



Hearing Transcript

Project:	Lime Down Solar Farm Project
Hearing:	Transcript of issue specific hearing 1 (ISH1) - Part 3
Date:	22 April 2026

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FULL TRANSCRIPT (with timecode)

00:00:05:22 - 00:00:42:02

He commenced this hearing. I realized we didn't come to interested parties prior to breaking for lunch, but we will do so at the end of item five. And I would just like to reiterate that the examining authority cannot engage directly with any party outside of the hearing. So please direct any questions you have directly to the case team. Please do not approach the examining authority. Now moving on with item five. I have a series of questions relating to site selection with respect to specific environmental matters. During these questions, I may refer to various documents, but unless I specifically ask, there will be no need to display them on the screen.

00:00:43:00 - 00:01:14:11

Now firstly, I do want to discuss flood risk and water environment. Now I know the applicant said did not have the hydrologist present, but I would like to touch on these questions and if you need to take them away then please just say so. Um, so my first question is there are areas of medium and high risk flooding subject to development as shown on the works plans AP 007. And when you cross-reference this with flood risk and drainage figures 11 1 to 11 eight inclusive.

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AP 135 through to AP. 142 now, given the area of land around the water limits and the land available to search 22km from the point of connection. Can I ask the applicant to set out what alternative locations and proposals you considered to avoid all areas of medium and high flood risk from all sources?

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Rosie Haughton, on behalf of the applicant, in terms of site selection and other locations that have been considered, particularly in relation to the the risks that they pose for flood risk, the applicant took that into account as part of their site selection assessment report. App Reference App 185. Within chat within NXT of that report, which starts at page 82. And we set out our Rag rating, which is the assessment of each of the potential development areas against a number of environmental factors, including flood risk.

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In addition to that report, the applicant has also carried out a sequential and exception test, which is which can be found at annex of the planning statement, which is App Reference app 267 that looks at the PDAs in in greater detail in relation to flooding, and it identifies the risks of flooding for all sources of flooding rather than just rivers and surface water, which is identified in the site Selection Assessment report.

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Having done that further work. The the conclusions in the site selection assessment report haven't changed in terms of flood risk in, in terms of groundwater and artificial sources and the other sources that hadn't previously been identified or assessed for site selection. The assessment conclusions were

neutral, and therefore the previous conclusions that had been raised in site selection were still were still valid in relation to those sites that were assessed.

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None of them performed better than PDA ten in relation to flood risk. Apart from PDA 12, which showed lower levels of flood risk for rivers and surface water flooding. However, that PDA has been discounted on for other reasons, in particular site size and heritage. There's a scheduled monument within the boundaries of that, that PDA. So for that reason, that particular PDA had been discounted and wasn't.

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Wasn't deemed suitable for the site. So on the basis of that. PDA ten was seen as as appropriate. Um, and. And in comparison to the other PDAs that had been assessed in terms of flood risk. Didn't pose any worse risk than the other ones that were that were looked at.

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Okay. Thank you. That's helpful. Excuse me. Sorry. Um, right. So when you undertook your flood risk assessment and I'm focusing more, I'm not focusing on sites out. So land in and around the order limits. Now, I'm not looking at site selection elsewhere. So you undertook the flood risk assessment. Now, how did that inform the overall land take and design process?

00:04:52:09 - 00:05:29:11

For the applicant. So, um, Miss Horton can sort of perhaps speak to the, um, the identification of where elements were placed within the site. But in terms of the actual detail of the hydrology assessment, obviously, as you mentioned, and you acknowledge, we don't have the the author of the flood risk assessment here, but if it would be helpful, we can provide a little bit more of an overview in terms of how we looked at the placement of elements of the scheme within the order limits, if that makes sense, from a from a flood risk assessment, if that was part of the question.

00:05:29:23 - 00:05:43:27

Yes. Um, so essentially, yeah, that would be helpful actually, if you could sort of touch on how the placement of elements within areas at risk of flooding identified and risk of flooding through the Fra. That would be helpful. Thank you.

00:06:04:27 - 00:06:48:23

On behalf of the applicant. Yes, sir. If I can direct you to the sequential and exception test, which is annex C of the planning statement app 267 and section four of that document sets out the sequential test that has been applied in relation to the solar PV sites. Um, it summarizes um information that's provided in the Fra. But just to give an overview of the details of the scheme and how that's being considered to ensure that the design of the scheme is appropriate for the flood risk on the site and the areas of solar PV sites within flood zones two and three have been used for the proposed location of solar panels and for biodiversity enhancement areas.

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Um, so those those are areas that are seen as compatible with flooding in, in contrast. More vulnerable elements of the infrastructure that's proposed, such as the bears and substations, will be sited in areas

of flood zone one. So the areas that are at lower risk of flooding because they're seen as the more vulnerable elements of the scheme, except where archaeological protection is required. The foundations of the solar PV panels are likely to be metal posts, which are driven into the ground at an approximate depth of 1.5 to 4m, which again helps in situations where there's a flood, there's a flood risk, um, where they're sited.

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Also, all sensitive and electrical equipment on the solar PV panels will be elevated by the legs. So there is a minimum clearance of 0.4m and no less than 0.6m above the 0.1% annual exceedance probability flood level, so that they can be safe from flooding. Um, in relation to the integrated conversion units and the distribution switch rooms and other kind of associated infrastructure, they will also be elevated by mountain structures so that they are no less than 0.6m above the 0.1 annual exceedance probability flood level, or where this is not possible, as high as practical and practical.

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Um, there's also been buffers applied in relation to watercourses. So there's an eight meter buffer that's been applied around watercourses. Um, which in which there'll be no built development in order to mitigate against the impacts of flood risk to the scheme. So there are just some of the elements that have been incorporated into the design, um, to consider flooding.

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Thank you very much. Pardon me. Um, I do have other questions, but I do not think it'd be fair to ask without your hydrologist presence. So I'm going to park those and put them into written questions.

00:08:54:08 - 00:09:24:03

I just want to my next query. I just want to test my my understanding now just to make sure I haven't missed anything. Um, can you confirm that you consider the exception test to have been met when when I when you refer to the planning annex in the planning statement, paragraphs five two, 9 to 5, three, five, that's app 267. Now, specifically when considering reducing flood risk overall I'm really just looking for a yes. You know, I'm not missing anything. That's what you're lying on.

00:09:24:12 - 00:09:25:03

Yes.

00:09:25:05 - 00:09:26:19

Perfect. Thank you very much.

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I think that questions for the hydrologist I want to turn to the for actually I want to turn to Wiltshire Council with a question now as you have your elite local flood authority officer present. Can I direct a question towards towards them, please?

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Joel Mikula for Wiltshire Council. I'm afraid, sir, he's not here anymore. But if if you ask the question, we can take it back and provide a response with our post hearing submission.

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That that would be useful. Please. I'll read out my question. It might. It might be that that someone else present knows the answer. Um, so we heard yesterday from a number of examples of flooding instances at the open floor hearing. And it's clearly a concern for the local communities within the within proximity of the of the proposal. So can I ask have the have has the council has undertaken any flood investigations in relation to cost and rod borne and or any other locations potentially prone to flooding resulting from the gorse Brook And or any other watercourses.

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Now, particularly, it might help. I'm thinking about investigations under section 19 of the Flood and Water Management Act 2010.

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For the applicant. So we don't have the answer for you today, but we will provide the answer with our own submissions.

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That's fantastic. Um, could we have that deadline one day, please? Thank you.

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John. Yes, sir.

00:11:17:01 - 00:11:48:09

Okay, back to the applicant. Now, given concerns raised by various interested parties, both through the open floor hearing yesterday and through the relevant, relevant representations, and including the Environment Agency, the Environment Agency. Relevant representation reference is 11394. Can I ask the applicant to outline how the presence of drinking water supply aquifers influence the site selection process? And if you discounted any sites because of the presence of aquifers, to avoid any and all potential risks.

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And again, Miss Broderick, I appreciate if you want to take that question away.

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For the applicant. In terms of the high level site selection process that was undertaken, which is the one that Miss Horton has explained, um, referenced specifically to drinking supply aquifers wasn't a factor that was taken into account at that high level site selection process. Um, because those elements listed in the um, in the Bragg rating that she referred to in terms of obviously the actual impacts of the scheme

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on any drinking supply or to supply aquifers, then I'd need to have the technical expert here in terms of to Provide a response on that. But, um, it's um, the the elements that were considered at that high level Bragg rating were the sort of the typical elements that are known to be constraints on, on solar developments, taking into account the type of infrastructure, um, that forms part of a solar

development. And, and you know that the, the methods of typical construction, um, for those types of projects.

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Thank you.

00:13:14:19 - 00:13:15:27

No. Thank you.

00:13:17:27 - 00:13:54:22

Okay. I want to turn now to best and versatile, best and most versatile agricultural land. So in environmental statement chapter four Alternatives and design evolution. That's app 056. You explain under stage two that there is a preference not to site on best and most versatile agricultural land. Now for the benefit of the room. National Policy Statement in three states that where the proposed use of agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land, avoiding the use of best and most versatile agricultural land where possible.

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In this regard, can you explain what efforts you made to avoid best and most versatile agricultural land, and what stage you sought to distinguish between grades three eight and three B and when providing an answer? Um, can we consider the term necessary? That's in there, please?

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Rosie Horton for the applicant. Um, I alluded to this, the sequential approach to agricultural land. Um, when discussing this point for agenda item three. Um, so the, the methodology that was adopted for site selection was to initially exclude all areas of grade one, grade two and grade three agricultural land in order to focus the initial search for sites on that lower grade agricultural land, in line with policy that was at stages two and three of the site selection assessment, and the outcome of that was for potential development areas, which were then assessed at stage four, and it was determined that those were not suitable for, for other reasons unrelated to ALC grade.

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Therefore, at stage five of the site Selection assessment, the applicant then reintroduced grade three agricultural land to its assessment criteria and looked for further areas, further potential development areas that could be considered for assessment that identifies PDAs 5 to 9 and latterly PDAs 11 and 12. At stage six, that's all on grade three agricultural land.

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In terms of the distinction that was made between grade three B and grade three, A land for site selection, that distinction was not made. And instead we relied on the 1970s provisional ALC grade data set because it provides a wider data set for the search area than the 1988 data set, which distinguishes between three A and three B, and when looking at assessment.

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Therefore, in the Wragg rating at NXT, you'll notice that we only ever discuss grade three or grade two land Um, and we've regretted that under the land use section of our Rag rating. So to give an

example of the different ratings that were found over the PDAs, PDA five had 20% grade to agricultural land. Whereas PDA ten at that point had 5% grade to agricultural land.

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And therefore we have focused on our search on the areas where there is there is less agricultural land, so that we're only using what is necessary. Just to expand on that as well. Um, we also consider brownfield sites as part of that test, because the policy test for agricultural land also refers to a preference to, um, to site development on previously developed land, brownfield sites and industrial sites, and the list of brownfield sites that have been considered as part of that is set out in table two two in the Site Selection Assessment Report.

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However, none of the sites that were identified and considered were deemed suitable for inclusion in the scheme, given that they are under the 40 hectare figure for minimum site sizes and weigh under, and also they are all currently in use, or they have allocations or um, extant planning applications on them for development and therefore they were not available either. Therefore, we've tried to focus our our search on areas which use the least amount of agricultural land.

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We've looked at brownfield land as part of that, and it's considered that the agricultural land that we are using is therefore necessary. Um, what I would also say is obviously it's a balance of factors. So agricultural land was just one of the assessment criteria that was used in site selection. And it was a case of balancing agricultural land against all other assessment criteria that were considered.

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Thank you very much. That's helpful. So just so that I understand. So high level site selection approach ended up here at lime down the current site. So at what point. So we've identified the current site essentially at what point did the distinction between grades three A and three B come into the design.

00:19:13:02 - 00:19:43:26

Rosie Horton for the applicant. So once the site was selected and design iterations began as part of our application submission, detailed agricultural land classification surveys, surveys have then been carried out and therefore that has then informed more. It's given us a better picture of what the actual arc agreed on on the solar development sides is some of that land has has been removed just through a process of design iteration around lime Downey.

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So I think the the current figure for grade two land, for instance, is 4% rather than the 5% that was that was previously cited. Um, so it was it was known what the arc grading was once we got into into design evolution.

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Okay. So um, right.

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Okay. I'm going to explore that further through written questions. And I want to explore the term necessary now by necessary. I don't want to overcomplicate it, but was it essentially necessary because you needed to deliver, or your client was seeking to deliver 500MW and that there was a landowner willingness involved. Is that fair to say?

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For the applicant? Yes, it's a combination of factors. So obviously we're looking for a total site that is is large enough to meet the

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grid connection and agreement that we have. Also, it was taken into account how suitable that particular site was for solar. So in terms of whether it was a good place to put solar or whether it could be utilized for a different purpose, still connected with the scheme. So there are a number of fields where, for example, as part of a mitigation, there might be some continued agricultural, um, use of that scheme. So the, the what is necessary considers both its inclusion within the scheme.

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Full stop within the order limits, but then also the purpose for which it's put to within the scheme. Um, also discussions were had with landowners. Appreciate there were some specific points raised at the open floor hearing in terms of particular parcels, which I'm sure will consider further at open floor hearings in terms of some of the comments that were made by um tenants. But in terms of discussions with the landowners. And those conversations didn't take into account, um, uh, how they how they use their land, which parcels of their land they would like to put forward for solar as well.

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So there was there were various different elements. Um, in terms of how the land was utilised at that, um, as well as its technical alc Um,

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grading. And I think, as could be seen in one of the plans. Um, that was, um, I think was referred to in your list. I don't know if we've got the ALC plan available to put up on the screen, but, um, there is, um. Yeah. Thank you. Um, there is a mix where we have, um, grade three, a land which is that darker green color. It is interspersed with areas of um, grade three B as well.

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So you don't it's not necessarily the entirety of a field that is either one, um, grade or the other. It can be mixed throughout. So um, the that was also a factor taken into consideration as part of the decision as to which fields, um, were necessary to include within the, within the scheme. Um.

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in terms of obviously the policy test has been set out and

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there are a number of dsos, as you'll be aware of, which have been granted, which include higher levels of BMV to this, to this particular project. I think what we're looking at, obviously, is also the, the, um, the nature of the surrounding land as well. So I think the question was raised about what level

of surveys we'd done, but it's it was considered proportionate to survey the area of land that had been identified as being suitable for the site.

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It wouldn't be proportionate to to do wide detailed surveys of a much larger area, um, to establish specifically what was the proportion of three A and three B sites within a much wider area. Thank you.

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No thank you. So presumably through discussions with the landowner, I mean, they would have given an indication of of yields and so on, and that perhaps would have been a, uh, not obviously a scientific approach, but would that not have given you an indication of, of sort of grade initially?

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Clare. Project the applicant. We don't have the author of the land use chapter who actually would be able to give you a technical answer in terms of that specific question, how the land is actually farmed and what purpose it's put to it and what yield it is, may not be directly reflective of what the scientific survey may confirm that the AOC rating is, and particularly where you've got a field with mixed, um, areas of, um, quality of land within one field in may be the decision is taken to fill to do it form on the basis of what the majority of the field is like, rather than pockets potentially of better, better quality from an ALC

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classification perspective. But if there are more specific questions on those particular points, then yeah, we would need to, um, uh, have our the author of the Land Use and Agricultural Chapter confirmed that point. And we do obviously have the wider mapping that shows the, um, the provisional mapping that Miss Horton referred to of the, of the wider area, which does show quite high proportions of um, grade three land in the area which have been used for the sort of, for example, for the cable route corridor and those sorts of things.

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Um, but yes, they would be able to give you a better, more informed answer as to how those surveys were reflective of the wider area.

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No thank you. I'll follow up on that. That being the case, I'll follow up some questions through. Written questions. Okay. Thank you.

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So I'll ask this next quick next question. And if it needs to be part for written questions. And then you will do that. So what role did the identification of best and most versatile land play when seeking biodiversity mitigation sites?

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Chris Jackson on behalf of the applicant, I suppose one of the things that's worth considering is when we we look at design for any large scale ground monitors. So it's never really taken an individual

technical discipline in isolation. So we work as a multi-disciplinary design team that pulls on from all the different technical resource available to us, whether that's landscape and visual AOC hydrology, um, heritage and archaeology, for example.

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And what we what we try and do is essentially is to look at the opportunities and constraints of any given site that's in front of us and layer those identified constraints, whether that's the, um, the heritage and archaeological issue, uh, best and most versatile and agricultural land classification, and then work out where's best place to provide an opportunity. Now typically when we're looking at large scale mountain solar, one of the the issues that that raises is ecology and biodiversity, net gain and how we can approach that within within the the paneled areas but also on the the land within the order limits.

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That's outside of the panels for typically ground nesting, bird mitigation and ecological mitigation and habitat replacement. Now what we'll do is working as an iterative design of the scheme with the design team is trying to identify those sites where following the mitigation hierarchy. A good example is along the the western boundary of see with the CNN. We've seeked to avoided infrastructure in those areas and we've brought those forward as, um,

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ecological mitigation areas for programs in birds. Similar approaches have been taken throughout the scheme, where we've got areas where we can keep the land within the order limits, but then use the restraint that's within that, that feel to that area of the site provide an opportunity on top of that. Then typically that is for the use of an ecological benefits.

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So in terms of then the areas of, I suppose what I'm struggling with, and it might just be we have to explore this through addressing questions and subsequent hearings that there's quite a lot of land around the order limits. And.

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There does seem that it might have there might have been the potential there to have avoided BMV completely with respect. No. I appreciate what Miss Broderick was saying about fields. You can have three A and three B within the same field. I understand all of that, I get that, but it just seems to me that unless unless there was a degree of landowner willingness involved here, that what we have are areas of BMV which are questionable, whether it's necessary to be used for purposes of biodiversity mitigation or for solar panels, etc..

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That's what I'm driving at, and I'm happy to explore this through written questions or to to park it through deadline. One a but do you see I mean, that's what I'm struggling with. And I would invite Miss Broderick, you or one of your team, just to. Just to comment on that, please.

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Claire, the applicant, I think they're sort of, I guess a number of different elements there that that, um,

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Mr. Jackson was sort of trying to explain in terms of how it's a how the holistic approach is taken. And so whilst we are obviously mindful of the need to give preference to utilizing lower quality BMV land, where there is a

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another environmental discipline that requires some form of mitigation to to be put forward, then the applicant's position would be that that satisfies the test of why it's necessary to include that land within the scheme. So we're looking at it not we're not trying to say that there There isn't somewhere else in proximity to the site. Another field that if you did some ALK testing on, it could potentially be of a lower grade because we have taken a proportionate approach.

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We haven't done that wide testing and so the projects don't typically at this scale do that. They identify an area of land following the site selection process that Miss Wharton explained. To identify a broad area of land. They then carry out testing of that area and then sort of whittle down the site within that, looking at whether it's a suitable area for panels and therefore necessary to include it, whether it's a suitable area for providing a form of mitigation.

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But it is not, um,

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the applicant hasn't has considered it in the round, as it were, as part of the development of the scheme. Um, I don't think we don't have a more detailed table that we can provide you necessarily in terms of how each small area does. That doesn't form part of the DC application documents. I'm supposing that that particular breakdown, but it is that is because the design scheme takes into account a lot of different elements and not BMV in isolation.

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Thank you.

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Yeah. Just okay. I'm going to explore that further through written questions.

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Uh, let's let's move on.

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Okay. I want to move on from BMV land to ecological surveys, please. And I think these are probably just a series of just queries because there were some, some surveys not undertaken at the time of submission. And then I was certainly I was struggling to follow a little bit through the documents about what had been done when and what had informed the design process, etc. I understand there was some perhaps some access issues to land. So one of my my first query is certainly, um, so in the design approach document app 268 paragraph 322, you set up the six stages of site selection.

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Now what I want to explore further is when field surveys were undertaken. And that's I'm talking about the entire order limits there. And I don't mind if you sort of break that down into solar PV sites and cable corridor. And so when they were undertaken, I don't mean every single one, but um, when those surveys were done and sort of where and how this influenced the, the design, um, the order limit design for solar panels and also for the cable corridor route, please.

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William Barrett for the applicant.

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So ecological surveys, um, broadly have been continuing for the two years prior to submission of the application. Um, let's break it down into the solar PV areas and the cable corridor broadly. Um, Natural England obviously play a critical part in agreeing on the approach and the, um, methodology and the extent of the surveys to inform the assessment work.

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So specifically through the scoping report, then that's one of the key points at which we would take feedback in order to reach agreement on the the surveys undertaken for ecology and statutory consultation. So that was 2025. That was February. March.

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Um, that's also a critical point because at that point we can publish the survey work that has been undertaken to date, and then allow statutory consultees to make comment on the extent of the survey and any particular species or habitats that they would like. More detailed survey. Um, to the question on how that works with design development. Um, so, Mr. Jackson, provide an overview, provided an overview of how that process worked.

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And I think one of the main points I think is relevant here is, yes, that overlapping of the ALC survey work. So again that's Natural England methodology. Um, the ecology, the heritage and also the points raised about the ecological mitigation areas. I mean, another way of some people look at them is what we call non panel areas. Um and non panel areas could be a more accurate way to describe them because they are not just there for the ecological mitigation.

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A number of them, particularly on the western side adjacent to the CNL, were developed progressively with all environmental disciplines and then defined. And that was yes, ecology was a factor but landscape.

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And sorry, I'm going to interrupt you there because because time is marching on. I asked you about how surveys informed the design. Now, some of the surveys weren't complete at the time of the submission, and I was just trying to locate the exact point in the report where it says that. And that's what I'm driving at. So, yes, I understand surveys were completed, were started or two years prior to

the application. I read that chapter of the E.S., but what I'm struggling with is yes, and I understand the holistic approach to development and design, etc.

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again, I get that? But what I'm asking about specifically, and perhaps I just need to distill my question down, is how are how did the surveys specifically inform? Because we've already heard about the loss of hedgerows, for example. Now it's common knowledge how important hedgerows are, for example. Um, so that's that's just just the one example. So if I can just distill my question down into how did the surveys inform site selection? And if you could also then clarify when the surveys were complete for the cable route corridor.

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William Barrett for the applicant for site selection, I'll hand over to my colleague, Miss Horton for the cable route corridor. And there are a number of surveys that are outstanding,

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and I know they have been completed and they are due for submission at either deadline one or 1AI will confirm, but further survey results are due to be submitted. That's correct.

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Okay. So before we go to Miss Horton, and because you've mentioned it and I think it'll be cleaner just to address that answer now. So we've got surveys outstanding. So how was the cable route corridor defined prior to these surveys being complete?

00:38:38:26 - 00:39:13:23

William Barret for the applicant, the the surveys that are due to be submitted, I will let our ecological consultant confirm what they are. Um, they are a very discreet specific surveys and and so to inform the cable route corridor and the suite of surveys in terms of habitat surveys and targeted species surveys are comprehensive. And, in the view of the applicant, sufficient to inform the alignment of that cable route corridor.

00:39:14:09 - 00:39:27:03

And again, um, that dam has been developed with statutory consultees, particularly in rural England. So I'm happy to confirm what those additional surveys are in our written responses.

00:39:27:09 - 00:40:07:21

Uh, if the applicant I think, um, if I'm just correct in understanding, uh, the line of questioning that you're getting at here is obviously we have identified a wider cable route corridor in which, um, a working week will be microsite. Um, so I think the questioning is what level of information did we have available to us to identify that wider working corridor width that we've obviously included? And then what further information will then, um, inform the micro microsities of the cable, the working corridor within that.

00:40:07:23 - 00:40:40:27

And when you're looking at a cable corridor and there are certain elements that are available from sort of desktop survey data that could inform that site selection process and further information that can

only be established via actual surveys on the ground. And what we have got is a series of sort of commitments to how we construct that in terms of avoidance of certain features and different construction technologies, where we're crossing particular ecological, um receptors.

00:40:41:06 - 00:41:12:03

And generally, the applicant's position when it comes to cable route corridors is that there is sufficient width within the corridor to microsite the cable route to avoid those features. So when you are, you don't necessarily need to have had all of your detailed surveys to inform your wide cable route corridor, because there is sufficient flexibility within that corridor to microsite the cable when when further surveys are undertaken. We also have a series of surveys that would be undertaken pre-construction.

00:41:12:05 - 00:41:59:28

So whilst those surveys, um, detail the ecological status as at a point in time, we're obviously mindful that this is a consent that could be implemented over a five year period will be obviously that's not the intention here for the reasons we said. And when we anticipate the grid connection point to, um, when the scheme needs to be built out to meet the grid connection point, but theoretically, obviously it could be five years before the scheme is constructed and no further survey work would be done pre-construction to make sure that that micro siting of the cable still, um, is suitable and is within the parameters of what's been assessed as being the likely significant effects of the scheme for an underground cable of this nature.

00:42:00:00 - 00:42:32:23

There are a suite of different mitigation measures that can be put in place, and therefore it's not. Necessarily necessary to have done all of that survey, all of all the whole suite of survey work to inform them, because the confidence and the deliverability of the mitigation measures is, is very high. Whereas for other elements of the scheme, it's very important to have that survey data to inform the design. So a different approach has been taken between the the the PvE sites, for example, and the cable route corridor in terms of the amount of information that is provided in the scheme.

00:42:32:25 - 00:43:06:06

But just to be clear, um, as Mr. Barrett said, that that survey work has been ongoing. Obviously it has a seasonal some of the surveys have seasonal windows, and so sometimes it's just not possible to have completed, um, the full suite of surveys and still keep to the time frame for submitting your, your DCO application. But obviously when we submit further survey work, we will be confirming that it doesn't make any changes to the conclusions of the assessment, which have been based on a number of assumptions. If that survey data had been outstanding at the point that the environmental statement was written.

00:43:06:24 - 00:43:22:27

So I think the sort of different elements in terms of answering your question, but I think the summary is the applicant had the information it needed available to develop a route for the cable route corridor at that point in time.

00:43:23:21 - 00:43:24:12

Thank you.

00:43:32:22 - 00:43:38:02

Sir. Just a minute. Whilst we're talking about approaches to design and.

00:43:38:04 - 00:43:38:19

The.

00:43:38:28 - 00:44:23:01

The starting point you were alluding to, obviously the ecology and habitat and the biodiversity and set out within APO 6.1, which is the Ecology and Biodiversity chapter of the EOS, as well as within the LVA. We've the approach that design principles includes the establishment of a series of buffers and offsets. To identify the features on site, which includes all hedgerows and woodlands, ditches, watercourses. I know my colleagues alluded to earlier when we talked about hydrology and individual trees, ancient woodlands, watercourses, and then there are some um privacy um buffers put in place as well for bat roost or schedule one birds that may be subsequently identified.

00:44:23:03 - 00:44:38:16

And so we are we're baking those offsets and as buffers in from the very get go, whilst additional surveys become available to them and allow us to respond to the layout and the scheme as a response to this as they become available to us.

00:44:41:27 - 00:44:55:06

Okay. Thank you. Um, so that's so I'm so for deadline one a can you provide a list of outstanding surveys for the cable corridor, please, as an action point. And.

00:44:57:11 - 00:44:59:20

William Barrett for the applicant. Yes, sir. We can do that.

00:44:59:22 - 00:45:11:22

No, thank you very much. So moving on then. From the cable corridor, can we bounce back to, um, Miss Horton with respect to the service undertaken to inform the solar site? Uh, ideal, please.

00:45:12:18 - 00:45:47:19

Uh, the applicant. So in terms of the site selection process that Miss Horton was talking about, which was that high level consideration of different potential alternatives. That was a desk based exercise in terms of the actual development of the design of the actual scheme. Then we can talk to the surveys that were carried out then. But it is it is, as is typical for these sorts of developments. You don't tend to go in survey the other potential development areas that you've then discounted as not being suitable for your scheme.

00:45:47:22 - 00:46:12:22

So just to clarify, for my own understanding and perhaps understanding of the room then. So it was the desk based survey work that informed that high level sites. Sites like site selection search, if you will. And then once you identified the current area, um, that was then that specific field surveys were undertaken. Is that correct?

00:46:13:21 - 00:46:15:17

If the applicant. Yes that's correct.

00:46:16:23 - 00:46:26:05

Okay. Thank you very much. Um, could I hear then how the, um, specific surveys then informed the design process, please?

00:46:36:17 - 00:47:10:00

The applicant. So that that really comes back to the embedded buffers that we've applied into the scheme. So it's either the the offsets from the identified features watercourses, back trees, ancient woodlands, um, as well as where we have um the non paneled areas As my colleague Mr. Barrett was discussing earlier. That once we've undertaken those surveys and the results are coming in, for example, that we have to provide certain areas of habitat mitigation within the scheme.

00:47:10:02 - 00:47:47:05

It's then coming back to that, that layering of opportunity. Where can we provide a suitable habitat within the order limits to accommodate the ecological requirements for whatever species or habitat that needs to be mitigated? But again, it's it's the starting point, is the locked in buffers and offsets that we take from the very initial principles of the design of the layout. And then it's moving forward and taking the the additional information and responding to that through the iterative design process that we have with with the other technical consultants as this game progresses.

00:47:49:03 - 00:47:52:11

No. Okay. Thank you. That's that's clear.

00:47:54:04 - 00:47:56:10

Okay. Sorry. Just bear with me one second.

00:48:02:04 - 00:48:21:08

Right. Okay. I think I'm going to have to move on to, um, interested parties now. Um, thank you for your answers today on those matters. I'm now going to ask if there are any comments from the local authority, um, and other interested parties. So if I come first to Wiltshire Council, please.

00:48:22:24 - 00:48:59:12

Uh, Joshua McCullough, Wiltshire Council. So I'd like to make four brief points, noting that the only time that we have the first is I do have a response, uh, in respect of your drainage, uh, I'm sorry, a flooding question. So we publish those section 19 reports on our website. Uh, we've conducted a preliminary review, and we haven't found any reports in the relevant, um, London project area. However, we have taken, we are now taking that back to the relevant team and we'll just provide further assurances as to that.

00:48:59:16 - 00:49:32:01

In that deadline. One a response. So that's as far as I could take it today on that one. The second point relates to the discussion that was had earlier, uh, regarding alternatives and the selection between proceeding with the 132 KB scheme, uh, versus, say, the 400 KB scheme that, uh, that we proceed

with here now, noting what was said, uh, by the applicant about the need to ensure electrical electrical efficiency and minimize losses.

00:49:32:05 - 00:50:05:09

Local authorities interested to understand that if the matter had proceeded with, say, a 132 KB scheme, would that have seen lower impact? So, uh, would you be talking about lower environmental impacts, less environmental harm, lower construction impacts? We just want to understand, uh, what that would look like or would have looked like. Um, the third point, uh, also relates to really alignment, uh, regarding the construction, phasing and grid connection.

00:50:05:11 - 00:50:21:15

So our understanding was that what we're looking at is a construction, a two year construction period starting in about 2027, a connection agreement that, uh, expects connection take place in late 2030,

00:50:23:03 - 00:50:54:05

if that's right. Are we right in thinking there's going to be some kind of a period where we have panels in place? Uh, but, um, but no electricity connection to the grid? Uh, um, is there a way to organize the phasing or align the construction? Phasing, uh, so that we can ensure that the completion aligns with that connection date and actually minimize that disruption for residents and perhaps minimize any identified harm. And the final point really relates to outstanding surveys.

00:50:54:07 - 00:51:08:12

So you would have seen from our that we've already raised this issue out of outstanding surveys, and we welcome the indication that we're going to get that full list, um, at deadline, uh, one way, so that we can make further representations about the impacts of that also.

00:51:10:10 - 00:51:11:05

That's it.

00:51:12:04 - 00:51:17:28

No. Thank you. Um, what what I'll do, Miss Broderick, is I'll go around IPS, and then I'll come back to the applicant to respond.

00:51:18:08 - 00:51:35:29

Actually, Mr. Love, because of time constraints, I don't think we're going to have time for responses on the detailed questions, but we've heard the questions clearly and I think a response, a deadline one a in writing is the way to proceed at this point, given we've got a 3 p.m. cut off from the venue.

00:51:37:00 - 00:52:10:23

Uh, the applicant, just to say, we'll obviously be producing a written summary of the oral submissions that we've given. What is quite common is to then include a post hearing note. Um, so in terms of responding to those questions, we can add that in as opposed to hearing notes. There's also been a number of sort of technical queries that have been raised today, and some other queries where we haven't had the relevant person here to answer orally. So again, if we've got some additional information that we can provide as part of a post hearing note in that summary, then we will then we will do so because I think we are able to give a fuller answer.

00:52:10:25 - 00:52:19:17

We just don't have the relevant person here to to to speak to it so we can respond to those specific questions as part of a post hearing note. Thank you.

00:52:19:23 - 00:52:23:20

No, thank you very much that. So I'm going to come now to stop lying down.

00:52:26:26 - 00:52:58:01

Um thank you sir. Daniel Gazelka, stop lying down. Um, being very conscious of time. And we'll keep this short and to three points, obviously, there's a lot more we would want to raise, but that can be done in writing or at subsequent hearing. Um, the first question goes back right to the start of this item, which was, um, about Losses. Um, and there was a discussion of, uh, losses related to cable length. Um, and there was an action point for the applicant to bring forward, um, figures related to the losses.

00:52:58:10 - 00:53:38:06

Um, what we wanted to encourage the examining authority to include in that request is losses related to both upload and download. Um, so the examining authority will be aware that the the grid connection is 500 megawatt upload, 250 megawatt download if that's the correct way round of expressing it. Um, and if the applicant has been invited to do one side of that equation on losses, we would just welcome the other side as well. Um, the second point relates to the discussion that was had about tracker panels versus fixed south facing panels.

00:53:38:14 - 00:54:13:00

Um, stop lying down. Particularly concerned about this, and I think we've already expressed in our relevant reps that we can set a fix. South facing would have a lower environmental impact overall, and it seems to us this is an important point because the applicant, at least currently, is speculating about the benefits that may come from a more environmentally impactful, um, design in circumstances where it is relying upon policies and arguments that have to show avoidance as part of the mitigation hierarchy.

00:54:13:02 - 00:54:45:15

So the examining authority will be aware that the applicant relies on the CMP infrastructure presumption in part. Section 42 of PSM one. And one of the things that the Secretary of State will ultimately have to be satisfied of is that the mitigation hierarchy has been complied with, and we would invite the examining authorities to look carefully at the question of is there avoidance in circumstances where more impactful panels are used which don't result on the figures before you on an improvement? and it may be when the time comes.

00:54:45:17 - 00:55:15:26

As an invitation to direct. But there should be some limitation on the panels used in the scheme. And this is, of course, particularly in the circumstance where the applicant itself identifies some significant effects in EIA terms from the panels used. Um, we do have lots of other things to say about where panels tilt in winter and all that kind of stuff, but I will say at the time, for now, um, and finally, the first point just to draw it to your attention, um, at deadline, when the written wraps will go in.

00:55:15:28 - 00:55:55:05

And so the has some other concerns about the specific process that the applicant adopted in site selection, particularly related to its 12 PDAs. Um, the first of these is while we accept and the applicant has explained all PDAs were assessed against the same criteria. They were not selected against the same criteria. And when criteria were changed, they weren't redrawn. And just to explain why that might matter, if you have, let's say, a 5100 hectare field of which 50 hectares meets a criterion and 50 hectares does not meet a criterion, you have a 50 hectare PDA.

00:55:55:11 - 00:56:28:00

If you then change the criterion but don't redraw the line, you don't have the opportunity to include the over 50 hectares to get a 100 hectare PDA. And we say that's what's happened here. So if you look at the maps as part of the SA, there are areas around PDAs, 1 to 4, etc. where you can see a new line could have been drawn and we think that is irrelevant concern. The other relevant concern is about the combination of PDAs. And you can see this again if you look at the maps connected to the SA.

00:56:28:16 - 00:56:53:09

Um, we say that ultimately, if there had been a consideration of combining PDAs, there would have both been an opportunity to avoid effect and also an opportunity to site closer to Melksham. I'm not going to go into loads of detail on this, I just flag it. I know the applicant obviously doesn't agree with our submissions, but I draw that to your attention and it'll be a deadline one. Thank you sir.

00:56:56:03 - 00:56:56:18

Okay.

00:56:56:23 - 00:57:04:19

Sorry Mr. Love, I would like to respond to say we will expand that action in accordance with your request. So the applicant is on notice of that. Thanks.

00:57:04:21 - 00:57:05:08

Thank you. Madam.

00:57:08:29 - 00:57:22:13

Thank you very much. I'm going to turn now to other registered interested parties who may wish to make comment on agenda item five, please. If you do, just raise your hand and we'll bring you a microphone.

00:57:24:20 - 00:57:29:23

Case team can have a microphone to the gentleman in the white shirt. Please just raise your hand please sir. Thank you.

00:57:32:18 - 00:57:36:19

Hello. My name is Mark judge. I just wanted clarity on.

00:57:36:21 - 00:58:16:21

We keep talking about these 4.5m high panels. And from the drawings that have been done, I can't work out whether it's a four meter panel set 2.5m above the ground as its pivot point, or whether it's a 4.5m panel that would actually be 4.75m high. When it's in, it's vertical. And also on that same point, we raise the point about flooding, whether any of these panels will be set so that they don't they don't hit the floodplain when they're in the vertical and therefore would be even higher.

00:58:17:09 - 00:58:29:02

So that was one point. And the other one was the 400 volt substation. Is that on 40 year lease or 60 year lease land?

00:58:32:03 - 00:58:50:15

What I'll do. So just because time is running out, the applicant I think there was a fair comment, Miss Broderick. So at deadline one A the applicant will provide a response to that. Just because we're running out of time today that that's all. So this project did you get all of the gentleman's queries?

00:58:52:04 - 00:59:05:27

Uh, if the applicant. Yes, I think so. In terms of confirming what the measurements refer to, we can provide some greater clarity on that. As I said before, the terms of the commercial leases are confidential. So we can't provide confirmation on that.

00:59:05:29 - 00:59:06:17

Thank you.

00:59:07:05 - 00:59:38:21

All right. I just want to come in just on the point with the gentleman raised about the panels and heights and where they're taken from your app. Dash 184 is illustrative drawings, um, of a 3.5m high fixed panel arrangement on concrete feet. You've then got a second panel shown on that plan. But what you do not have is a plan of a two panel, 4.5m high tracker, um, which I think is the detail that we need.

00:59:38:23 - 00:59:56:08

So I think app 184 could be updated to include the information that the gentleman is seeking. And coming back to the question we raised before about ground levels. You obviously need to clarify that on a number of bits of this where the ground level is taken from, but I don't want to say any more. Thank you.

00:59:58:19 - 00:59:59:20

Mr. Gazelka.

01:00:00:02 - 01:00:31:07

Apologies, sir. Just general stop line down. Just a very short point. Um, about, um, commercial agreements in length. The applicant is a party to the relevant agreements and is inviting you to consider. This scheme will exist for 60 years. Um, this our submission will be where it's for them to demonstrate that that is the case. And we know currently that that is not the case. If they wish to rely on commercial sensitivity, that is a matter for them. But you must, in my submission, rely upon the evidence that is before you.

01:00:31:14 - 01:00:48:11

Um, and ultimately, without that assurance that raises questions about what scheme will be built up for six years will make submissions in the future about it. But just to put on record, we do not accept that a party to an agreement could rely on the confidentiality of its own agreements. It's in a position to negotiate.

01:00:48:22 - 01:00:59:02

Mr. speaker, we heard that point quite clearly this morning, and it is definitely on our radar. Without a doubt, it is something which I said earlier. We will certainly explore again.

01:00:59:28 - 01:01:21:28

For the applicant. If I could just be clear here, what we're saying here is there is a contractual obligation in that document to keep the terms of that document confidential. And what Mr. Gazelka is suggesting is that we breach that contractual obligation. I don't think that's the case. I think what he's saying, what I'm trying to say here, is we would need to get consent from the other party to.

01:01:26:12 - 01:01:36:00

Overlay the terms of those agreements. And that's the point we're taking away. I think that's slightly different from saying that it's commercially sensitive information necessarily. What we're saying is about contractual obligations to keep information.

01:01:36:02 - 01:02:08:08

I understand from Mr. Gazelka is not asking you to to breach those agreements because they are contracts and not certainly asking for them to be in the public domain. But it does come back to the point I mentioned before about you're relying upon a 60 year period to generate electricity to demonstrate the benefit of this scheme over 60 years. And if we can't be assured of that, then and if it turns out to be 30 years or 40 years dependent upon your agreements, then the benefits are reduced. And so we will have to explore this further.

01:02:08:10 - 01:02:27:18

But we're certainly I don't think Mr. Gazelka is asking for you to put those contracts in the public domain or divulge the detail of those contracts, but it still comes back to the fundamentals around what this scheme can deliver, what it can generate and what your benefits are. So I think I just want to leave that there because we are really, really very much pushed on time now.

01:02:33:05 - 01:02:38:26

Well, we'll hear from the gentleman in the blue blue top for the final, and then we will need to move on, I'm afraid.

01:02:39:11 - 01:03:27:06

Yes. This is this is to do with, uh, flood risk. Um, I heard your comments earlier, and they all seem to be mitigation of flood risk regarding the scheme rather than the surrounding area. Um, the battery storage and the 400 kilovolt substation either will drain off onto the railway line to the south, in which case, uh, Network Rail are probably an interested party because that South Wales main line has

flooded and being closed, or it will drain to the north into a little ditch, but then ultimately goes on to a road that always gets flooded at the moment.

01:03:27:08 - 01:03:39:21

So if you're going to reduce the absorption capacity of two large fields. Then we're going to have more risk between on the road between Norton and Lavington.

01:03:39:23 - 01:04:12:15

So I'm not going to ask the applicant to respond on that point today because this isn't a flooding hearing. This was very much an overview. And they don't have their hydrologist. It came up at the open floor hearing yesterday. I think we all heard loud and clear about the flooding issues. We will certainly be addressing flooding throughout the examination and appreciate your comment today, but we really have to stick to what we've got on the agenda today. So I'll hand back to Mr. Love, because I think we're out of time to deal with item six, and we need to obviously talk about next steps.

01:04:13:03 - 01:04:15:12

Thank you. Sir. What was your name please, for the A?

01:04:20:10 - 01:04:51:19

Thank you. Um, so unfortunately we don't have enough time to go on to item six, but I do want to make clear. And we do know that battery safety is a concern and we will be exploring that through the course of the examination. It wasn't our intention today to examine battery safety, but I do want to assure everybody in the room and joining us online that we will be exploring that through the course of the examination. With that, I am going to pass on to my colleague, Mr.

01:04:51:21 - 01:04:57:09

Northover, to for next steps and closing of the hearing. Thank you.

01:04:59:14 - 01:05:31:06

Thank you. So just a quick review of actions and next steps. I'll take us briefly through the action points. These actions will be published on the project web page of the Planning Inspectorate website as soon as possible. Um, so we have seven action points, as well as a general action for the applicant to respond to those final submissions made by interested parties. Um, in relation to item five.

01:05:31:08 - 01:06:11:09

So under item three, scope of development action one for the applicants, um, to resubmit at a higher resolution. Yes. Appendix 33. That's app 184. Um, and all all actions are for deadline one. Eh. Action two for that applicant, uh, to confirm why er, insulated substations are proposed instead of gas insulated substations. Um, item three, the applicant, um, confirm whether the lightning conductors are included on the substations and whether they are contained in the overall height parameters.

01:06:12:04 - 01:06:49:29

Uh, so against agenda item five, action for the applicants. Number four, clarify the percentage transmission losses associated with the length of the cable route and as per Stop Lying Down's comments to include the upload and download losses. Action five is for Wiltshire County Council to

confirm any section 19 flooding investigation reports in relation to flooding in Cawston Road, Bourne, gorse Brook and any other locations within or nearby the site area.

01:06:51:13 - 01:07:29:06

Action six for the applicant to submit a list of outstanding surveys for the cable corridor. Um and then action seven uh to provide a a typical plan showing the 4.5m high single access tracker panel. I believe the relevant references app 184. And then in addition to that, the general action for the applicant to respond to those final representations made by interested parties.

01:07:31:11 - 01:08:13:06

Of the applicant. I think as we didn't get to necessarily address the items that were on agenda item six, we did have a sort of a prepared explanation. So what I was going to suggest is that we maybe put that in as a post-it note in terms of a summary on those points that you had specifically mentioned, because the answer to that may well answer the questions you might have otherwise posed, and then you have that information earlier to inform your written questions. So we'll provide our what we were going to present orally under that agenda item as a kind of post hearing hearing note, in case that is helpful because it does confirm some factual information which might be useful.

01:08:13:08 - 01:08:22:09

Excellent. Yeah, that would be helpful. Thank you very much. Um, I Wiltshire Council happy with the action points for them.

01:08:23:24 - 01:08:25:17

Uh, Joseph for the Yes, we are so.

01:08:26:03 - 01:08:30:23

Thank you. Are there any questions on action points from any parties?

01:08:32:10 - 01:09:06:17

No. In which case I'll move to item eight, the close of the hearing. May I remind everyone that post hearing notes, documents and answers prepared in response to these post hearing actions should be provided by deadline one A and that is the 8th of May. I want to thank all participants in today's hearing and for and for their involvement and helpfulness in the proceedings. I also want to thank the case team, the security team and CVS for their good management of the events over the last two days.

01:09:06:19 - 01:09:17:04

I will now proceed to close the issue specific hearing. Thank you for participating today. The time is now. 254 and I close this issue specific hearing.