1401

01:01:34.705 --> 01:01:38.765

And with regard to visual disturbance, um, we identified

1402

01:01:38.765 --> 01:01:41.765

that the acoustic fence would also provide a visual screen

1403

01:01:41.825 --> 01:01:43.525

during construction from the river area.

1404

01:01:43.745 --> 01:01:46.405

And then there is also the two meter high vegetated bun,

1405

01:01:46.405 --> 01:01:47.885

so total at least four meters high,

1406

01:01:47.885 --> 01:01:49.485

that is a screen at the western end

1407

01:01:49.595 --> 01:01:51.085

between the lay down area

1408

01:01:51.145 --> 01:01:53.165

and the SPA further to the west there.

1409

01:01:53.225 --> 01:01:54.525

So there is that screening there.

1410

01:01:55.105 --> 01:01:57.205

And then during operation, uh,

1411

01:01:57.415 --> 01:01:59.805

there would be a 250 meter separation

1412

01:01:59.805 --> 01:02:02.365

between the operational developments and the SPA to the west

1413

01:02:02.545 --> 01:02:05.485

and a 30 meter separation from the D sry to the north.

1414

01:02:06.025 --> 01:02:07.725

And coupled with the, the lighting strategy,

1415

01:02:07.725 --> 01:02:09.645

that is a PP 2 78

1416

01:02:09.645 --> 01:02:11.965

and the controls that are set out in, in that document

1417

01:02:11.965 --> 01:02:13.685

with regard to directional lighting

1418

01:02:13.865 --> 01:02:14.885
and lighting controls,

1419

01:02:15.305 --> 01:02:17.485
no adverse effect on integrity will arise.

1420

01:02:18.345 --> 01:02:20.725
Um, we did note

1421

01:02:20.755 --> 01:02:23.285
that natural England in their relevant reps raised some

1422

01:02:23.285 --> 01:02:25.485
concerns about disturbance of otter.

1423

01:02:25.905 --> 01:02:28.165
Uh, but, uh, we think this may have been,

1424

01:02:28.665 --> 01:02:30.325
and again, we discussed this with them in December,

1425

01:02:30.345 --> 01:02:31.765
it may have been a misunderstanding about

1426

01:02:31.765 --> 01:02:33.765
what was proposed in the water connection corridor.

1427

01:02:34.185 --> 01:02:36.045
So there are references to divers,

1428

01:02:36.145 --> 01:02:37.525
but those are safety divers.

1429

01:02:37.655 --> 01:02:41.165
There, the works will be done, uh, from the land, um,

1430

01:02:41.505 --> 01:02:45.125
and there is going to be no works that would, well,

1431

01:02:45.125 --> 01:02:46.485

the first thing I should have said was

1432

01:02:46.485 --> 01:02:48.285

that there are no others are most settled

1433

01:02:48.345 --> 01:02:49.325

to disturbance when they're

1434

01:02:49.325 --> 01:02:50.405

in the halts and the resting places.

1435

01:02:50.425 --> 01:02:51.685

And that we have not recorded any

1436

01:02:51.685 --> 01:02:53.765

of those within 300 meters of the works area.

1437

01:02:54.505 --> 01:02:57.965

Uh, and we won't be doing anything that will disrupt, uh,

1438

01:02:58.245 --> 01:02:59.765

ter passage or cause ter disturbance.

1439

01:02:59.765 --> 01:03:01.605

So the mitigation measures we're talking about will,

1440

01:03:01.605 --> 01:03:02.925

will protect that species as well.

1441

01:03:03.065 --> 01:03:06.365

So, um, there is no issue there as far as we're concerned.

1442

01:03:08.505 --> 01:03:10.605

Uh, if you don't want me to stop, I'll just go

1443

01:03:10.605 --> 01:03:11.965

and talk about atmospheric pollution. I,

1444

01:03:11.965 --> 01:03:13.245

I have got a couple of hands up Okay.

1445

01:03:13.305 --> 01:03:17.165

On the call, uh, from the gentleman at DNS, I just, um,

1446

01:03:21.115 --> 01:03:23.005

Just, sorry, I'm just again digesting

1447

01:03:23.005 --> 01:03:24.565

what you are telling me now, and I'm appreciating,

1448

01:03:25.185 --> 01:03:26.485

I'm straying outta the issue

1449

01:03:26.485 --> 01:03:27.525

of ecology, so I've gotta be careful.

1450

01:03:27.585 --> 01:03:31.605

But, um, I know we, we are undertaking, you know, noises

1451

01:03:31.705 --> 01:03:36.365

as a potential issue in this examination, uh, for not just

1452

01:03:37.085 --> 01:03:38.725

wildlife populations, but local residents as well,

1453

01:03:39.145 --> 01:03:41.165

but also the visual impact of, you know,

1454

01:03:41.225 --> 01:03:43.965

whilst I appreciate the visual screening of the site

1455

01:03:44.385 --> 01:03:46.645

and the acoustic screening of the site for the wildlife,

1456

01:03:47.315 --> 01:03:48.925

it's also gotta be looked at in the context

1457

01:03:48.945 --> 01:03:50.165

of local residents as well.

1458

01:03:50.465 --> 01:03:53.885

Uh, and, um, what, what visual, you know, what, what,

1459

01:03:53.955 --> 01:03:55.885

what does it, what are we, for instance,

1460

01:03:55.885 --> 01:03:58.765

could you just describe to me what does the acoustic screen

1461

01:03:59.345 --> 01:04:00.565

you are describing look like?

1462

01:04:01.425 --> 01:04:04.325

Um, I think so I'm not, I'm not the noise specialist,

1463

01:04:04.345 --> 01:04:06.325

so other colleagues would've to come back to this

1464

01:04:06.325 --> 01:04:08.805

to be clear, but normally it's a two

1465

01:04:08.825 --> 01:04:11.325

to three meter high piece of closed board fencing.

1466

01:04:11.995 --> 01:04:14.805

Okay. Um, yeah, if it's okay, I will come

1467

01:04:14.805 --> 01:04:16.005

to the just gentleman on the call.

1468

01:04:16.205 --> 01:04:17.325

I think, um, Mr. Spence,

1469

01:04:17.325 --> 01:04:19.005

your hand was up first, if I can come to you.

1470

01:04:20.155 --> 01:04:23.085

Yeah, so thank you. Ian Spence, uh, side National Society.

1471

01:04:24.305 --> 01:04:27.725

One of the concerns that I haven't, uh, heard about at a,

1472

01:04:28.085 --> 01:04:32.285

a previous meeting, not in the planning uh, arena,

1473

01:04:32.945 --> 01:04:37.645

was the building that's going to be made presumably is going

1474

01:04:37.645 --> 01:04:41.285

to be not far off the height of the existing power station,

1475

01:04:41.695 --> 01:04:45.045

which, uh, I haven't actually measured it,

1476

01:04:45.105 --> 01:04:48.165

but is what, 30 meters high at least.

1477

01:04:49.025 --> 01:04:51.125

And I just wonder what a two

1478

01:04:51.185 --> 01:04:54.445

or three meter fence is actually gonna do in terms

1479

01:04:54.465 --> 01:04:57.485

of either visual or noise, uh,

1480

01:04:58.655 --> 01:05:00.885

mitigation when the building is going

1481

01:05:00.885 --> 01:05:03.165

to be massively higher than the fence.

1482

01:05:04.525 --> 01:05:07.885

I just don't understand why such fence is thought to be

1483

01:05:08.705 --> 01:05:12.685

useful and why there needs to be something much greater.

1484

01:05:13.325 --> 01:05:14.845

I mean, like a line of trees,

1485

01:05:15.125 --> 01:05:17.445

although trouble is they would take considerable time

1486

01:05:17.445 --> 01:05:18.445

To grow.

1487

01:05:19.575 --> 01:05:22.365

Thank you. Thanks sir. And if I could come to Mr. Pollard

1488

01:05:22.365 --> 01:05:23.845

as well, if you, have you got a comment, sir?

1489

01:05:24.575 --> 01:05:27.165

Thank you. Yes. Mike Pollard from D side naturalists.

1490

01:05:27.625 --> 01:05:29.365

Um, a couple of points. One is just

1491

01:05:29.555 --> 01:05:33.045

regarding the dery being important for wintering,

1492

01:05:33.425 --> 01:05:34.485

uh, water birds.

1493

01:05:34.875 --> 01:05:36.845

It's actually really important right

1494

01:05:36.865 --> 01:05:37.965

the way through the year.

1495

01:05:38.225 --> 01:05:39.765

And in fact, the peak number

1496

01:05:39.785 --> 01:05:42.725

of curlews on the Dria occurs in August.

1497

01:05:43.065 --> 01:05:45.885

So you've gotta be really careful about the, the timing

1498

01:05:46.025 --> 01:05:47.405

of, uh, of work.

1499

01:05:47.425 --> 01:05:49.685

And it, it can impact on really important way

1500

01:05:49.685 --> 01:05:51.365

to populations almost any time of year.

1501

01:05:51.985 --> 01:05:55.885

The, uh, several thousand red Shanker there in the autumn

1502

01:05:55.885 --> 01:05:59.765

peaking in September, October, Blacktail Godwits Peak in

1503

01:06:00.925 --> 01:06:02.845

September, probably September, October.

1504

01:06:03.565 --> 01:06:06.525

A lot of these birds are returning from the Arctic in July,

1505

01:06:06.625 --> 01:06:08.045

August, September.

1506

01:06:08.065 --> 01:06:10.245

So just to give you a picture, there's a lot of birds moving

1507

01:06:10.245 --> 01:06:12.725

through in the autumn, and then there's a lot

1508

01:06:12.725 --> 01:06:13.805

that come in and spend the winter.

1509

01:06:13.905 --> 01:06:16.005

And then there's a lot that move through on spring passage.

1510

01:06:16.905 --> 01:06:19.605

And because birds are nesting in, in the high arctic,

1511

01:06:19.715 --> 01:06:22.325

they're often coming through in May to give you, just

1512

01:06:22.325 --> 01:06:23.965

to give you a picture, uh,

1513

01:06:23.965 --> 01:06:26.205

because they, they can't breed in the Arctic till June,

1514

01:06:26.915 --> 01:06:28.725

till the ice is and the snow's cleared.

1515

01:06:29.025 --> 01:06:33.245

So there's, there's a, is it's a credible, um, sort

1516

01:06:33.245 --> 01:06:35.405

of highway for, for birds

1517

01:06:35.625 --> 01:06:39.325

and a key sort of stopping off point in, in that Flyway.

1518

01:06:40.065 --> 01:06:42.565

Um, we are really con as Ian mentioned,

1519

01:06:42.565 --> 01:06:44.085

we're really concerned actually about

1520

01:06:44.275 --> 01:06:47.565

what the impact will be in reality during construction

1521

01:06:47.715 --> 01:06:50.885

because the, the construction will be close

1522

01:06:50.905 --> 01:06:53.285

to the sort marsh and mudflats that are used

1523

01:06:53.285 --> 01:06:54.325

by a lot of these birds.

1524

01:06:54.865 --> 01:06:58.125

So we are concerned that as the construction goes higher

1525

01:06:58.125 --> 01:07:00.805

and higher, um, that the noise

1526

01:07:00.945 --> 01:07:03.445

and the movements may well impact on the birds

1527

01:07:03.445 --> 01:07:04.685

using that area.

1528

01:07:05.505 --> 01:07:09.045

Um, 'cause at most states of there is quite a lot

1529

01:07:09.045 --> 01:07:10.765

of mud exposed, immediately adjacent,

1530

01:07:10.825 --> 01:07:13.325

and a lot, you know, hundreds, thousands, sometimes

1531

01:07:13.325 --> 01:07:14.645

of birds are using that area.

1532

01:07:15.425 --> 01:07:18.245

So we've suggested, and we, we agree that it's a moderate

1533

01:07:18.385 --> 01:07:22.405

or major in adverse impact, um, in relation to those birds.

1534

01:07:22.985 --> 01:07:27.485

Um, but, um, we are not yet sort

1535

01:07:27.485 --> 01:07:29.245

of understanding how that, you know,

1536

01:07:29.245 --> 01:07:32.125

that impact's gonna be mitigated by what's being proposed.

1537

01:07:32.905 --> 01:07:35.285

And, um, so we are very nervous about that

1538

01:07:35.385 --> 01:07:39.005

and we've suggested that there should be a sort of on,

1539

01:07:39.065 --> 01:07:40.685

on commencement really.

1540

01:07:40.685 --> 01:07:44.165

There should be a, a very strong sort of watching brief to

1541

01:07:44.725 --> 01:07:47.485

identify disturbance effect effects rather than just

1542

01:07:47.485 --> 01:07:48.805

monitoring bird populations.

1543

01:07:48.805 --> 01:07:51.365

What we need to do is identify the disturbance events,

1544

01:07:52.255 --> 01:07:54.845

which may be unpredictable at this stage, but,

1545

01:07:54.905 --> 01:07:56.645

and then mitigate rapidly for them,

1546

01:07:57.225 --> 01:07:58.405

if that's at all possible.

1547

01:07:58.685 --> 01:07:59.885

Recognize that some of this won't be possible,

1548

01:07:59.945 --> 01:08:02.005

but we've gotta do everything we can really just

1549

01:08:02.145 --> 01:08:04.285

to prevent disturbance to those birds

1550

01:08:04.915 --> 01:08:06.325

that are using the mud flats

1551

01:08:06.325 --> 01:08:09.405

and sort marsh adjacent at at particular times.

1552

01:08:10.025 --> 01:08:12.085

So those are the two points I just wanted to add.

1553

01:08:12.495 --> 01:08:13.725

Thank, thank you Mr. Pollard.

1554

01:08:13.785 --> 01:08:16.245

Um, uh, that's useful to know.

1555

01:08:16.425 --> 01:08:21.325

Um, as, as a sort of general comment, I, I,

1556

01:08:21.765 --> 01:08:26.125

I empathize a little bit that, um, you've got a fantastic

1557

01:08:27.355 --> 01:08:28.845

Habitat reserve this site,

1558

01:08:29.345 --> 01:08:31.165

and I, I appreciate that, you know,

1559

01:08:31.165 --> 01:08:32.165

obviously it existed long

1560

01:08:32.165 --> 01:08:35.365

before the existence of, uh, the infrastructure here,

1561

01:08:35.385 --> 01:08:38.325

but it's also been preserved to some extent by the original

1562

01:08:39.315 --> 01:08:41.605

coal fired power station being built when it did in the

1563

01:08:41.605 --> 01:08:43.965

agreements that rine its predecessor put in place

1564

01:08:44.035 --> 01:08:47.085

with people like DNS and the, uh, hides

1565

01:08:47.085 --> 01:08:51.005

and, uh, reserves that it is established, uh, so

1566

01:08:51.795 --> 01:08:53.685

hoisted by your own batard to some extent

1567

01:08:53.685 --> 01:08:57.325

that you've created an excellent internationally designated

1568

01:08:57.645 --> 01:09:00.005

wildlife reserve adjacent to your operational site.

1569

01:09:00.625 --> 01:09:03.765

Uh, but now that obviously constricts you to some extent.

1570

01:09:04.145 --> 01:09:07.205

Um, I, I would like the applicant to make sure

1571

01:09:07.235 --> 01:09:11.165

that they make use of, um, uh, de deci naturalist,

1572

01:09:11.305 --> 01:09:13.325

so society's evidence, uh,

1573

01:09:13.325 --> 01:09:15.445

and the expertise that, that the,

1574

01:09:15.465 --> 01:09:17.765

the colleagues on the call have collected over many years

1575

01:09:17.875 --> 01:09:20.765

because it's obviously invaluable to your,

1576

01:09:21.465 --> 01:09:23.125

um, making your case.

1577

01:09:23.465 --> 01:09:25.725

And similarly, as Flincher County Council have said,

1578

01:09:25.725 --> 01:09:27.685

you know, that their, their uncertainty about some

1579

01:09:27.685 --> 01:09:29.205

of your baseline evidence data.

1580

01:09:29.365 --> 01:09:32.325

I mean, you, you, you have, you have the, the fortune

1581

01:09:32.545 --> 01:09:36.765

and misfortune have having an expert group of, um,

1582

01:09:37.325 --> 01:09:40.245

ologists and other wildlife specialists on your doorstep

1583

01:09:40.245 --> 01:09:41.805

that will be able to provide you with the evidence

1584

01:09:41.805 --> 01:09:43.725

to help support you and, uh, do that.

1585

01:09:43.725 --> 01:09:45.365

So I would like to see that you make use of that

1586

01:09:45.365 --> 01:09:47.485

and engage with that party as best as you can.

1587

01:09:48.935 --> 01:09:51.725

Thank you, Uh,

1588

01:09:51.745 --> 01:09:53.365

Dr. James Riley on behalf of the applicant.

1589

01:09:53.365 --> 01:09:57.245

Just to, to cover a few of those points, um, while noting

1590

01:09:57.245 --> 01:09:59.485

that there are significant bird populations in the

1591

01:09:59.485 --> 01:10:00.805

pedestrian at all times of view with regards

1592

01:10:00.805 --> 01:10:02.685

to habitat regulation assessment, which is specifically

1593

01:10:02.685 --> 01:10:04.725

what I'm talking about, the society designated

1594

01:10:04.725 --> 01:10:08.045

for its wintering bird populations apart from certain

1595

01:10:08.365 --> 01:10:09.365

locations where they're an nesting turns.

1596

01:10:09.505 --> 01:10:12.445

So that's the, the reason why I focused on that.

1597

01:10:12.985 --> 01:10:15.245

Uh, in terms of the role of fence fencing,

1598

01:10:15.485 --> 01:10:17.085

I think it depends on the phase of the works,

1599

01:10:17.185 --> 01:10:18.965

but we are talking about, for example,

1600

01:10:18.985 --> 01:10:21.445

the noise modeling has modeled things like compound set up

1601

01:10:22.005 --> 01:10:24.725

movements are compounds piling, those kind of things,

1602

01:10:24.725 --> 01:10:26.725

which are often within the bottom four

1603

01:10:26.725 --> 01:10:27.925

or five meters, let's say.

1604

01:10:28.545 --> 01:10:30.645

I'm not an assets acoustician, but that's my, yeah.

1605

01:10:30.645 --> 01:10:31.685

You know, that's where the core

1606

01:10:31.685 --> 01:10:34.725

of the activity is rather than upon the buildings

1607

01:10:34.725 --> 01:10:36.445
themselves, if you like. Um,

1608

01:10:36.995 --> 01:10:37.995
Yeah.

1609

01:10:39.025 --> 01:10:40.965
Uh, and, and to some extent that goes back

1610

01:10:40.965 --> 01:10:42.805
to the conversations we had yesterday about your

1611

01:10:43.245 --> 01:10:45.205
construction program and also the comments raised

1612

01:10:45.205 --> 01:10:47.605
by flinching, uh, county council about, you know, whether,

1613

01:10:47.605 --> 01:10:49.165
whether the effects of a nine year

1614

01:10:49.765 --> 01:10:51.565
construction program are permanent or temporary.

1615

01:10:51.985 --> 01:10:53.685
It, the, the, the most you can do

1616

01:10:53.685 --> 01:10:55.365
to limit disruption for local people.

1617

01:10:55.945 --> 01:10:58.165
Uh, making the construction program as short

1618

01:10:58.165 --> 01:11:00.005
as possible would have obviously

1619

01:11:00.005 --> 01:11:01.125
the most benefit for all parties.

1620

01:11:02.585 --> 01:11:04.485

Um, Mrs. Hu at the back of the room.

1621

01:11:04.865 --> 01:11:07.045

Can I, can I, I think, uh, you going

1622

01:11:07.045 --> 01:11:08.925

to pass the microphone to Mrs.

1623

01:11:08.925 --> 01:11:09.925

Hume please?

1624

01:11:17.035 --> 01:11:20.685

With regard to the pile driving in past the document,

1625

01:11:20.825 --> 01:11:23.685

it states, and I actually spoke to somebody in one

1626

01:11:23.685 --> 01:11:27.765

of the meetings that they would be doing a, uh, a drilling

1627

01:11:28.465 --> 01:11:30.005

rather than piling.

1628

01:11:31.145 --> 01:11:33.845

And I noticed in the documents early on, it says,

1629

01:11:34.445 --> 01:11:36.205

specifically mentions drilling,

1630

01:11:36.865 --> 01:11:39.685

but again, they keep reserve going back

1631

01:11:39.705 --> 01:11:41.405

to pile driving yet again.

1632

01:11:42.265 --> 01:11:44.565

And people have said, oh, oh no, we,

1633

01:11:44.565 --> 01:11:45.605

that shouldn't be necessary,

1634

01:11:46.425 --> 01:11:48.645

but this is what we've been anxious about right

1635

01:11:48.645 --> 01:11:49.765

from the very beginning.

1636

01:11:50.865 --> 01:11:53.325

So I just wanted to make that No, thank you. Thank,

1637

01:11:53.335 --> 01:11:54.335

Thank you. And I recall

1638

01:11:54.335 --> 01:11:55.965

your comments earlier about your concerns about

1639

01:11:55.965 --> 01:11:58.765

the vibrations from that piling of the previous, uh,

1640

01:11:59.325 --> 01:12:00.525

construction also.

1641

01:12:00.865 --> 01:12:02.645

Yes. Sorry, lady to your right.

1642

01:12:02.645 --> 01:12:04.325

Sorry, I forgot your apologies. I've forgot your name.

1643

01:12:05.385 --> 01:12:07.565

Uh, my name is Delia Beni. Yes.

1644

01:12:07.565 --> 01:12:08.765

And I live in Rockcliff Lane.

1645

01:12:09.565 --> 01:12:12.725

I spoke yesterday, I am not a scientist

1646

01:12:13.025 --> 01:12:14.565

and I've been rather blinded

1647

01:12:14.585 --> 01:12:18.925

by the science put forward today also the references to

1648

01:12:19.445 --> 01:12:22.605

p this and whatever, it means nothing to me.

1649

01:12:23.305 --> 01:12:27.925

But I am very, very concerned about the estuary

1650

01:12:28.065 --> 01:12:29.725

and the loss of the salt marshes

1651

01:12:30.105 --> 01:12:32.565

and the old adage, when it's done, it's done.

1652

01:12:32.955 --> 01:12:34.445

When it's gone, it's gone.

1653

01:12:35.115 --> 01:12:38.165

It's very true in this situation. Thank you.

1654

01:12:38.495 --> 01:12:41.925

Thank you, Mr. Be, um, thank you.

1655

01:12:42.025 --> 01:12:44.965

Um, coming back to the point, you, you, Mr.

1656

01:12:45.205 --> 01:12:49.085

H you raised about the piling one of the things, um, we are,

1657

01:12:49.085 --> 01:12:50.525

we are specifically talking this morning

1658

01:12:50.525 --> 01:12:51.645

about the, the ecology.

1659

01:12:51.945 --> 01:12:53.925

I'm very concerned about the local residents as well,

1660

01:12:54.025 --> 01:12:57.045

but we, we will have issue specific hearings going forward

1661

01:12:57.065 --> 01:12:58.245
on other specific matters.

1662

01:12:58.785 --> 01:13:01.005
One of those, um, I'm considering is whether we, we need

1663

01:13:01.005 --> 01:13:03.325
to explore, um, noise and vibration issues

1664

01:13:03.415 --> 01:13:04.445
after what you've raised

1665

01:13:04.445 --> 01:13:05.685
with me and others have raised with me.

1666

01:13:06.105 --> 01:13:08.365
Uh, and, and also the history of noise

1667

01:13:08.365 --> 01:13:10.085
and vibration that was experienced when the last

1668

01:13:10.085 --> 01:13:11.245
development occurred at the site.

1669

01:13:12.225 --> 01:13:15.285
Um, thank you Mrs. Betley for your point as well.

1670

01:13:15.345 --> 01:13:19.445
And, uh, I, I, i, I empathize greatly

1671

01:13:19.445 --> 01:13:21.285
because there are a very large number

1672

01:13:21.285 --> 01:13:23.005
of documents in this examination,

1673

01:13:23.085 --> 01:13:24.485
and it's very hard to find your way.

1674

01:13:24.485 --> 01:13:26.765

Random one, when you're employed

1675

01:13:26.765 --> 01:13:28.285
and working in the examination.

1676

01:13:28.425 --> 01:13:30.125
Two, when you're a member of the public who's trying

1677

01:13:30.125 --> 01:13:32.365
to dip in and out and attend hearings like this,

1678

01:13:32.365 --> 01:13:33.885
it's difficult to follow

1679

01:13:33.985 --> 01:13:35.485
and come along with what's

1680

01:13:35.485 --> 01:13:36.685
being referred to and what's being done.

1681

01:13:36.945 --> 01:13:39.245
One of the reasons I've I've asked for these hearings is

1682

01:13:39.245 --> 01:13:42.085
because I like, and again, I just reiterate to the client

1683

01:13:42.665 --> 01:13:44.285
the reasoning I'm holding this hearing

1684

01:13:44.825 --> 01:13:47.685
on a specific issue like ecology is I don't want

1685

01:13:47.685 --> 01:13:48.885
to be referred to documents.

1686

01:13:48.905 --> 01:13:51.085
You can assume I've read the documents,

1687

01:13:51.355 --> 01:13:52.365
I've read the documents.

1688

01:13:52.665 --> 01:13:55.005

That's now why I'm asking you some questions about them.

1689

01:13:55.395 --> 01:13:56.925

It's not particularly helpful to me.

1690

01:13:56.925 --> 01:13:59.725

If you say, if you look at the document on the page,

1691

01:13:59.805 --> 01:14:01.565

it says this, you can assume I've read

1692

01:14:01.565 --> 01:14:03.085

that I didn't understand it.

1693

01:14:03.085 --> 01:14:05.445

That's my fault. If you could perhaps do it in the,

1694

01:14:05.745 --> 01:14:10.005

in the most layman way possible for me, uh, assuming I've,

1695

01:14:10.035 --> 01:14:13.245

I've, I I I don't have the comprehension of, of your,

1696

01:14:13.305 --> 01:14:14.405

if you could describe it to me

1697

01:14:14.405 --> 01:14:15.925

and I would just refer a bit back to yesterday

1698

01:14:15.925 --> 01:14:17.685

where I was saying, just tell me

1699

01:14:17.685 --> 01:14:18.805

what's happening on the site.

1700

01:14:19.755 --> 01:14:22.125

What no point yesterday for the benefit of the public

1701

01:14:22.125 --> 01:14:25.405

of the room, did we describe what A-C-C-G-T is?

1702

01:14:25.685 --> 01:14:27.325

I think that's a bit of a failing on our part.

1703

01:14:27.325 --> 01:14:29.045

So just one point, just let's, let's try

1704

01:14:29.285 --> 01:14:31.085

and make it as clear as possible.

1705

01:14:31.445 --> 01:14:33.725

'cause if I can get it, that will help me a lot. Thank you.

1706

01:14:37.265 --> 01:14:38.605

So moving back, sorry, Dr. Riley?

1707

01:14:38.825 --> 01:14:40.485

Yes. Uh, Dr. Andra, I behalf the applicant.

1708

01:14:40.485 --> 01:14:41.965

Thank you for, for that. I, in which case,

1709

01:14:42.005 --> 01:14:42.805

I will stop referring to

1710

01:14:42.805 --> 01:14:43.765

paragraph numbers and document numbers.

1711

01:14:43.765 --> 01:14:45.805

The, the reason I do it is because on other examinations

1712

01:14:45.805 --> 01:14:48.365

inspectors have been very keen that we do cite those.

1713

01:14:48.465 --> 01:14:50.445

But, um, yeah, uh, fine.

1714

01:14:50.665 --> 01:14:53.565

Um, given the context of what you've just said, I'm about

1715

01:14:53.565 --> 01:14:55.765

to the, the, the last topic I was going to talk to

1716

01:14:55.765 --> 01:14:56.885

because it's the last substantive

1717

01:14:56.885 --> 01:14:57.965

one was atmospheric pollution.

1718

01:14:57.965 --> 01:15:01.285

Now that is inherently quite a techy topic, so I will try

1719

01:15:01.305 --> 01:15:03.565

and I will try and keep it high level.

1720

01:15:04.065 --> 01:15:05.565

Uh, and then I will hand over to Ms. Davis

1721

01:15:05.585 --> 01:15:07.365

to talk about ecology more, more broadly.

1722

01:15:07.865 --> 01:15:10.445

Um, but, uh, essentially, uh,

1723

01:15:10.625 --> 01:15:13.205

we have undertaken an air quality assessment, uh,

1724

01:15:13.215 --> 01:15:16.205

which is looking at nitrogen deposition in particular, uh,

1725

01:15:16.205 --> 01:15:19.565

which is effectively a form of fertilization, um, from

1726

01:15:19.565 --> 01:15:21.565

during both construction and operation.

1727

01:15:21.565 --> 01:15:23.805

And this is to do with stack emissions, essentially from,

1728

01:15:23.805 --> 01:15:25.725

from from combustion processes.

1729

01:15:26.225 --> 01:15:30.965

Um, with regard to construction, uh, essentially, uh,

1730

01:15:31.185 --> 01:15:34.165

we concluded that there would be no adverse effect on

1731

01:15:34.165 --> 01:15:36.325

integrity without any need for mitigation.

1732

01:15:36.665 --> 01:15:37.925

Uh, there is a small area

1733

01:15:37.945 --> 01:15:41.085

of the D-S-G-S-A-C-S-P-A Ramsar site, uh,

1734

01:15:41.085 --> 01:15:44.205

which would be subject to deposition levels above it.

1735

01:15:44.585 --> 01:15:46.605

The, the relevant assessment threshold

1736

01:15:46.605 --> 01:15:47.725

for dismissing impacts.

1737

01:15:48.345 --> 01:15:51.885

Uh, but we set out in the HRA because of the small extent

1738

01:15:51.885 --> 01:15:53.765

and the small degree of exceedance

1739

01:15:53.785 --> 01:15:56.165

and the limited duration that, that, uh,

1740

01:15:56.165 --> 01:15:58.365

exceedance would be experienced for why

1741

01:15:58.365 --> 01:16:00.125

that is not an adverse effect on integrity.

1742

01:16:00.745 --> 01:16:04.125

Uh, and uh, we note that, again, that's an area in Wales,

1743

01:16:04.465 --> 01:16:06.525

uh, and we know that the, the natural resource

1744

01:16:06.525 --> 01:16:08.645

as Wales in their relevant representation did

1745

01:16:08.825 --> 01:16:10.205

accept that argument.

1746

01:16:11.225 --> 01:16:13.645

So then we come onto the operational air quality impacts,

1747

01:16:13.645 --> 01:16:15.805

and for both of these we have identified, uh,

1748

01:16:15.975 --> 01:16:17.245

mitigation for ecology.

1749

01:16:17.745 --> 01:16:21.525

Uh, so with regard to the, there will be, uh,

1750

01:16:21.735 --> 01:16:25.005

there are forecast to be air quality impacts on the D sry,

1751

01:16:25.285 --> 01:16:27.525

SAC, uh, SPA Ramsar site.

1752

01:16:27.745 --> 01:16:30.165

Um, this is from the stack, the main stack

1753

01:16:30.625 --> 01:16:32.805

and also on, uh, D side

1754

01:16:32.805 --> 01:16:35.605

and Buckley Newt's, SAC, which is a site to the south,

1755

01:16:35.605 --> 01:16:37.725

and specifically the oak woodland of that site,

1756

01:16:37.725 --> 01:16:40.685

despite its name, that site is primarily designated

1757

01:16:40.685 --> 01:16:43.245

for its newts, but also for its oak woodland as well.

1758

01:16:43.945 --> 01:16:47.005

Um, the impact we're talking about would be,

1759

01:16:47.025 --> 01:16:49.085

so we are talking about, again, I'm keeping this

1760

01:16:49.085 --> 01:16:50.245

as much in layman's terms as possible.

1761

01:16:50.245 --> 01:16:52.485

We're talking about a very small, uh,

1762

01:16:53.245 --> 01:16:56.125

increase on a currently very high background level

1763

01:16:56.185 --> 01:16:57.285

of deposition.

1764

01:16:57.825 --> 01:16:59.925

Uh, so it's a, it's a very small impact

1765

01:17:00.225 --> 01:17:04.405

and the ecological effect of that impact, if it were

1766

01:17:04.405 --> 01:17:08.005

to go unmitigated, would, might not arise at all

1767

01:17:08.005 --> 01:17:09.540

because of the, the complex nature

1768

01:17:09.545 --> 01:17:11.165

of habitat management processes

1769

01:17:11.225 --> 01:17:12.925

and in the salt marsh tide inundation

1770

01:17:12.925 --> 01:17:14.325

and things like that, which control it.

1771

01:17:14.325 --> 01:17:17.285

But what you might get is a slight shift from certain

1772

01:17:17.285 --> 01:17:19.245

species to other species, certain species

1773

01:17:19.245 --> 01:17:20.965

that are more competitive and

1774

01:17:20.965 --> 01:17:24.045

therefore less preferable in a sword, uh, to ones

1775

01:17:24.075 --> 01:17:25.525

that the, the towards

1776

01:17:25.525 --> 01:17:27.805

that kind in a way from, from other species.

1777

01:17:27.865 --> 01:17:29.805

So it's quite a subtle botanical impact.

1778

01:17:30.635 --> 01:17:32.445

With regard to, um,

1779

01:17:32.905 --> 01:17:36.925

the impacts on the D-S-G-S-A-C-S-P-A Ramsar site, uh,

1780

01:17:36.925 --> 01:17:39.405

we've already mentioned the area of managed retreats

1781

01:17:39.405 --> 01:17:42.405

that we are creating to, to allow the existing area

1782

01:17:42.405 --> 01:17:47.045

of salt marsh, uh, 0.13 hectares of salt marsh to, to, uh,

1783

01:17:47.045 --> 01:17:48.205

persist in that area

1784

01:17:48.595 --> 01:17:51.165

because that is far larger than either the temporary

1785

01:17:51.165 --> 01:17:52.285

or permanent losses

1786

01:17:52.435 --> 01:17:54.445

that we have already been talking about due

1787

01:17:54.445 --> 01:17:55.485

to the LA of salt marsh.

1788

01:17:55.825 --> 01:17:59.325

We have also identified that as being, uh, suitable

1789

01:17:59.865 --> 01:18:02.165

to offset the very small botanical effect

1790

01:18:02.165 --> 01:18:05.125

that would occur on the other parts of the DSG.

1791

01:18:05.145 --> 01:18:06.325

So we are, we are,

1792

01:18:07.105 --> 01:18:09.365

we are having a very small botanical effect over a large

1793

01:18:09.365 --> 01:18:11.165

part of that D-S-G-S-A-C.

1794

01:18:11.625 --> 01:18:14.405

The area of North 0.13 hectares is relatively small,

1795

01:18:14.405 --> 01:18:17.085

but we would be allowing an entire area of salt marsh

1796

01:18:17.105 --> 01:18:19.565

to persist that would otherwise be lost to sea level rise.

1797

01:18:20.065 --> 01:18:21.405

Uh, so as far as we're concerned,

1798

01:18:21.585 --> 01:18:22.885

it does address that issue.

1799

01:18:23.585 --> 01:18:26.725

Uh, with regard to, oh, sorry, I should just, we, we are,

1800

01:18:26.725 --> 01:18:29.125

we are talking, have talked to naturalists as wells about

1801

01:18:29.125 --> 01:18:31.525

that and, and an article talking about them to them about

1802

01:18:31.525 --> 01:18:34.165

that there have been discussions about whether there could

1803

01:18:34.165 --> 01:18:36.885

also be a monitoring project that is, that is introduced

1804

01:18:36.885 --> 01:18:38.605

to effectively monitor nitrogen deposition

1805

01:18:38.605 --> 01:18:40.605

and changes in botanical characteristics.

1806

01:18:41.265 --> 01:18:42.725

Uh, and that could be included.

1807

01:18:42.725 --> 01:18:44.725

That was something natural resource as well suggested.

1808

01:18:45.305 --> 01:18:47.725

Not, not in the relevant reps, just something in discussion.

1809

01:18:47.985 --> 01:18:49.765

Uh, so we are considering those kind of issues.

1810

01:18:49.765 --> 01:18:51.605

But as far as we're concerned, our mitigation is, is

1811

01:18:51.605 --> 01:18:53.245

what is in the HRA report, which is

1812

01:18:53.245 --> 01:18:54.285

that managed retreat area.

1813

01:18:54.985 --> 01:18:56.205

And then with regard to D side

1814

01:18:56.205 --> 01:18:58.845

and Buckley Newt's, SAC, again, we are talking about, uh,

1815

01:18:59.025 --> 01:19:02.285

if it arises because it's a well-managed site, uh,

1816

01:19:02.285 --> 01:19:03.885

we're actually talking about Weber Park here.

1817

01:19:03.885 --> 01:19:05.005

Apologies, I mispronounced that.

1818

01:19:05.025 --> 01:19:07.165

But that's, that's effectively the area we're talking about.

1819

01:19:07.585 --> 01:19:09.085

Um, it is a well-managed site.

1820

01:19:09.085 --> 01:19:11.765

We have been talking to flincher council's managers of

1821

01:19:11.765 --> 01:19:14.085

that site, uh, and effectively,

1822

01:19:14.085 --> 01:19:15.805

and again, we have discussed with the natural resource

1823

01:19:15.805 --> 01:19:17.565

as well, and they are comfortable with this approach,

1824

01:19:18.225 --> 01:19:19.605

uh, as an approach.

1825

01:19:20.145 --> 01:19:23.845

Uh, we are effectively, uh, going to be, uh,

1826

01:19:24.065 --> 01:19:27.565

giving them financial assistance to increase if they need

1827

01:19:27.565 --> 01:19:30.445

to, their management of that site to improve the resilience

1828

01:19:30.465 --> 01:19:31.485

of the European site.

1829

01:19:31.545 --> 01:19:33.445

And if there is an increased management burden from

1830

01:19:33.445 --> 01:19:35.085

that additional nitrogen deposition to address it.

1831

01:19:35.665 --> 01:19:38.205

Uh, there's a, there's currently a draft document in

1832

01:19:38.205 --> 01:19:41.645

existence between us about that, uh, with, with a sum

1833

01:19:41.645 --> 01:19:42.965

of money, it's costed, et cetera.

1834

01:19:42.965 --> 01:19:43.965

And there is a program on it.

1835

01:19:43.985 --> 01:19:46.885

So that was obviously be making its way in, you know, into,

1836

01:19:47.195 --> 01:19:48.205

into the public domain.

1837

01:19:48.205 --> 01:19:49.525

But that's how we'll be addressing that.

1838

01:19:50.105 --> 01:19:51.165

Um, had to go back

1839

01:19:51.165 --> 01:19:52.525

to the point about compensation and mitigation.

1840

01:19:52.825 --> 01:19:54.285

Um, and natural resource

1841

01:19:54.285 --> 01:19:57.365

as wells in their relevant representation did suggest

1842

01:19:57.365 --> 01:19:58.485

whether that, at

1843

01:19:58.515 --> 01:20:00.925

what I've just been talking about at web part might be

1844

01:20:00.925 --> 01:20:02.445

compensation rather than mitigation.

1845

01:20:02.445 --> 01:20:03.925

Natural England didn't suggest that.

1846

01:20:04.225 --> 01:20:06.645

Uh, again, we had a conversation in November

1847

01:20:07.105 --> 01:20:10.685

and I explained that there is no precedent I know of

1848

01:20:10.745 --> 01:20:14.045

for treating habitat management, uh, in response

1849

01:20:14.045 --> 01:20:16.045

to air quality impacts as compensation

1850
01:20:16.045 --> 01:20:17.925
because you're not compensating for anything.

1851
01:20:17.945 --> 01:20:19.925
So the, the adverse effect on integrity

1852
01:20:20.455 --> 01:20:22.725
would be the resulting negative botanical effects

1853
01:20:22.725 --> 01:20:25.725
that would occur rather than nitrogen deposition itself.

1854
01:20:25.865 --> 01:20:27.845
If you are improving your management

1855
01:20:27.845 --> 01:20:29.405
to ensure those effects don't occur,

1856
01:20:29.595 --> 01:20:31.645
then the adverse effect on integrity doesn't arise.

1857
01:20:32.145 --> 01:20:34.965
So therefore it can't be compensation. Sorry,

1858
01:20:35.025 --> 01:20:36.085
Can I you do that one again?

1859
01:20:36.225 --> 01:20:38.245
Yes. Really nice and slow for me. So

1860
01:20:38.505 --> 01:20:40.245
The impact, the impact,

1861
01:20:40.305 --> 01:20:43.285
not the effect the impact is increased nitrogen deposition.

1862
01:20:44.105 --> 01:20:47.605
The effect if it arose would be, uh,

1863
01:20:48.275 --> 01:20:49.885

botanical degradation of some way,

1864

01:20:50.005 --> 01:20:52.005

a change from certain species to other species,

1865

01:20:52.675 --> 01:20:56.245

however, that the potential of that arising can be counter

1866

01:20:56.585 --> 01:20:58.005

by simply because I mentioned

1867

01:20:58.005 --> 01:20:59.645

that nitrogen depositions is essentially fertilization,

1868

01:20:59.995 --> 01:21:02.405

putting it crudely, that can be counted

1869

01:21:02.505 --> 01:21:04.285

by increasing your management bearing

1870

01:21:04.285 --> 01:21:05.325

in mind to a small degree.

1871

01:21:05.445 --> 01:21:07.685

'cause we're talking about small impact to ensure

1872

01:21:07.685 --> 01:21:09.525

that your habitat still stays nice and open

1873

01:21:09.525 --> 01:21:11.965

and those aggressive competitive species don't, don't get

1874

01:21:11.985 --> 01:21:13.925

to outcompete with the plants and things like that.

1875

01:21:15.025 --> 01:21:16.285

But that is, that is management.

1876

01:21:16.285 --> 01:21:18.445

It is, it's an existing of an extension

1877

01:21:18.465 --> 01:21:19.805
of existing management.

1878

01:21:19.945 --> 01:21:22.285
It is definitely a mitigation measure,

1879

01:21:22.385 --> 01:21:24.645
not a compensation measure on the call.

1880

01:21:24.805 --> 01:21:25.885
I think natural resource as well

1881

01:21:25.885 --> 01:21:27.045
as they'll say if they think otherwise

1882

01:21:27.055 --> 01:21:28.405
we're, we're open to that view.

1883

01:21:28.525 --> 01:21:29.965
I just thought I'd mention it. I did.

1884

01:21:29.965 --> 01:21:30.965
See that has been brought up.

1885

01:21:31.945 --> 01:21:33.405
Uh, I'm going to stop there

1886

01:21:33.465 --> 01:21:35.165
unless you have anything particular want to bring up

1887

01:21:35.165 --> 01:21:36.325
and hand over to Ms. Davis to

1888

01:21:36.325 --> 01:21:37.365
talk about quality more broadly.

1889

01:21:37.935 --> 01:21:41.045
Thank you. That's really, really, firstly thank you.

1890

01:21:41.045 --> 01:21:42.165

That's that's exactly

1891

01:21:42.165 --> 01:21:43.285
the sort of thing I want to hear today.

1892

01:21:43.445 --> 01:21:46.765
'cause that's helping it distill in my mind what a lot

1893

01:21:46.765 --> 01:21:48.445
of the very technical information I've read,

1894

01:21:49.385 --> 01:21:50.485
uh, is, is telling me.

1895

01:21:50.485 --> 01:21:52.925
So thank you for that. Couple of things that I just wanted

1896

01:21:52.925 --> 01:21:56.125
to pick up are that

1897

01:21:56.875 --> 01:22:01.325
yesterday we discussed whilst it's welcome, the lowering

1898

01:22:01.325 --> 01:22:05.125
of the stack heights that will potentially, I guess,

1899

01:22:05.725 --> 01:22:09.485
increase deposition rates on local residents

1900

01:22:09.505 --> 01:22:11.045
and these habitat sites.

1901

01:22:11.065 --> 01:22:12.325
So that's something obviously that we need to look at.

1902

01:22:12.325 --> 01:22:15.125
Make sure that what you've just told me is not actually also

1903

01:22:15.385 --> 01:22:17.765
now being increased because the stat heights are being load.

1904

01:22:19.025 --> 01:22:20.325

And then the second thing was,

1905

01:22:21.185 --> 01:22:23.765

and I again, apologies on my part, I'm struggling.

1906

01:22:23.765 --> 01:22:27.925

When I was reading your HRA assessment, you imply

1907

01:22:27.925 --> 01:22:32.605

that the base load at the Newt site, we, we thank you.

1908

01:22:32.605 --> 01:22:35.045

Upper part is already high

1909

01:22:37.305 --> 01:22:39.165

and I accept that we're dealing with the application

1910

01:22:39.165 --> 01:22:42.245

of the low carbon plant for Connor's key.

1911

01:22:43.705 --> 01:22:45.565

Is the base load there high

1912

01:22:45.755 --> 01:22:48.325

because of the existing power station?

1913

01:22:49.225 --> 01:22:51.325

And if so, I go back to the sort,

1914

01:22:51.325 --> 01:22:53.245

the comment I made yesterday that that's Juniper

1915

01:22:53.245 --> 01:22:55.045

and maybe it's time

1916

01:22:55.045 --> 01:22:57.965

to think about helping clear up the environment as a whole,

1917

01:22:58.265 --> 01:22:59.845

not just on this one project alone.

1918

01:23:08.705 --> 01:23:09.885

And I, I, sorry,

1919

01:23:09.925 --> 01:23:11.645

I I appreciate what I've just asked you there.

1920

01:23:11.645 --> 01:23:13.485

Knowing that as well from things like sediment management

1921

01:23:13.485 --> 01:23:17.525

and other, you probably can't tell what's causing it,

1922

01:23:17.545 --> 01:23:20.325

but when you have a very large existing power station next

1923

01:23:20.325 --> 01:23:21.325

to an existing habitat

1924

01:23:21.325 --> 01:23:23.285

and you're telling me nitrogen's already high there

1925

01:23:23.485 --> 01:23:24.965

and I'm going to build, let me try

1926

01:23:24.965 --> 01:23:27.405

and do it in my simplistic way, you know,

1927

01:23:27.675 --> 01:23:30.525

I've got an existing power station, I've got a light lot

1928

01:23:30.525 --> 01:23:32.565

of nitrogen deposition going into this site.

1929

01:23:33.445 --> 01:23:35.045

I want to build a new power station.

1930

01:23:35.305 --> 01:23:36.725

That's not gonna put too much, but,

1931
01:23:36.725 --> 01:23:38.045
but there's loads of nitrogen this site

1932
01:23:38.045 --> 01:23:39.205
already, so don't worry about it.

1933
01:23:39.325 --> 01:23:40.845
'cause I'm building this new one, which is not gonna put

1934
01:23:40.845 --> 01:23:43.125
as much as this other, well, hang on a minute.

1935
01:23:43.955 --> 01:23:45.245
Shouldn't you just be not putting

1936
01:23:45.245 --> 01:23:46.565
any nitrogen into that site?

1937
01:23:46.565 --> 01:23:48.085
That's, that's probably what you shouldn't be doing.

1938
01:23:48.425 --> 01:23:49.405
And, and you're saying, yeah, but

1939
01:23:49.405 --> 01:23:50.645
that's, that's someone else is doing that.

1940
01:23:50.645 --> 01:23:51.445
Well, it's not someone else doing

1941
01:23:51.725 --> 01:23:52.725
q doing that really, isn't it?

1942
01:23:52.725 --> 01:23:54.245
Let's be honest between friends.

1943
01:23:55.385 --> 01:23:58.165
So if we could, um, if we could just address that,

1944
01:24:00.155 --> 01:24:01.155

Yeah. Dr. James Riley

1945

01:24:01.155 --> 01:24:02.085
on behalf of the applicant,

1946

01:24:02.085 --> 01:24:04.325
and then I'll briefly hand over to, uh, Dr. Gary Gray

1947

01:24:04.385 --> 01:24:06.525
who here from an air quality point of view.

1948

01:24:06.585 --> 01:24:09.045
Yes. Um, with regard to Stack Heights, we,

1949

01:24:09.065 --> 01:24:11.005
we have modeled now the air quality impact

1950

01:24:11.005 --> 01:24:12.045
of the change in stack height

1951

01:24:12.045 --> 01:24:13.405
and I've seen the, the results

1952

01:24:13.545 --> 01:24:14.925
as they would filter into the a,

1953

01:24:14.925 --> 01:24:16.085
which will obviously be submitted

1954

01:24:16.385 --> 01:24:18.885
and they don't materially change the, the numbers at all.

1955

01:24:19.075 --> 01:24:21.085
They obviously do change, but not in a material degree.

1956

01:24:21.105 --> 01:24:22.605
So, so it doesn't affect the assessment.

1957

01:24:22.995 --> 01:24:25.005
It's like changing NW 0.19 to

1958

01:24:25.005 --> 01:24:28.365

nor 0.21, which in air quality terms is nothing. Okay. Um,

1959

01:24:28.995 --> 01:24:30.485

What did a new say about that, sir?

1960

01:24:30.865 --> 01:24:32.845

Ah, well the new, the newts are not being affected anyway.

1961

01:24:32.995 --> 01:24:36.685

It's the Woodlands being, um, with regard

1962

01:24:36.685 --> 01:24:39.045

to the baseline already being high, uh,

1963

01:24:39.945 --> 01:24:41.965

the existing power station will, I will pass over

1964

01:24:41.965 --> 01:24:43.365

to Dr. Gray in a second existing power

1965

01:24:43.365 --> 01:24:44.485

station will make a contribution.

1966

01:24:44.725 --> 01:24:45.805

Anything with, with emissions will,

1967

01:24:45.805 --> 01:24:46.925

but it's worth noting

1968

01:24:46.925 --> 01:24:49.085

that nitrogen deposition rates are high at almost all

1969

01:24:49.325 --> 01:24:50.685

European sites across the uk.

1970

01:24:51.515 --> 01:24:54.245

Agriculture is probably the biggest source actually.

1971

01:24:54.425 --> 01:24:55.645

Uh, not necessarily at We Parker.

1972

01:24:55.645 --> 01:24:57.085

I haven't looked at that data, but,

1973

01:24:57.085 --> 01:25:00.085

but generally, uh, so it's, it's by no means the case

1974

01:25:00.085 --> 01:25:01.325

that industry is the main

1975

01:25:01.325 --> 01:25:02.565

contributor of nitrogen deposition.

1976

01:25:02.635 --> 01:25:05.245

It's generally a mixture of a lot of agriculture

1977

01:25:05.245 --> 01:25:06.725

and then traffic as well as a contributor.

1978

01:25:06.955 --> 01:25:10.805

Okay. Um, obviously you can't have a power station

1979

01:25:11.035 --> 01:25:12.125

with an exhaust stack

1980

01:25:12.125 --> 01:25:15.045

and not have emissions, um, you know, to some degree.

1981

01:25:15.505 --> 01:25:16.605

Dr. Gray, do you want to

1982

01:25:16.605 --> 01:25:17.885

add anything to that, to that point?

1983

01:25:19.795 --> 01:25:22.605

Yeah. Uh, Gary Gray on behalf of the applicant.

1984

01:25:23.465 --> 01:25:27.205

Um, yeah, I just, just add that the, the, the modeling

1985

01:25:27.205 --> 01:25:30.765

that's been done, uh, the, the baseline model, uh,

1986

01:25:30.765 --> 01:25:32.205

includes the existing facility.

1987

01:25:32.785 --> 01:25:36.445

Um, so we've quantified the contribution from the existing

1988

01:25:36.445 --> 01:25:38.925

stacks and processes to the sites.

1989

01:25:39.385 --> 01:25:40.765

And then we have other scenarios

1990

01:25:40.815 --> 01:25:43.645

where we've done the same calculations for each

1991

01:25:43.645 --> 01:25:47.205

of the phases to, to the final operational setup.

1992

01:25:47.785 --> 01:25:50.165

Um, and there's not an enormous amount of difference.

1993

01:25:50.305 --> 01:25:52.805

So the, the plant is looking

1994

01:25:52.865 --> 01:25:54.965

to abate the carbon dioxide emissions,

1995

01:25:55.585 --> 01:25:57.925

but we are talking about the nitrogen dioxide emissions

1996

01:25:57.925 --> 01:26:00.725

and there's very little difference between those two.

1997

01:26:01.215 --> 01:26:02.325

Thank you for that. That's helpful.

1998

01:26:02.385 --> 01:26:03.565

And thank you for yes, also,

1999

01:26:03.565 --> 01:26:04.965

also putting it in the wider context of,

2000

01:26:05.495 --> 01:26:06.885

Sorry, just one final point,

2001

01:26:06.945 --> 01:26:08.365

Dr. James Riley on the pointing applicant.

2002

01:26:08.445 --> 01:26:10.205

I realize, I realize it wasn't necessarily a serious

2003

01:26:10.205 --> 01:26:11.525

comment, but just to be clear,

2004

01:26:11.665 --> 01:26:13.845

we aren't saying it's high, so don't worry about it.

2005

01:26:13.865 --> 01:26:15.165

We are proposing mitigation.

2006

01:26:15.425 --> 01:26:17.965

Um, so if we were saying yes, worry about it,

2007

01:26:17.965 --> 01:26:19.245

we wouldn't be proposing any mitigation.

2008

01:26:20.755 --> 01:26:21.755

Yeah.

2009

01:26:23.825 --> 01:26:25.125

Yes. Thank you. Understood.

2010

01:26:25.745 --> 01:26:29.845

Um, so you are measuring your effects,

2011

01:26:29.985 --> 01:26:31.325

you're measuring your impacts and Yeah.

2012

01:26:31.475 --> 01:26:32.245

Okay. Thank you.

2013

01:26:36.505 --> 01:26:39.205

Are there any questions in the room on, uh, the

2014

01:26:39.835 --> 01:26:42.045

habitat regs assessments that we are saying about the,

2015

01:26:42.105 --> 01:26:43.725

the principally designated sites at the

2016

01:26:43.725 --> 01:26:47.205

moment or online?

2017

01:26:47.255 --> 01:26:47.605

Sorry.

2018

01:26:52.755 --> 01:26:55.485

Okay, thank you. Um, how would you like to proceed now?

2019

01:26:55.485 --> 01:26:57.125

Would you want to move to your colleague?

2020

01:26:59.625 --> 01:27:03.805

So, Ms. Anna Davis, um, for the applicant, um, chapter 11

2021

01:27:03.905 --> 01:27:06.525

of the environmental statement, um, presents an assessment

2022

01:27:06.545 --> 01:27:07.965

of likely significant effects

2023

01:27:08.345 --> 01:27:10.885

of the pros development on terrestrial and aquatic ecology.

2024

01:27:11.705 --> 01:27:14.085

Um, the following additional ecology features have been

2025

01:27:14.285 --> 01:27:17.125

assessed within chapter 11, um, which were not covered

2026

01:27:17.125 --> 01:27:19.525

by my colleague Dr. James Riley for the applicant.

2027

01:27:19.935 --> 01:27:22.565

These are habitats, um, including woodland,

2028

01:27:22.565 --> 01:27:25.045

grassland hedgerows, open mosaic habitat,

2029

01:27:25.745 --> 01:27:29.725

badger breeding birds, which includes barnal, um, reptiles,

2030

01:27:29.915 --> 01:27:32.845

bats, waterfall, otter terrestrial and aquatic invertebrates

2031

01:27:32.845 --> 01:27:35.085

and fish, um, sites

2032

01:27:35.085 --> 01:27:38.005

with specific special scientific interest, um,

2033

01:27:38.005 --> 01:27:39.845

not covered within the habitat regulations.

2034

01:27:39.845 --> 01:27:41.525

Assessment have been considered

2035

01:27:41.525 --> 01:27:43.045

and assessed within chapter 11,

2036

01:27:43.745 --> 01:27:46.725

and there are no likely significant effects on sites

2037

01:27:46.725 --> 01:27:48.845

of special scientific interest within the study area

2038

01:27:48.945 --> 01:27:50.245

as a result of the proposed development.

2039

01:27:51.865 --> 01:27:53.365

Um, the assessment concluded

2040

01:27:53.365 --> 01:27:56.125

that there are no residual significant effects on assessed

2041

01:27:56.385 --> 01:27:57.485

on the assessed terrestrial

2042

01:27:57.485 --> 01:27:59.725

and aquatic ecology features through embedded

2043

01:27:59.785 --> 01:28:02.285

and additional mitigation measures with the exception

2044

01:28:02.285 --> 01:28:04.205

of open mosaic habitat, um,

2045

01:28:04.205 --> 01:28:06.365

and the terrestrial com invertebrate community

2046

01:28:06.365 --> 01:28:07.685

associated with this habitat.

2047

01:28:08.505 --> 01:28:10.805

Um, so the open mosaic habitat,

2048

01:28:10.805 --> 01:28:12.365

which will be lost within the construction

2049

01:28:12.385 --> 01:28:15.765

and indicative enhancement area, um, is assessed as signif

2050

01:28:15.765 --> 01:28:17.445

as a significant adverse effect,

2051

01:28:17.785 --> 01:28:19.925

but it's in the short term for construction only

2052

01:28:20.465 --> 01:28:23.765

and reducing to no significant adverse effect in the medium

2053

01:28:23.825 --> 01:28:26.205

to long term two years post construction.

2054

01:28:26.945 --> 01:28:28.845

The terrestrial invertebrate community associated

2055

01:28:28.845 --> 01:28:31.005

with the open mosaic habitat, it's assessed

2056

01:28:31.025 --> 01:28:33.165

as being significant adverse, um,

2057

01:28:33.305 --> 01:28:35.845

as being significant adverse effects in the short term,

2058

01:28:36.055 --> 01:28:38.805

again, reducing to no significant adverse effects in the

2059

01:28:38.805 --> 01:28:41.325

medium to long term two years post-construction.

2060

01:28:41.745 --> 01:28:43.645

Um, this would be achieved through reinstatement

2061

01:28:43.645 --> 01:28:46.165

of the construction indicative enhancement area in

2062

01:28:46.165 --> 01:28:48.365

accordance with the outline landscape and management plan.

2063

01:28:50.455 --> 01:28:53.365

Thank you. Okay. Um, so sorry, again,

2064

01:28:53.365 --> 01:28:54.405

just trying to digest that.

2065

01:28:55.095 --> 01:28:57.485

We're saying that We've,

2066

01:28:57.485 --> 01:28:59.165

we've covered off the European designated

2067

01:29:00.485 --> 01:29:02.645

European designated sites, whatever we mature sites

2068

01:29:02.705 --> 01:29:04.485

or whatever we call 'em now, apologies, I'm not a,

2069

01:29:04.485 --> 01:29:05.485

like I say, I'm not an ecologist,

2070

01:29:05.505 --> 01:29:07.125

but we're now moving on to your sites,

2071

01:29:07.125 --> 01:29:09.245

which are the triple ssis, and,

2072

01:29:09.345 --> 01:29:11.765

and you've very kindly summarized the effects

2073

01:29:11.765 --> 01:29:16.205

that you've just, um, t there, um, I must admit, reading

2074

01:29:16.205 --> 01:29:18.565

through that report, I had lesser concerns as,

2075

01:29:18.565 --> 01:29:20.645

as you've just described to those, those sites.

2076

01:29:20.885 --> 01:29:23.805

I just wanted to check with any of, um, the,

2077

01:29:23.945 --> 01:29:26.965

either the ecological statutory bodies that I've missed,

2078

01:29:26.965 --> 01:29:29.365

something there that I should have more concerns there,

2079

01:29:29.585 --> 01:29:30.605

or if Flincher

2080

01:29:30.605 --> 01:29:32.245

and your ecology team have picked up anything

2081

01:29:32.245 --> 01:29:34.685

that you would like to raise being responsible body there.

2082

01:29:35.225 --> 01:29:37.725

Uh, yeah, Charlie Pope Flincher County Cancer.

2083

01:29:37.825 --> 01:29:41.325

I'm gonna defer to my colleague, uh, Emma Broad, uh,

2084

01:29:41.385 --> 01:29:43.005

county ecologist in terms

2085

01:29:43.065 --> 01:29:45.005

of additional information on that. Thank you. Thank

2086

01:29:45.005 --> 01:29:47.285

You, Emma.

2087

01:29:47.295 --> 01:29:50.525

Broad, uh, flincher County Council, um,

2088

01:29:51.745 --> 01:29:53.965

we have picked up on some points to do

2089

01:29:53.965 --> 01:29:57.845

with baseline survey work, which we will note down

2090

01:29:57.865 --> 01:29:59.045

and pass to the applicant.

2091

01:29:59.495 --> 01:30:02.885

There is a lot of inconsistencies within the report,

2092

01:30:03.005 --> 01:30:05.605

I appreciate there's a lot of reports, um,

2093

01:30:06.145 --> 01:30:09.445

so we would like some clar clarity on that.

2094

01:30:10.345 --> 01:30:15.245

Uh, we also have a quite major,

2095

01:30:16.785 --> 01:30:20.365

um, issue with the assessment between temporary

2096

01:30:20.365 --> 01:30:21.605

and permanent habitat loss.

2097

01:30:22.105 --> 01:30:26.365

Uh, you mentioned the, uh, open mosaic habitat.

2098

01:30:26.705 --> 01:30:28.165

Um, a lot of the species

2099

01:30:28.235 --> 01:30:30.725

that will be found in there will be lost within that

2100

01:30:31.445 --> 01:30:32.685

temporary period of nine years.

2101

01:30:32.995 --> 01:30:36.445

Yeah, so we would consider that to be a permanent loss

2102

01:30:36.995 --> 01:30:40.005

because that couldn't be re reinstated within the life,

2103

01:30:40.465 --> 01:30:41.925

the life cycle of those species.

2104

01:30:43.985 --> 01:30:47.885

Um, we also, again, have issues with loss

2105

01:30:47.885 --> 01:30:51.005

of the functionally linked habitat on site, um,

2106

01:30:51.005 --> 01:30:53.925

the grassland habitats and how they will be mitigated.

2107

01:30:54.705 --> 01:30:59.565

Um, a lot of that has been proposed offsite within the

2108

01:31:00.155 --> 01:31:04.205

site at which we don't necessarily believe is suitable

2109

01:31:04.385 --> 01:31:07.445

for some of that because we're, we're losing habitat

2110

01:31:07.995 --> 01:31:11.925

locally, but it hasn't gone through that stepwise approach

2111

01:31:12.115 --> 01:31:15.285

that you would normally go through in using planning policy

2112

01:31:15.545 --> 01:31:18.965

and, and mitigating on site or immediately adjacent to site.

2113

01:31:19.355 --> 01:31:23.205

Whereas we appreciate with some of the issues to do

2114

01:31:23.205 --> 01:31:24.845

with the SAC and the special site,

2115

01:31:25.195 --> 01:31:27.605

they're more constrained on where you can mitigate.

2116

01:31:28.075 --> 01:31:30.325

Whereas with these other issues,

2117

01:31:30.875 --> 01:31:33.605

they should be looked at being mitigated on site first

2118

01:31:34.345 --> 01:31:38.805

and enhanced, and particularly going back to the site,

2119

01:31:39.665 --> 01:31:42.725

um, that is within the

2120

01:31:44.755 --> 01:31:46.165
unified peak map of Wales.

2121

01:31:46.905 --> 01:31:49.605
So a lot of that is, is Pete soils.

2122

01:31:49.605 --> 01:31:52.405
We appreciate that there hasn't been a lot of, um,

2123

01:31:53.805 --> 01:31:56.685
investigation on that, but that makes that site unsuitable

2124

01:31:56.785 --> 01:31:59.605
for any kind of tree planting or hedgerow restoration

2125

01:31:59.605 --> 01:32:01.485
because we'll be restoring on peat,

2126

01:32:01.775 --> 01:32:04.325
which will reduce obviously carbon,

2127

01:32:05.385 --> 01:32:07.285
um, storage.

2128

01:32:08.655 --> 01:32:12.485
There are also problems with,

2129

01:32:14.025 --> 01:32:18.925
Um, Tree, tree, tree enhancement

2130

01:32:18.925 --> 01:32:20.045
and mitigation in general.

2131

01:32:20.055 --> 01:32:22.685
Again, this, this really falls into net biodiversity

2132

01:32:22.685 --> 01:32:26.525
benefit, but we feel that it should be mitigated within

2133

01:32:27.545 --> 01:32:29.405

the county and we should be having

2134

01:32:29.405 --> 01:32:31.565

that benefit within the county of Flincher,

2135

01:32:31.565 --> 01:32:34.805

particularly within the ward of Connor's key.

2136

01:32:35.495 --> 01:32:38.205

We've got particular planning policies in relation

2137

01:32:38.205 --> 01:32:41.565

to no net loss of, uh, treason woodland

2138

01:32:42.145 --> 01:32:44.405

and fact an enhancement with within planning.

2139

01:32:45.065 --> 01:32:47.565

And that we feel that that should be, um,

2140

01:32:48.195 --> 01:32:51.005

compensated within at least the, the area

2141

01:32:51.225 --> 01:32:52.285

of the development.

2142

01:32:52.985 --> 01:32:57.805

Um, so we don't lose canopy canopy cover.

2143

01:32:58.665 --> 01:33:02.165

Um, and in general, some

2144

01:33:02.165 --> 01:33:05.205

of the habitat enhancements that have been proposed

2145

01:33:05.205 --> 01:33:07.725

around the site, we think might be, um,

2146

01:33:11.145 --> 01:33:14.805

at odds with some of the, the, the more,

2147

01:33:15.585 --> 01:33:17.965

the more important conservation objectives.

2148

01:33:17.965 --> 01:33:21.005

So particularly wetland birds feeding and breeding.

2149

01:33:21.065 --> 01:33:23.325

We know there are breeding ADV assets on there, which is a,

2150

01:33:23.925 --> 01:33:25.725

a schedule one listed bird

2151

01:33:26.265 --> 01:33:29.285

and, um, the tree planting hedge restoration.

2152

01:33:29.465 --> 01:33:32.165

We feel that that needs to be looked at in a lot more

2153

01:33:32.185 --> 01:33:35.405

detail, uh, in terms of how that would not

2154

01:33:36.475 --> 01:33:37.845

degrade some of the features

2155

01:33:37.845 --> 01:33:39.805

that we know are important to do with the sac.

2156

01:33:40.575 --> 01:33:44.805

Thank you. Um, again,

2157

01:33:44.805 --> 01:33:45.965

gonna show my simplicity here.

2158

01:33:45.965 --> 01:33:49.085

I've read the report, but I just wanna make sure

2159

01:33:49.085 --> 01:33:50.845

that I'm thinking about the right thing.

2160

01:33:51.625 --> 01:33:54.525

And again, for clarity, open mosaic land,

2161

01:33:55.105 --> 01:33:56.325
are we talking about the fields

2162

01:33:56.425 --> 01:33:57.885
to the north of the power station?

2163

01:34:01.835 --> 01:34:03.085
Emma, broad Fincher council?

2164

01:34:03.465 --> 01:34:04.565
Um, the field, it,

2165

01:34:04.595 --> 01:34:07.525
it's the area which is open mosaic habitats really

2166

01:34:08.525 --> 01:34:09.565
previously developed land.

2167

01:34:09.625 --> 01:34:13.565
So it's, it's, it's very unattractive concrete with bits of,

2168

01:34:13.625 --> 01:34:16.405
um, bits of scrub, bits of grassland.

2169

01:34:17.075 --> 01:34:20.565
It's, it's important for invertebrates more than anything

2170

01:34:20.785 --> 01:34:22.085
and some types of birds,

2171

01:34:22.545 --> 01:34:25.245
but it, it really does have a really good invertebrate, um,

2172

01:34:25.805 --> 01:34:27.805
resource for feeding birds in the area.

2173

01:34:28.325 --> 01:34:29.885
I just wanted to make sure I'm not missing anything

2174

01:34:29.885 --> 01:34:31.725

outside of the order limit, but we're talking about

2175

01:34:32.265 --> 01:34:35.005

the areas of site within, you know, like I say to the north

2176

01:34:35.005 --> 01:34:37.565

of the existing power station into the south where the, the,

2177

01:34:37.565 --> 01:34:40.445

um, uh, lay down areas are those, those periods of,

2178

01:34:40.445 --> 01:34:42.605

like you say, scrub grassland, bits of concrete

2179

01:34:42.605 --> 01:34:43.925

and hard standing, those sort of sites.

2180

01:34:44.705 --> 01:34:48.525

I'm not sort of missing some other, uh, designated site

2181

01:34:48.525 --> 01:34:50.565

that's tacked onto the edge of an order limit

2182

01:34:50.665 --> 01:34:53.005

or just to, uh, that I've, I've not,

2183

01:34:53.005 --> 01:34:54.525

I've not looked at all the land plans and,

2184

01:34:54.585 --> 01:34:56.285

and missed a piece of land that's,

2185

01:34:56.285 --> 01:34:59.405

Uh, no, Emma, Emma Broadford pledge Council.

2186

01:34:59.865 --> 01:35:02.685

Um, it's, yes, you're correct in the location.

2187

01:35:02.755 --> 01:35:04.685

It's, it's a Welsh priority habitat, so

2188

01:35:04.885 --> 01:35:07.485

although it's not a protected habitat, it's,

2189

01:35:07.485 --> 01:35:10.965

it's a priority in Wales for protection enhancement.

2190

01:35:11.215 --> 01:35:14.685

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

2191

01:35:14.955 --> 01:35:16.805

Nick State, on behalf of the applicant, just

2192

01:35:16.805 --> 01:35:19.605

to clarify the, the open mosaic habitat only the maps

2193

01:35:19.615 --> 01:35:23.325

where the s key a power station was in what we refer to

2194

01:35:23.345 --> 01:35:25.525

as the construction indicative enhancement area.

2195

01:35:25.535 --> 01:35:29.645

Thank you. Not to the west of the proposed power station.

2196

01:35:29.955 --> 01:35:31.845

Okay. Thank you. Thank you for that. That's useful.

2197

01:35:38.695 --> 01:35:42.805

Right. Are there any other comments

2198

01:35:43.325 --> 01:35:44.685

specifically on the habitats

2199

01:35:44.785 --> 01:35:46.925

before we move into perhaps a little bit more detail?

2200

01:35:46.925 --> 01:35:48.245

If it's, if it's necessary on the, uh,

2201

01:35:48.245 --> 01:35:51.165

site specific species, uh, and site impacts.

2202

01:35:53.585 --> 01:35:56.685

All right. If we can move on, do, uh, I don't know if the,

2203

01:35:56.745 --> 01:35:59.565

the applicant and Dr. Riley want to follow on and,

2204

01:35:59.565 --> 01:36:03.085

and go into any more detail on, um, any site specific.

2205

01:36:03.165 --> 01:36:04.965

I mean, I think you've, you've very aptly,

2206

01:36:05.045 --> 01:36:07.485

I think we've covered off the HHRA sites

2207

01:36:07.585 --> 01:36:08.885

and the European designated sites.

2208

01:36:08.885 --> 01:36:10.005

And then equally, thank you.

2209

01:36:10.465 --> 01:36:14.045

Uh, state, uh, we, we, Ms. Davis, we've covered off the,

2210

01:36:15.215 --> 01:36:17.685

again, SSIS and local Yeah.

2211

01:36:17.685 --> 01:36:19.245

Uh, Dr. Behalf, the applicant. Yes.

2212

01:36:19.245 --> 01:36:21.165

I, I don't think we we have any more

2213

01:36:21.165 --> 01:36:22.485

to say on those points. Um,

2214

01:36:22.555 --> 01:36:24.205

Okay, thank you.

2215

01:36:24.205 --> 01:36:25.245

Just to double check, is any, uh,

2216

01:36:25.365 --> 01:36:26.925

I appreciate again my comments earlier,

2217

01:36:26.925 --> 01:36:29.245

but does, does anybody on the call want to come in

2218

01:36:29.505 --> 01:36:31.845

and just with, I'm gonna, I'm going move on

2219

01:36:31.845 --> 01:36:33.645

to item 3.3 next just to give you a bit of clarity

2220

01:36:33.645 --> 01:36:35.885

where we're going next, but just as anything want

2221

01:36:35.885 --> 01:36:38.645

to be said on the last first two items if you like,

2222

01:36:38.645 --> 01:36:40.845

or just any points that I may have missed before we move on.

2223

01:36:43.515 --> 01:36:45.765

Okay, thank you. I'm going to like, say, move on just to,

2224

01:36:46.185 --> 01:36:50.285

um, the, uh, item 3.3 on the agenda, which is just, just

2225

01:36:50.285 --> 01:36:52.045

to discuss, I, I appreciate we've covered some

2226

01:36:52.045 --> 01:36:53.725

of this off already with the grown up fields

2227

01:36:53.865 --> 01:36:57.645

and, uh, the, the bear with me mitigation

2228

01:36:57.705 --> 01:36:58.885
or potentially compensation

2229

01:36:58.885 --> 01:37:00.325
that you are doing at the Buckley sites.

2230

01:37:00.425 --> 01:37:03.965
Uh, but, um, I just wanted to make sure

2231

01:37:06.075 --> 01:37:10.525
that what you are proposing to do at

2232

01:37:13.185 --> 01:37:17.605
the manage realignment of the SEA defenses, the provision

2233

01:37:17.605 --> 01:37:18.805
of the new fields that grown out

2234

01:37:19.225 --> 01:37:22.405
and your enhanced management

2235

01:37:23.065 --> 01:37:25.765
at the Buckley site Web Weber Park, sorry, sorry.

2236

01:37:28.715 --> 01:37:31.295
How that sits in the context of your net

2237

01:37:32.375 --> 01:37:34.215
biodiversity benefit plan

2238

01:37:35.435 --> 01:37:37.895
and the biodiversity plans

2239

01:37:38.075 --> 01:37:41.615
of wider strategic objectives such as Sean management plan,

2240

01:37:42.395 --> 01:37:44.735
any wealth management plans that I may

2241

01:37:44.735 --> 01:37:46.615

or may not be familiar with, uh,

2242

01:37:47.235 --> 01:37:51.495

and any, I'm trying to avoid very simplistically

2243

01:37:52.355 --> 01:37:55.325

two people claiming a habitat for a field

2244

01:37:55.585 --> 01:37:58.085

that's been created or a habitat that's been created

2245

01:37:59.075 --> 01:38:01.045

that is double counting.

2246

01:38:01.245 --> 01:38:03.245

I wanna make sure that we are not sort of saying, well,

2247

01:38:03.265 --> 01:38:04.405

I'm gonna do that and I'm gonna do that as well.

2248

01:38:04.405 --> 01:38:05.725

And then before you know it, everybody's,

2249

01:38:05.855 --> 01:38:08.885

these poor sections of wildlife or flora

2250

01:38:08.885 --> 01:38:10.405

and fauna are all being told, well hang about,

2251

01:38:10.405 --> 01:38:12.085

we thought we were gonna get a lot of land out of this,

2252

01:38:12.305 --> 01:38:15.005

but actually everybody's pointing us to the same field,

2253

01:38:17.145 --> 01:38:19.445

Uh, Nicholas State on behalf of the applicant.

2254

01:38:19.545 --> 01:38:23.245

So, uh, we have our, in our green infrastructure statement,

2255

01:38:23.465 --> 01:38:27.005

um, which is our MBB document, which covers, uh, all

2256

01:38:27.005 --> 01:38:27.965

of it doesn't cover everything

2257

01:38:27.965 --> 01:38:28.725

you've, you've talked about today.

2258

01:38:29.265 --> 01:38:30.725

Um, the main focus of

2259

01:38:30.725 --> 01:38:33.765

that is on the habitat creation specifically being, uh,

2260

01:38:33.775 --> 01:38:36.365

undertaken by the applicant as part of the application.

2261

01:38:36.825 --> 01:38:38.605

So the we park management

2262

01:38:38.605 --> 01:38:39.845

that we talked about is not included.

2263

01:38:40.265 --> 01:38:42.325

That's an existing site that is, that is managed

2264

01:38:42.325 --> 01:38:45.725

by flincher, um, existing habitats that are being retained,

2265

01:38:46.025 --> 01:38:47.165

um, in their current condition.

2266

01:38:48.465 --> 01:38:51.525

The focus of it is on the outline landscape

2267

01:38:51.525 --> 01:38:52.525

and ecology management plan.

2268

01:38:52.585 --> 01:38:54.205

So the indicative landscape plan

2269

01:38:54.205 --> 01:38:55.365
that's at the back of that document.

2270

01:38:55.985 --> 01:38:57.885
Uh, the only exclusion to that is

2271

01:38:57.885 --> 01:39:00.045
what we covered yesterday, uh, um, when Mr.

2272

01:39:00.455 --> 01:39:03.605
Stren, um, was going, uh, sorry, Mr.

2273

01:39:03.605 --> 01:39:08.045
Straw was going through, um, the, uh, changes to, uh,

2274

01:39:08.115 --> 01:39:09.925
post changes part of the post change notification

2275

01:39:09.925 --> 01:39:13.445
where we discuss the high net, um, application

2276

01:39:13.445 --> 01:39:15.125
and the, the alignment of the landscape plans.

2277

01:39:15.545 --> 01:39:17.445
So that's area where the, um,

2278

01:39:18.945 --> 01:39:20.605
the high net order limits overlap

2279

01:39:20.605 --> 01:39:22.685
with our order limits is also excluded from our,

2280

01:39:22.785 --> 01:39:24.045
our green infrastructure statement.

2281

01:39:24.385 --> 01:39:26.125
Um, just to, not to double count the

2282

01:39:26.125 --> 01:39:27.405
habitat creation in that area.

2283

01:39:27.785 --> 01:39:29.085
Um, so that is considered under

2284

01:39:29.085 --> 01:39:30.205
the high net application only.

2285

01:39:31.145 --> 01:39:35.245
Um, we do consider the, um, offsite net benefit

2286

01:39:35.665 --> 01:39:37.645
and for biodiversity and green infrastructure strategy,

2287

01:39:38.215 --> 01:39:41.045
which is the land at GRU fields that is mentioned.

2288

01:39:41.465 --> 01:39:43.805
Um, but the land at grunt fields is split into the two

2289

01:39:43.805 --> 01:39:44.965
strategies, which is,

2290

01:39:44.965 --> 01:39:46.765
so there's the curly mitigation strategy

2291

01:39:46.825 --> 01:39:47.925
and the offsite strategy.

2292

01:39:48.705 --> 01:39:50.365
Um, so the total area of

2293

01:39:50.365 --> 01:39:54.205
what we call the offsite delivery area is 56.3 hectares.

2294

01:39:55.065 --> 01:39:57.365
Um, bearing in mind we, we mentioned a loss

2295

01:39:57.365 --> 01:39:58.685

of 24 hectares earlier.

2296

01:39:59.985 --> 01:40:04.485

Um, 26 of this is to be used for the,

2297

01:40:04.865 --> 01:40:06.405

uh, curly mitigation strategy

2298

01:40:06.985 --> 01:40:08.845

and the remainder is available

2299

01:40:08.985 --> 01:40:10.885

for other terrestrial enhancements

2300

01:40:11.425 --> 01:40:13.845

of which there is no indicative plan at the moment.

2301

01:40:13.845 --> 01:40:15.485

Obviously, I've take on board the comments

2302

01:40:15.515 --> 01:40:17.445

that you made about the, um,

2303

01:40:17.465 --> 01:40:19.845

and we look forward to receiving those in writing about

2304

01:40:19.845 --> 01:40:22.285

how we can, we can consider those in the, in

2305

01:40:22.285 --> 01:40:23.365

that plan going forward.

2306

01:40:24.105 --> 01:40:28.565

Um, so really, yeah, in summary, we, we are only dealing

2307

01:40:28.565 --> 01:40:30.805

with those things that we have, um, proposed.

2308

01:40:31.275 --> 01:40:34.525

Another slight, uh, interface that we have

2309

01:40:35.225 --> 01:40:38.085

is the existing conservation areas management plans under

2310

01:40:38.085 --> 01:40:39.485

the current section 36 agreement,

2311

01:40:39.485 --> 01:40:42.325

which you indeed referenced earlier in relation

2312

01:40:42.325 --> 01:40:44.685

to the creation of the sort marsh adjacent

2313

01:40:44.785 --> 01:40:46.045

to the existing power station.

2314

01:40:46.665 --> 01:40:50.885

Um, so that arrangement is, is due to end at the, um,

2315

01:40:52.155 --> 01:40:55.085

upon the, uh, the existing arrangements at the,

2316

01:40:55.625 --> 01:40:57.365

the operation of the existing power station.

2317

01:40:58.185 --> 01:41:01.845

Um, and the applicant has committed to extending that

2318

01:41:02.065 --> 01:41:03.725

as part of this application.

2319

01:41:04.075 --> 01:41:07.925

However, until a point at which the other one lapses,

2320

01:41:08.155 --> 01:41:10.205

that management plan isn't coming into force.

2321

01:41:10.785 --> 01:41:14.965

Um, so that has, um, sort of been excluded

2322

01:41:15.105 --> 01:41:16.485

as the habitat already exists.

2323

01:41:17.575 --> 01:41:18.685

Thank you, Mr. State. I mean that,

2324

01:41:18.685 --> 01:41:20.525

that's very nicely segues into the, what,

2325

01:41:20.525 --> 01:41:22.085

what I was gonna ask next, and I think you already answered

2326

01:41:22.085 --> 01:41:24.085

the first part that I was, I was looking at who's gonna look

2327

01:41:24.085 --> 01:41:25.525

after these sites once you've created them.

2328

01:41:25.525 --> 01:41:27.645

So you've very kindly just explained what's gonna happen

2329

01:41:27.645 --> 01:41:30.565

to the site adjacent to the power station.

2330

01:41:31.025 --> 01:41:35.885

Um, could you, uh, again, perhaps it's easier if I try

2331

01:41:35.885 --> 01:41:37.165

to summarize and you correct me where I'm wrong.

2332

01:41:37.625 --> 01:41:38.645

So thank you. You are going,

2333

01:41:38.645 --> 01:41:40.325

you've got an existing management plan that's gonna lapse,

2334

01:41:40.325 --> 01:41:42.845

but you're entering into a new agreement with a, um,

2335

01:41:42.845 --> 01:41:45.485

presumably would it be DNS to go forward

2336

01:41:45.505 --> 01:41:49.885

to look at managing the, the salt my site going forward?

2337

01:41:53.545 --> 01:41:55.605

Uh, I'll carry on and then you can come back.

2338

01:41:55.825 --> 01:41:58.525

And then, and then secondly, um, you're going

2339

01:41:58.525 --> 01:42:01.485

to enter into agreement with potentially with F Flincher

2340

01:42:01.545 --> 01:42:04.205

for the Wera Park site about enhance management there to try

2341

01:42:04.225 --> 01:42:06.205

and get rid of the nitrogen that's arriving

2342

01:42:07.265 --> 01:42:09.005

and what's happening at grownup,

2343

01:42:09.005 --> 01:42:10.845

what's gonna happen long term, who's going to look

2344

01:42:10.845 --> 01:42:12.125

after and manage that site.

2345

01:42:12.625 --> 01:42:15.165

Uh, so Nicholas State on behalf of the applicant, uh,

2346

01:42:15.595 --> 01:42:18.685

Juniper owned the land, the applicant owned the land, yes,

2347

01:42:18.865 --> 01:42:20.005

um, at grown fields,

2348

01:42:20.225 --> 01:42:21.885

and they would be entering into, um,

2349

01:42:22.085 --> 01:42:24.805

a management arrangement, um, which would align

2350

01:42:24.835 --> 01:42:28.165

with the final klu mitigation plan, um,

2351

01:42:28.225 --> 01:42:29.645

and would be delivered, um,

2352

01:42:29.865 --> 01:42:31.365

in accordance with that strategy.

2353

01:42:32.225 --> 01:42:35.885

Uh, I'd have to check the duration of that management, uh,

2354

01:42:35.885 --> 01:42:37.885

but it is referenced within that document.

2355

01:42:37.935 --> 01:42:40.645

Thank you. And in relation

2356

01:42:40.645 --> 01:42:43.045

to the existing Conos Keye Power Station, as I say,

2357

01:42:43.145 --> 01:42:44.525

we can come back to you on that. Mac.

2358

01:42:44.615 --> 01:42:47.205

Thank you very much. Um,

2359

01:42:51.665 --> 01:42:52.085

County,

2360

01:42:59.135 --> 01:43:00.135

Thank you. I think I've covered off

2361

01:43:00.135 --> 01:43:01.325

all, most of the things I wanted

2362

01:43:01.325 --> 01:43:04.085

to look at in the issue of ecology, if that's okay.

2363

01:43:04.085 --> 01:43:05.365

I've looked at it now. I'm just gonna go

2364

01:43:05.365 --> 01:43:08.205

through my quick brain dump of who's gonna look

2365

01:43:08.205 --> 01:43:09.245

after it going forwards,

2366

01:43:10.175 --> 01:43:11.885

who's gonna tell the birds that they gotta move.

2367

01:43:12.585 --> 01:43:14.725

Um, we've still got this issue.

2368

01:43:14.725 --> 01:43:17.365

I'll come back to you in a moment. Uh, thank you for going

2369

01:43:17.365 --> 01:43:19.725

for all the sites, uh, Dr. Riley, Mrs. Davis,

2370

01:43:19.825 --> 01:43:20.885

and Ms. Davis detail.

2371

01:43:21.365 --> 01:43:23.965

Very helpful. We've talked a bit about additionality

2372

01:43:24.025 --> 01:43:25.205

and whether there's any double counting

2373

01:43:25.225 --> 01:43:26.405

of these sites going on.

2374

01:43:26.905 --> 01:43:30.925

So does anybody have any other comments on the subject of

2375

01:43:31.445 --> 01:43:32.445

ecology at all

2376

01:43:32.625 --> 01:43:35.325

before I, um, so I think what we'll do next,

2377

01:43:36.035 --> 01:43:37.365
just wanna check around the room.

2378

01:43:38.665 --> 01:43:42.125
Uh oh, thank you, uh, Mr. Pollard, that, uh, uh,

2379

01:43:42.285 --> 01:43:43.765
D side Naturalist Society.

2380

01:43:43.765 --> 01:43:44.765
Would you like to comment, sir?

2381

01:43:45.695 --> 01:43:48.325
Thank you. Yeah, Mike Pollard here from D Side Naturalist.

2382

01:43:48.715 --> 01:43:51.685
I've just, um, checked the SPA in terms, um,

2383

01:43:51.795 --> 01:43:55.165
details in terms of the wintering and passage birds,

2384

01:43:55.745 --> 01:43:59.845
and it does include mention of passage, red shank, um,

2385

01:44:00.145 --> 01:44:03.325
and the citation mentions 8,795

2386

01:44:04.325 --> 01:44:05.885
e counter red shank on passage,

2387

01:44:06.055 --> 01:44:07.165
which would be autumn passage.

2388

01:44:07.745 --> 01:44:11.565
Reason I mention that is that the specific, um, part

2389

01:44:11.565 --> 01:44:12.925
of the estuary, uh,

2390

01:44:13.155 --> 01:44:17.005

that we're talking about often we have three to 4,000

2391

01:44:17.675 --> 01:44:20.165

heat counter red shank in September.

2392

01:44:20.595 --> 01:44:23.445

It's just to emphasize the point that this is a year round,

2393

01:44:23.675 --> 01:44:26.005

it's a year round place for, uh,

2394

01:44:26.145 --> 01:44:28.525

non breeding birds rather than particularly thinking

2395

01:44:28.525 --> 01:44:29.645

about it as wintering birds.

2396

01:44:29.645 --> 01:44:31.685

It's non breeding, so a lot of passage birds

2397

01:44:32.345 --> 01:44:35.205

and also also the citation mentioned 20,000

2398

01:44:36.175 --> 01:44:37.925

water birds in any season.

2399

01:44:38.825 --> 01:44:42.085

So, um, yeah, it's just all round interest just to everyone,

2400

01:44:42.105 --> 01:44:43.965

so everyone's aware of that for the avoidance

2401

01:44:43.965 --> 01:44:45.445

of doubt. Thank

2402

01:44:45.445 --> 01:44:46.445

You. Yes, that's just,

2403

01:44:46.445 --> 01:44:47.405

I think we, we did, uh,

2404

01:44:47.425 --> 01:44:50.165

Dr. Riley did touch on earlier that, that, that appreciate

2405

01:44:50.165 --> 01:44:52.405

that, that the SPA, again, correct me if I'm wrong here,

2406

01:44:52.405 --> 01:44:54.565

is designated for its wintering bird population,

2407

01:44:54.565 --> 01:44:57.925

but what we would be looking at is, whilst there's, um,

2408

01:44:58.465 --> 01:45:01.365

if you like different legislation

2409

01:45:01.365 --> 01:45:03.805

regarding the habitats regulations assessment for us

2410

01:45:03.805 --> 01:45:06.325

to consider those designations,

2411

01:45:06.985 --> 01:45:10.005

we will be looking in the wider round at all species.

2412

01:45:10.145 --> 01:45:11.965

You know, the important thing here is

2413

01:45:12.275 --> 01:45:15.045

what is gonna be the impact on the wildlife ecology

2414

01:45:15.105 --> 01:45:16.325

and floor and fauna site.

2415

01:45:16.705 --> 01:45:18.165

Yes. Just, just to clarify that point.

2416

01:45:18.185 --> 01:45:20.445

Um, so the site is primarily designated for wintering birds.

2417

01:45:20.745 --> 01:45:23.925

Uh, however, uh, the gentleman who comment it is right

2418

01:45:23.925 --> 01:45:26.165

that there is a, there is a passage passage,

2419

01:45:26.425 --> 01:45:27.645

red shank element of it as well.

2420

01:45:27.785 --> 01:45:29.845

So the distinction there is that I see

2421

01:45:29.845 --> 01:45:32.965

that potentially extends the season by month or so each way.

2422

01:45:33.125 --> 01:45:34.965

I think that's the key point there. So, uh,

2423

01:45:34.965 --> 01:45:36.125

it is something we will consider

2424

01:45:36.145 --> 01:45:38.805

and whether we should amend reference to wintering

2425

01:45:38.805 --> 01:45:39.925

to non breeding,

2426

01:45:39.925 --> 01:45:41.525

which I think was the point he was talking about.

2427

01:45:41.705 --> 01:45:43.525

Ah, thank you. But during the breeding season,

2428

01:45:43.675 --> 01:45:46.925

it's only designated as an SPA for certain turn for

2429

01:45:46.925 --> 01:45:48.445

for turns breeding in certain locations,

2430

01:45:48.445 --> 01:45:49.685

which is not affected by our project.

2431

01:45:49.835 --> 01:45:50.835

Yeah.

2432

01:45:51.515 --> 01:45:52.565

Gosh, thank you.

2433

01:45:53.215 --> 01:45:53.565

Right,

2434

01:45:57.815 --> 01:45:58.245

thank you.

2435

01:45:58.335 --> 01:46:03.245

Right. Um, I'm, I'm gonna bring that, um, first item

2436

01:46:03.305 --> 01:46:04.845

to a close now, if that's okay

2437

01:46:04.845 --> 01:46:07.085

with everybody just checking around.

2438

01:46:07.265 --> 01:46:10.805

Um, like I say, the, the, the overlying thing that's going

2439

01:46:10.805 --> 01:46:12.885

through my mind at the moment, and it won't come

2440

01:46:12.885 --> 01:46:15.565

as a surprise to you, is that, um,

2441

01:46:17.705 --> 01:46:20.645

I'm hearing evidence effectively from one side

2442

01:46:20.645 --> 01:46:21.965

of the AM examination that

2443

01:46:22.505 --> 01:46:25.645

it potentially may not be mitigation that you're proposing

2444

01:46:25.645 --> 01:46:26.925

to do, and it may be compensation.

2445

01:46:26.925 --> 01:46:28.925

And I'm obviously hearing evidence from the applicant that

2446

01:46:29.625 --> 01:46:31.725

you're, you're strongly of the opinion, it's mitigation

2447

01:46:32.105 --> 01:46:33.285

and very kindly you've also

2448

01:46:33.485 --> 01:46:35.325

provided with without prejudice, interrogation case.

2449

01:46:35.835 --> 01:46:39.005

Just want to reinforce that that's the key thing I'm going

2450

01:46:39.005 --> 01:46:42.005

to be looking at, going forwards as to, uh, what, what,

2451

01:46:42.005 --> 01:46:43.645

what my opinion on that is gonna be.

2452

01:46:44.415 --> 01:46:47.165

Thank you. I suggest we take a quick break now

2453

01:46:47.305 --> 01:46:49.340

for 15 minutes, if that's okay.

2454

01:46:49.425 --> 01:46:52.525

If we could come back at, um, should we say, is it easy

2455

01:46:52.525 --> 01:46:54.605

to say 12 o'clock for the sake of everyone in the room?

2456

01:46:54.665 --> 01:46:56.165

Uh, but I'll give, give

2457

01:46:56.165 --> 01:46:59.045

or take a few minutes, I'm sure if you've got, I'll, I'll,

2458

01:46:59.115 --> 01:47:01.525

I'll begin at say it's 1205 to give everyone a, a chance

2459

01:47:01.525 --> 01:47:02.805

to get a, get a comfort break.

2460

01:47:03.855 --> 01:47:04.285

Thank you.