



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Lime Down Solar Project
Hearing:	Issue Specific Hearing 2 (ISH2) - Part 1
Date:	1 July 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 hearing.

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FULL TRANSCRIPT (with timecode)

00:00:10:09 - 00:00:31:27

Good morning. It's now 9:30 a.m. and time for this hearing. To begin, I would like to welcome you all to the second issue specific hearing for the Lyme Down Solar project. Can I just confirm that everyone can hear me clearly? Yeah. Can I also confirm with the case team that the live streaming and recording of this event has commenced?

00:00:33:26 - 00:00:35:08

Yeah. Thank you.

00:00:37:05 - 00:00:57:29

My name is Ben Northover. I am an examining inspector and an architect, and I have been appointed by the Secretary of State to be a member of the panel to examine this application. I am joined today by my colleagues, Jeanine Laver and David Love, who are also examining inspectors. Together, we constitute the examining authority for this application.

00:00:59:19 - 00:01:24:18

There are other colleagues from the Planning Inspectorate who are joining us today, both here and online. Our case manager is Deborah Allen, who is supported by a number of case officers in the room and online. It is the case team who you should contact regarding the application process in general and for today's arrangements, including any online connection issues. Two non panel inspectors are also present at the venue to watch proceedings.

00:01:26:14 - 00:01:58:28

I'll now deal with a few housekeeping matters. There's no planned fire drills today, so if it happens it's the real thing. There are fire doors immediately to the left of me. And outside this room to the right of me. The muster point is that is by the EV charging points in the car park. Can everyone please set all devices and phones to silent? Online participants should make sure their cameras are switched off and microphones muted unless the panel have requested that you speak.

00:02:00:11 - 00:02:24:22

I haven't received any requests for special measures or arrangements to enable participation in this meeting. If you do need assistance, please speak to the case team. If at any point in the meeting you can't hear us or have something you wish to raise with the examining authority, please could virtual attendees use the raised hand function of teams? There may sometimes be a delay before we can acknowledge this.

00:02:26:21 - 00:02:50:28

It has been explained by the case team to all virtual participants. What to do if you lose your connection. We'll have a break around 1 p.m. for an hour at lunch, and we'll have a short mid-morning break and also a mid-afternoon break. If it looks like we're going to be continuing into the late afternoon. Can I just check if there are any representatives from the media here today?

00:02:53:03 - 00:02:53:22

No.

00:02:57:13 - 00:03:18:25

This meeting will follow the agenda published on the National Infrastructure Planning website on the 22nd of June. The examination library reference number flat is EV 7001. It would be helpful if you had a copy of this in front of you. Um, I believe there may be some printed copies available from the case team as well.

00:03:21:02 - 00:03:55:21

Um, the the agenda is for guidance only, and we may add other considerations or issues as we progress. We will conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. If the questions can't be concluded, then it may be necessary for us to prioritize some matters on the agenda and for others to our second round of written questions. Um, likewise, if you can't answer the questions being asked or require more time to get the information requested, then please indicate that you will need to respond in writing.

00:03:57:05 - 00:04:10:27

The hearing today is being undertaken in a hybrid way, meaning some of you are present with us in the room and some of you are joining us virtually using Microsoft Teams. We'll make sure that however you've decided to attend today, you'll be given a fair opportunity to participate.

00:04:13:06 - 00:04:43:28

A recording of today's hearing will be made available on the Line Down Solar Project section of the National Infrastructure Planning website, as soon as practicable after the hearing has finished. With this in mind, please ensure that you speak clearly into the microphone stating your name and who you're representing each time before you speak. For those sitting in front of a microphone at the tables, there's just a button on the base of the microphone, and when the red light showing the microphone is active and the same button to turn it off.

00:04:44:00 - 00:05:12:20

If you're not at a table with a microphone, there's a roving microphone. So please wait for one of these to be brought to you before you speak. Uh, there's no need to press any buttons on that. A link to the Planning Inspectorate. Privacy notice was provided with the notification of this hearing. We assume

that everyone here today has familiarize themselves with this document, which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to the casing if you have any questions about this.

00:05:14:07 - 00:05:44:02

The case team have provided me with a list of those who expressed the wish to be heard today. Um, so I'm now going to ask the different parties here to introduce themselves when I invite you to introduce yourself. Please state your name and, if relevant, who you represent and which item you anticipate wanting to speak on. Uh, please could you also let me know how you wish to be addressed? Um. Mr.. Mrs.. Miss, miss, etc.. Um, can we start with the applicant, please?

00:05:47:07 - 00:06:24:22

Good morning. My name is Claire Broderick. I'm a partner at Pinsent Masons LLP, solicitors for the applicant Lime Down Solar Park Limited. I can be referred to as Miss Broderick. I'm represented by various members of the applicants team today. I'll let those who are at the table introduce themselves, who we envisage will be speaking to each of the agenda items today. But should there be any questions that require other members of the applicants team to, um, provide a response, then I'll let them introduce themselves before before they speak, but I'll let those at the table introduce themselves now.

00:06:24:24 - 00:06:25:13

Thank you.

00:06:28:13 - 00:06:38:17

Good morning. Will Threlfall, senior project development manager at Island Green Power. Um, project manager for Lime Down Solar Park. Mr. Threlfall is fine, thank you.

00:06:41:21 - 00:07:00:00

My name is Christopher Jackson. I'm the director of landscape architecture at Lambro. I'm a chartered landscape architects responsible and accountable for the LDA and some of the environmental master planning aspects of the scheme, and they answer any matters on landscape and visual. I can be referred to as Mr. Jackson or Chris. Thank you.

00:07:01:09 - 00:07:11:17

Good morning. William Barrett, Aecom Technical Director, environment lead for the Lime Down Solar project. And Mr. Barrett.

00:07:17:09 - 00:07:22:14

Thank you. Can I ask Wiltshire Council to make their introductions, please?

00:07:22:26 - 00:07:23:15

Um, yes.

00:07:23:17 - 00:07:56:13

Good morning. Panel. My name is Odette Chalabi. I'm a barrister at Landmark Chambers instructed for Wiltshire Council, and there are two landscape witnesses who will be participating today sitting

next to me. So the first is Mr. Mark Goodwin, who's a senior landscape officer at Wiltshire Council. And we also have Mr. Will Harley next to him, who's a landscape consultant at landscape, and they'll both be answering questions on landscape and visual matters depending how we go.

00:07:56:18 - 00:07:57:12

Thank you.

00:07:59:15 - 00:08:16:06

Uh, turning to parish councils, I've not been informed that any parish councillors have registered to speak today. Can I but can I ask whether there are any representatives of parish councils who would like to speak, and on which agenda item you would like to speak? I'm not seeing any hands. No.

00:08:18:09 - 00:08:32:15

And there's no representatives from Natural England or Cotswolds National Landscape Board today? No. Okay. Thank you. I will move to stop them down to make your introductions, please.

00:08:33:26 - 00:09:04:08

Thank you sir. Daniel Gazelka. Council, on behalf of lying down. Um, I'm assisted to get today by, um, Marsilio Reynolds, who sat to my right, who was also counsel at Webber, 39, Essex Chambers. And then on my left is Miss Karlie Tinkler, who is a landscape, a landscape consultant. She's a member of The Chartered, she's a chartered member of the Landscape Institute. And a number of questions that we addressed today will go to her.

00:09:04:11 - 00:09:04:28

Thank you sir.

00:09:07:24 - 00:09:08:18

Thank you.

00:09:11:12 - 00:09:29:06

I also have a interested party. Richard Tanner registered to speak as Richard Tanner here today. No. Okay. Thank you. Is there anyone else in the room or online who has registered to speak? Um, but who hasn't introduced themselves yet?

00:09:34:23 - 00:09:39:24

No, I'm not seeing any hands in the room or online. Um. And.

00:09:41:12 - 00:10:09:29

Okay. Yeah. That's great. Thank you. May I remind you that if you wish to speak during the course of the morning's proceedings, for example, to make comments in response to representations made by other parties, you should raise your hands, either physically or using the the the hands up function within Microsoft Teams. Uh, please don't shout out or interrupt. It's important that we hear the responses to questions that are being that we are asking of parties.

00:10:12:11 - 00:10:47:13

Let me now briefly explain the purpose of this issue. Specific hearing. This hearing seeks to consider a range of issues which come under the topic of landscape and visual impact. Um, we will consider matters relating to the landscape fabric within the proposed order limits, the Cotswold National landscape and its setting. The landscape character within the within and surrounding the order limits impacts on visual receptors and design principles and project parameters. We have a number of questions which are primarily aimed at the applicant Wiltshire Council and stop lying down.

00:10:47:19 - 00:11:32:19

The purpose of this hearing is to enable us, as the assessor, to gain further understanding of the evidence relating to the matters on the agenda. I'll be asking questions today, but my colleagues may also have some questions that arise during the course of our discussions today to help the hearing run as smoothly as possible. I'll run through all of our questions on each agenda item before then opening up to the floor for contributions from interested parties. Any oral representations made at that point must relate directly to the discussion undertaken for the agenda item, and it's important to say that today is not an open floor session to give wider representations on the proposed development.

00:11:32:21 - 00:11:50:21

If you do have wider points to make regarding, um, the proposed development, Please provide these in writing at deadline for on the 10th of July, and the written submissions do carry exactly the same way as all submissions. Are there any questions so far on the purpose of the hearing?

00:11:52:21 - 00:12:01:06

No, I'm not seeing any hands. In that case, I'll move on to agenda item two, which is the landscape of fabric.

00:12:04:19 - 00:12:37:10

So just to set the context for the discussion that I'd like to have, um, informed by representations made by the council and stop lying down. Uh, the SEC asked the applicant at Q1 to quantify the loss of the landscape fabric components, um, and identify of the additional landscape fabric components, that which would be mitigation and that which would be enhancements. And the applicant provided that for us at deadline three.

00:12:38:15 - 00:13:39:27

Separate to that, the council have raised concern that the applicant's assessment of landscape fabric has not included all the components that it should, and that a correct assessment of landscape fabric should include both natural and man made elements such as buildings, best containers, sorry battery energy storage containers, access tracks, roads, boundary enclosures, substations and panel arrays. So could I start by asking which council if if the if the assessment of landscape fabric for the land within the order limits did include all manmade items and the natural components, how would that assessment differ from a landscape character assessment of the same area as a landscape character assessment looks at the effect that all changes, natural and manmade, would have on the the receiving landscape.

00:13:39:29 - 00:13:45:06

So I just want to understand what what it is that's different that you feel is missing here.

00:13:49:24 - 00:13:54:09

Um, Mark Mark Goodwin, Wiltshire Council um,

00:13:55:27 - 00:14:12:20

the built element and land use components of fabric are critical to understand how human influence and the overall coherence of landscape differs.

00:14:14:07 - 00:14:15:03

And.

00:14:17:12 - 00:14:18:03

Um.

00:14:29:20 - 00:14:52:19

So can I just ask in relation to that quick point. So how that how that then the, the overall effect of of changes to the landscape, both manmade and natural on the, on the how the landscape is perceived, how does that differ from a landscape character assessment, which we do have separately. So I'm trying to understand what should be in the landscape.

00:14:52:28 - 00:15:32:12

Understood. So Odette Shelby for Wiltshire Council I think the, the, the difference that Mr. Goodwin's articulating is that when you're doing a landscape fabric assessment, you're looking at the individual components and elements of the landscape individually. So that includes the green elements. It includes the manmade elements. So you're looking at change in terms of introduction of new elements. You're looking at land use. You're looking at trees and you're looking at the perceptual and aesthetic experience and understanding of that. The difference from a landscape character assessment is that when you're assessing character, they all come together and you're looking at the how that is grouped together into an overall understanding of character.

00:15:32:14 - 00:15:44:18

So fabric that Wiltshire Council understands as the same thing as components or elements of the landscape. It's the broken down pieces and it all comes together to understand the fabric, to understand the character.

00:15:45:16 - 00:16:20:00

Okay. Thank you. And in that case, then if if the landscape fabric assessment were to include the man made components as well, um, how do you suggest that it would be determined? What methodology do you suggest would should be used to determine whether an individual landscape component is a positive, neutral or negative effect? So currently the landscape fabric assessment quantifies additional natural components.

00:16:20:02 - 00:16:32:29

But if we're also looking at if it were to include the man made components as well, there's there would have to be some decision making as to what whether it's a positive, neutral negative?

00:16:33:15 - 00:17:08:08

Absolutely. There would have to be that. I think the the challenge is that assessment hasn't been done. And so you would have to look at so introduction of land use changes and and make a judgment. Is that positive or negative. To what extent has it increased. Obviously going from from agricultural use to a solar use. That is a change in land use. It's an introduction of a man made feature. But yes, there would have to be an assessment of whether it's positive or negative. And the council hasn't done that assessment for individual components because it's missing from the applicant side essentially.

00:17:11:28 - 00:17:45:02

Oh good one won't you Council. And the other thing um, just just to note is that fabric components, you know, influence um, the perceptual aspects of, of of of character as well. So um, obviously, uh, you know, a green field has texture. It has color. Um, and if you introduce a surface material or finish of solar PV panels and frames, then obviously the color is changing and the texture is changing.

00:17:45:14 - 00:18:16:05

Um, so that fabric component of the field parcel and, and and the vegetation has been perceptually lost which influences the wider perceptions of character. So it's important to understand those fabric components, how they contribute to the characteristics of, of, of the site, uh, in the wider context and also the, the prevalence of those changes influence wider character.

00:18:16:07 - 00:18:44:01

So it's important that those fabric components are analyzed, that their condition is understood. Their prevalence is understood how they contribute to the character of the site in terms of those essential fabric components, which ultimately and how they're understood, perceived and what they make up is. And then that influences the overall perception of wider character.

00:18:46:12 - 00:19:17:18

Okay. Thank you, I will be. I have another question for the council, but I will be coming to the applicant's response. As with the example that you gave of had solar panels being introduced to a field, I believe we already do have response from the applicant along the lines that because it's it's not taking away the that field part or it's not, it's a that it's a temporary addition on top.

00:19:17:20 - 00:19:37:01

So is there a landscape character that's changed or is there an introduction of an element that changes. Sorry. Is there a landscape fabric change in that instance? Solar panels introduced into a field, or is that a landscape character effect of the proposal?

00:19:38:00 - 00:19:51:06

I Mark Goodwin I would answer that. Um, they're both relevant. Um, it's an introduced fabric component which also impacts character.

00:19:52:21 - 00:20:13:17

Okay. Thank you. And, um, do the council aware of, um, any precedent for Elvia assessment for an CIP project that does assess the landscape fabric in the way that you're proposing? So to include all natural and man made elements.

00:20:15:11 - 00:20:21:01

That's something we have to take away. Come back to you about not I don't have examples with me today, but we can have a look.

00:20:21:03 - 00:20:53:06

Yeah, that would be helpful if you could. Um, so can I turn to the applicant for, um, your response on what you've heard? I guess essentially what's behind this question is there are, um, significant moderate beneficial effects to landscape character assessed by the applicant. And I think the council is saying because not everything has been assessed then that that that overstates the benefit of landscape fabric.

00:20:53:08 - 00:20:56:09

So if you could come back on that point, please.

00:20:56:21 - 00:21:08:03

Chris Johnston, half the applicant. Um, sorry. So just to politely correct you, what you just stated isn't correct. There isn't. The LDA does not state a moderate benefit beneficial effect on landscape character.

00:21:08:21 - 00:21:12:24

Sorry, I meant landscape fabric. Yeah.

00:21:14:04 - 00:21:16:03

Thanks. So, um.

00:21:18:16 - 00:21:53:07

I think what what we've just heard, um, from from which council demonstrates the the application of landscape character to the assessment of landscape fabric. Whereas the work that the LPA has undertaken is to keep those two separate. So there is a there is a distinct separation between the assessment of landscape fabric within the Elvia and the assessment landscape character of and Elvia law of the points that Mr. Goodwin was raised in regards to reception and and change associated with the introduction of the infrastructure and and large scale solar, um, are all assessed within the landscape assessment.

00:21:53:09 - 00:22:24:19

Assessment landscape character. What the landscape fabric assessment is looking at essentially is, is the um, the addition of the the landscape elements associated with the scheme. Now, one thing that I would direct back to obviously is within the LGA, which is which is Rep 3025. We've got a um, a definition within the glossary that was proposed at scoping with the and was then followed through from. From scoping through to, to peer and ultimately through to assessment and.

00:22:24:21 - 00:22:38:18

Which I'll just quote which is the landscape fabric is in individual tangible elements or features such as landform, woodland, hedges, tree cover, vegetation, make up the landscape or a site. These can usually be described and quantified. And then what the.

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Elvia Jackson could you just.

00:22:40:00 - 00:22:40:15

Slow.

00:22:40:17 - 00:22:41:02

Down a little?

00:22:41:12 - 00:22:42:24

Apologies to.

00:22:42:26 - 00:22:43:11

Keep up.

00:22:43:13 - 00:22:43:28

With.

00:22:44:07 - 00:22:45:00

Um, absolutely.

00:22:45:06 - 00:22:49:09

And I miss the reference, the E.L. reference that you said. I'm sorry to interrupt your flow.

00:22:49:11 - 00:23:24:17

No, no, no, it's absolutely fine. Apologies. Um, that was rep 3025, which is the Elvia. And that's paragraph 8716. Um, so what we're essentially looking at within the landscape fabric is the natural elements within the sites. Um, so typically these are the lengths of hedgerow or the woodlands areas of grassland. And in this case, obviously the large scale agricultural landscape in which the order limits are set. Then obviously what we've been working through is, is with Wiltshire Council is to agree the methodology.

00:23:24:23 - 00:23:56:18

Um, as I said, the methodology has remained consistent and was submitted at scoping um, and carried through to, to the peer assessment and application and through to the application stage. Um, and as set out within rep 2025 the statement of Common Ground, Wiltshire Council, the methodology for the landscape vision assessment has been agreed. Um, what I would like to to draw on at this point as well is, is the the moderate beneficial effects that the Elvia has identified and where those have been drawn from.

00:23:56:28 - 00:24:33:08

Now, what we've what we've looked at through the uh, for the scheme is to minimise losses. And obviously we have a scheme with large scale ground mounted solar that is essentially, um, overlaid across the landscape due to nature development. You know, it's, um, can be delivered with minimal vegetative losses. Um, and typically through the, the landscape sort of architect holding the holding the pen at an early stage for these schemes, we can we can deliver mitigation and uh, landscape proposals alongside.

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So what we what we've got is a scheme that's overlaid across the landscape and as we've touched on, is considered reversible, that being at the point of decommissioning. Our expectation is that the infrastructure is going to be removed and that the landscape components would remain. What we've what we've done through the use of, um, embedded buffers and offsets into that initial design process is that we've been able to deliver development away from the existing landscape framework that exists within the site, so that we can protect the existing hedgerows and trees, and therefore the the losses associated with the scheme of trees and hedgerows are relatively minimal for a scheme of this sites.

00:25:11:21 - 00:25:44:07

So for example, on hedgerows, we have approximately 327m of hedgerow loss across the entirety of the scheme within the PV sites. We've got three trees, which is one group and two individual trees that would be lost as consequence for the scheme in the PvE sites, and then conversely, the PvE sites would deliver 15.49km of new hedgerow and roughly 113,000 new trees. And that is where the the assessment landscape fabric delivers that moderate beneficial effect.

00:25:44:09 - 00:26:24:23

Year 15. So once those landscape components that have been introduced have matured, we've then really released that that moderate beneficial effect. And obviously with that there's the the increased species diversity and age depth that comes forward with those plantings and those plantings have all been derived and and considered alongside the existing landscape character assessments and the nature recovery strategies for both the Cotswold Natural Landscape and for Wiltshire. Um, and so what we've looked at is trying to bring in long term benefits associated with, with with the infrastructure.

00:26:24:25 - 00:26:56:02

Now, what we've always stated is that whilst we recognise that there are benefits, the fabric through that large scale landscape interventions that's coming forward, the scheme would always have an adverse effect on landscape character as a result of the introduction of large scale ground mounted solar into this landscape, and that's where you can have significant beneficial effects associated with landscape fabric. The opportunity to deliver extensive, um, new trees, hedgerows and grassland beneath the panels.

00:26:56:05 - 00:27:12:00

However, recognising that this level of infrastructure within this landscape is going to lead to adverse effects which we have assessed for any other, is being significant up to the point of which the mitigation established, but would continue to be adverse throughout the lifetime of the scheme.

00:27:14:17 - 00:27:49:20

Thank you. Just to pick up on the loss of fabric components. So in your response to ask one where you set out a quantify the the loss and the additional components. Um, the table of fabric lost includes trees and hedgerows. Whereas uh, the table where you quantify the additional landscape fabric components, ground cover types as mitigation and enhancements are included are included.

00:27:49:22 - 00:28:21:18

But would there not also be a loss of natural ground cover fabric due to the introduction of manmade components and for example, access tracks, concrete slabs, footings? Um, and these this this would be a lot of natural ground cover for the duration of the project, and then depending on the restoration at decommissioning, there could be there could be lasting effects.

00:28:21:20 - 00:28:24:17

So yeah. Could you come back on that.

00:28:25:07 - 00:29:17:15

Chris Jackson half the applicant, the table that you reference. Um, I will come back to this at some important points that you've just raised, but I'd just like to start my answer by sort of setting out that the delivery of a large scale grand master solar scheme is different, say, to a quarry scheme which physically removes, um, the, the landscape in which it sat, the topsoil is removed, the bedrock is removed, or a residential development which is again needs to be the topsoil removing and it being being levelled, the, um, the landscape at a site level and then ultimately at a field level with large scale ground is retained, albeit it's converted for use underneath the panels from agricultural farmland to typically grassland.

00:29:17:20 - 00:29:51:10

Now, which is why when we're looking at losses, we haven't included the the loss of the agricultural land to the conversion of the grassland because it is its conversion. The numbers that are stated within the, um, the measurements that you received do not include the access tracks. Now there are going to be so that's we're able to calculate that area excluding the access track. So the the ground cover number that you receive, the 702.8 hectares of ground cover excludes the access tracks.

00:29:51:12 - 00:30:12:19

So they're not included within that. Um, the relatively minor areas of hard standing required for the, um the substations, the. sorry, the substations are also not included in that calculation. So the 400 kV in and one three, two. However, the inverter locations due to the relatively small nature are

00:30:14:07 - 00:30:28:11

swept up within that large 702.8 hectare number because at the moment, with it being a essentially an indicative scheme, they could be positioned wherever they might end up within the the arrangement of the array. And we're not able to calculate that at this point.

00:30:28:28 - 00:30:54:07

Okay. So I don't understand why why is the loss of ground cover for where there is removal of topsoil. Why is that not included in. I am not understanding. I understand that it's not included in your figure of additional landscape landscape fabric components. But why? Why is that loss not quantified?

00:30:54:23 - 00:31:29:15

Um, I suppose it's something we can take away. It would just be. It would be a case of calculating the areas of the the 400 kV substations and the 132 substations, and then calculating that all I would caveat at this stage, though, sir, is that the the scheme is in an outline and whilst it delivers maximum

parameter areas for the infrastructure within those parcels, there's no detailed scheme design that would set that. How much of the land within that area would be need to be removed, as it were?

00:31:29:20 - 00:31:55:10

No, sure. But there were to be there would be loss of, um, ground cover types. Um, and there there will there will be a worst case loss and to, to to not include it in the calculations. Does that not um, does that not mistake what the effect of landscape character would be

00:31:57:03 - 00:32:20:00

and. well what? And would quantifying that loss of ground cover types as a result of the introduction of manmade components give a clearer picture of what the actual impact on the natural elements of the landscape fabric is, without also quantifying the manmade components.

00:32:20:21 - 00:32:22:02

So I think

00:32:23:29 - 00:32:45:01

just some points of clarification, sir. So obviously the the ground cover that we're proposing is not being lost. It's been it's been created. The areas that we're referring to are currently in arable production. So the areas of locations for the for the 400 kV substations, one, three, two substations are within arable land use. So where there is not a

00:32:47:00 - 00:33:02:14

a ground cover habitat type there, which is what's been picked up within the. So it's not it's not a grassland, it's not a, an area of um Toxic margins or, um, or anything else, you know, ground nesting set aside or.

00:33:02:23 - 00:33:14:29

The access tracks, not around perimeters of fields which which are parts of the fields which might not be used for agricultural purposes and might be field margin habitats.

00:33:15:18 - 00:33:37:05

Typically the access tracks are within predominately within the fields themselves because we have the application of the buffers. So where we have field boundaries, hedgerows, trees, we've automatically offset 15m from that, which is typically going to push most of the access tracks of them where they cross the field boundaries themselves out of the margins. So that's going to be within the arable nature of the field.

00:33:37:24 - 00:33:38:15

So.

00:33:40:24 - 00:33:55:12

So is what you're saying that because the loss is of agricultural land use, it's not a it's not a landscape fabric component that needs to be quantified. It's that.

00:33:56:00 - 00:34:12:10

No, I suppose so. The access tracks are included in the assessment. So that that's 702.8 does not include the access tracks. But I suppose the point you're making is that we haven't given that an actual number, which is what I'm suggesting. We can take away and and calculate along with the other areas.

00:34:12:11 - 00:34:15:19

So okay. I think yeah, I think that would, that would be helpful.

00:34:15:27 - 00:34:31:19

My my point on it really though is, is that it's in the the scale at which we're looking. I would expect that to be a rather minor number compared to the, the areas of change that are happening beneath the panels when we're focusing on that conversion from agricultural land use to, to grassland.

00:34:31:21 - 00:34:42:02

I think I'd still like to know what that number is. Thank you. Um, yeah. So that that will be an action action point then. Um, and so.

00:34:47:27 - 00:35:10:17

Ah, yeah. So you mentioned minimizing loss of hedge hedging tree. Landscape. Fabric is the quantity that's given of loss of hedge and tree hedges and trees. A realistic worst case. And what if? If so, what is that worst case based on? Is it based on maximum parameters for the parts of design that require vegetation removal?

00:35:12:20 - 00:35:41:23

On behalf of the applicant. The the hetero calculation has been based on the the worst. Well both the tree and the hedgerows have been based on worst case. So the hedgerow gaps are calculated on a range. Um and we've that calculation of 327 is based on the widest gap used at all of the access points throughout the PD sites, and then the trees have also been based again on the maximum parameters of the schemes. And that's the worst case within the solar PV areas for the fabric loss.

00:35:41:27 - 00:35:48:26

And and the these figures just for the solar PV areas. Or do they include the cable route corridor as well.

00:35:48:28 - 00:35:51:00

These are just the solar PV areas Okay.

00:35:52:07 - 00:35:59:23

Does does there need to be a separate exercise for the cable route corridor as well then?

00:36:03:13 - 00:36:15:26

I believe that has been undertaken and I think it's been submitted within um, rep 3128 and Icsi LV 1.1 and skip fabric quantifying loss and revision.

00:36:21:26 - 00:36:25:01

Which is which have been prepared on on screen at the moment.

00:36:29:07 - 00:36:38:00

So that on screen is the solar PV area? No sir 327 within PV sites. Petros.

00:36:38:27 - 00:36:40:23

Sorry, sorry. Can you just go back up, please?

00:36:42:09 - 00:36:50:19

So if we look in, um, loss quantity under trees, we've got the, uh, within the cable route corridor number there as well.

00:36:54:11 - 00:37:00:07

Okay. So that. That that table is saying there's no hedgerow loss in the cable route corridor.

00:37:02:28 - 00:37:05:25

That seems unlikely.

00:37:06:03 - 00:37:24:24

Chris Jackson applicant. That's because there's no permanent loss, sir. So the hedgerows within the cable corridor are a temporary loss, and then they're going to be replaced. What this is looking at is the essentially the loss during the delivery of the scheme. So. What we would refer to as essentially the permanent loss although it's not permanent.

00:37:26:06 - 00:37:46:05

So this is the. Okay. So this is the the long term permanent loss taking into account any hedgerow and tree removal that might need to be done as part of decommissioning as well. Or is this a loss for the operational phase of the development?

00:38:12:08 - 00:38:22:14

And in the cable corridor? Are they not also access points that remain so they would be permanent hetero loss in that case.

00:38:33:24 - 00:39:06:09

Clare project for the applicant. We can take the point away just to double check. But in terms of access points on a permanent basis for, um, operational for maintenance of the cable route corridor. The intention is to. Use existing farm accesses so there are different construction accesses that have been put in for the purposes of construction. But then there are some existing farm gates that are already there that would be used to then access the cable corridor during routine kind of maintenance activities.

00:39:06:16 - 00:39:41:25

Um, at the moment, obviously it's not yet known what the decommissioning requirements will be for the cable route corridor. It is envisaged that at the moment, obviously, current practice is to decommission in situ where you might remove or make safe the cable, but you wouldn't take out the ducts. Obviously, in 60 years time there may be a different, um, requirement for, for decommissioning. And at that point in time, um, when submitting the decommissioning, uh, plan, and

the applicant would need to demonstrate whether there would be any new or materially different effects from those assessed in, in the ES.

00:39:41:27 - 00:40:04:20

So at the moment the ES doesn't assume the same level of removal as there would have been at the point of construction, but we obviously can't confirm today what the requirement may be at that point in time, but it's envisaged that the operational tracks would be sufficient for the type of decommissioning that we envisage needing to take place.

00:40:05:04 - 00:40:33:13

Okay. Yeah. So so existing access points are used, but I think they're being widened. So there would be there would be a head trailer. I think that's what I would like a figure for the loss of because we've got for the PvE area, how much is lost, how much is being provided it? I think I'd want to see the same figures for the cable route corridor. There will be hedgerows lost as a result of widening access points. Um,

00:40:35:03 - 00:40:44:26

you may be providing enough hedgerows that it cancels out to zero, but, Um, at the moment, it just looks like there's no hedgerow loss.

00:40:46:06 - 00:41:13:19

Uh, Claire, watch the napkin. Yeah, we'll take that away as an action, and we'll confirm. I think what might be useful for us to confirm is, is the the amount envisaged to be lost during construction, the amount that will then be replaced and then sort of then leaving you with the the total permanent loss, as it were during um, operations. So that you've got that distinction, um, between them just so that there's some transparency there between hedgerows out, hedgerows back in and the remaining gaps.

00:41:13:21 - 00:41:17:12

Yes, yes. That that would be helpful. Thank you. Um, and so

00:41:19:05 - 00:41:25:07

moving back to the, the, the proposal as a whole, not just the cable route corridor. Um,

00:41:27:07 - 00:41:45:27

so the the loss that you've provided for the PvE sites, you've said that's worst case. Um, and you mentioned minimizing the loss of hedgerow. How do the control documents incentivize or secure that vegetation would be? Vegetation loss would be minimized.

00:41:48:24 - 00:41:50:21

Chris Jackson on behalf of the applicant, the

00:41:52:15 - 00:42:00:11

buffers that are applied to the scheme are secured within the construction.

00:42:05:05 - 00:42:06:03

So apologies

00:42:07:20 - 00:42:20:29

are secured within the management plans, which is a three 100 outline landscape and ecological management plan. Rep 3094 outline operational environmental environmental management plan.

00:42:22:17 - 00:42:36:27

Um, could you just direct me to where in that document, um, that that specifically there is a there is an incentive ization or control that vegetation loss would be minimized.

00:42:40:09 - 00:42:57:25

I want. I want to understand practically how how it would, how the loss of vegetation would be minimized, because I'd to to have some assurance that the worst case isn't just what will what will be done.

00:43:00:23 - 00:43:35:14

Josh Jackson I'm half the applicant. And if I'm if I understand you correctly, to bring the hedgerow point back back to it, which is the three, two seven. Obviously that's the worst case that we were looking at in the PV sites. And as I said earlier, it's a range between the the minimum gap needed to to the extent. And I suppose if I, if I understand you correctly, what you're asking is, is where the what's the mechanism for determining where we can get away with not using the maximum and using the minimum? I think that could only be determined at the detailed design stage.

00:43:35:16 - 00:43:36:04

I'm afraid.

00:43:37:11 - 00:43:46:16

So. So it's it's a function of, um, local authority review and approval of detailed design.

00:43:48:10 - 00:43:49:02

Is that

00:43:50:23 - 00:43:52:08

is that how it's controlled?

00:43:52:18 - 00:44:23:15

Uh, Clare, project for the applicant. So there are provisions in, um, the outline landscape and ecological management plan. Um, the tract reference is rep 3-010 and it's paragraph uh, 1.1.7. Um which explains the that where feasible the scheme will try and to use existing uh points, but where um existing locations don't exist then, then some minor works will be needed.

00:44:23:17 - 00:44:43:09

So that's the sort of, um, the paragraph, I suppose, that relates to, um, the approach to be taken towards construction and maintenance access gaps within within hedgerows. So at the moment, that's the, um, the place where the approach is controlled.

00:44:47:07 - 00:45:20:01

But as Mr. Jackson said, until the detailed design is known, we won't know exactly what the width is. We obviously know the maximum extents for any particular access point and spatially where that will be located in the existing hedgerow. It's not yet known, but when the applicant comes to discharge the final landscape and ecological management plan, as we said before, they'll need to demonstrate how the final um, hedgerow losses, um, comply with the the assessment that was undertaken in the ES.

00:45:21:21 - 00:45:44:18

Yeah. So that that final management plan will need to demonstrate that it's not worse than the worst case. I'm trying to understand what incentivizes it being better than the worst case. And I, I take the point that paragraph 1.1.7 sets out an approach to minimize where possible.

00:45:47:24 - 00:46:06:25

Um, but I'm just trying to understand whether it's through how the detailed design of access points is how that's discharged, um, or through the management plan, how we can have more assurance that

00:46:08:22 - 00:46:12:07

the applicant would actively seek to minimize vegetation loss.

00:46:31:03 - 00:46:32:03

We're just trying to find.

00:46:32:20 - 00:46:33:05

That's fine.

00:46:33:07 - 00:46:44:24

If it's something that that you'd rather take away and just respond or include in your post hearing summary, then that's fine.

00:46:46:01 - 00:47:31:18

Uh, collaborate with the applicant. Um, yes. I think we'll come back to see whether there's any further wording and other. There's obviously some design principles in the Design Principles and Parameters document. There's obviously then other wording through in some of the other um, in the outline camp as well. Um, so if we might see if we can find the answer in the break in terms of, um, checking whether there are any additional, um, obligations or in terms of the approach to deal with the point that you are, um, referring to, obviously, the applicant is is mindful of the implications also from obviously from a BNG perspective as well, in terms of obviously the more hedgerows that we removed, then that would impact on the.

00:47:31:20 - 00:48:03:25

On the metric being used as well in terms of our requirement to both replace those and then deliver the gain as well. So I think there's lots of different factors, but ultimately of a scheme of this nature, the the it will be design lead in terms of the access being suitable for the vehicles that are using it. So if a particular size of vehicle needs to access through that gap, then the gap will need to be the width required for that vehicle. The applicant's not necessarily in a position to say, well, we'll try and use a smaller bit.

00:48:03:27 - 00:48:37:22

It may not be possible to use a smaller vehicle, for example, to carry out that task, which would require a smaller gap in the hedgerows. So we need the flexibility to use the most appropriate vehicles for delivering. So if you've got all vehicles that need to go through and access it, then it would be necessary for the gap to be wide enough to deliver the particular Vehicle that's required there. So I think it's not what I'm saying. It wouldn't necessarily always be a choice on the applicant's part. It would be determined by what vehicle size needed to access that particular site.

00:48:39:02 - 00:49:11:19

Can I just ask that why you don't already know what size of vehicles you need to go through certain accesses? I realize that you haven't. You haven't got full design, but you know where you're putting solar to some extent. You know where you're putting best to some extent. You've got you've mapped those areas already as the indicative areas. So you must already have an appreciation of what size vehicles need to come to those areas. So I'm sort of struggling to understand why the size of vehicles to get to those points isn't already known.

00:50:08:13 - 00:50:41:27

Claire Patrick, the applicant, says, I'm just trying to work out what information we do know and what information is yet to be known. So we obviously, um, are aware of the the number of Ale movements, for example, and we know the route they're going to be taking. Um, and we obviously know how the access points into the sites. Um, there is then. Um, so you have the access point to get into the site itself, but then you have the, the that AI will then need to go through the sites, um, to deliver the equipment to its, its final location, for example.

00:50:41:29 - 00:51:13:03

And that level of detail hasn't necessarily, um, been determined yet. So we do know we know the maximum width. We know where those maximum widths will be at the point of the public highway onto the site. Um, but I think what I was trying to explain is that then the movements through the sites, once you're into them, that we have assumed, obviously a worst case, which is the sort of the maximum width.

00:51:13:20 - 00:51:54:23

But if we're being asked to say, can we commit to trying to minimise it through the site at this stage. I think what I'm saying is it's difficult because we don't have that necessarily that level of detail, because there's still some design work to be done internally. So what I'm trying to, um, be mindful of is making sure we have commitments within the management plans that the applicant can actually demonstrate it can comply with, because failure to comply with them is an offence. So we're just trying to make sure that what you're what the level of detail or the level of commitment you're asking for is something that we can realistically say at this stage in the process that we can, um, comply with.

00:51:55:00 - 00:52:33:00

Because what you're saying is, can you can you commit to doing less than the worst case is effectively, I think, the question being asked to or where in the documentation can you find an obligation on the applicant to do less than the worst case that it is assessed? And that's, I think, where we need to be thinking very carefully about what what kind of commitment you're asking for us to put in a management plan that could be genuinely demonstrated, to be complied with at a stage where

there are elements of the design that are not fixed, albeit that the access points into the individual site sorry, have been fixed, but not necessarily within the sites themselves.

00:52:34:09 - 00:53:08:23

I'll come let Mr. Northover take the reins back in a second. Um, but I do still want to just press on this point of I fully appreciate you. You know, your air routes will be covering all of those tomorrow. You know, your access points. You've assessed the width that's required. And I do again, appreciate that once your air vehicles get on those sites, some of the some of that information isn't available, then I think it's a legitimate question to ask whether your worst case assessment of those losses is a worst case assessment.

00:53:08:25 - 00:53:13:27

So if you haven't even got that level of detail yet, what has informed the worst case of those losses?

00:53:34:04 - 00:54:05:25

The applicant. So the applicants position is that we have assessed the worst case. So the maximum extent of hedgerow that could be lost as a result of the scheme has been assessed. My understanding of what Mr. Northover was asking for was where where in the documentation, in the management plans is, is a commitment by the applicant to do less than the worst case, if it could. And that is that. That's the point. I'm just, um, expressing that there is a difficulty in doing it.

00:54:05:27 - 00:54:17:25

We're confident we've assessed the worst case, but whether we can do a commitment to do less than the worst case, I'm saying we can't necessarily provide such commitment at this point in the design process. Thank you.

00:54:18:24 - 00:54:54:15

Okay, thanks. Let's let's move on. Um, so just coming back to, um, the assessment of moderate beneficial effects to landscape fabric. So that is inclusive. So although we've we've asked for the proposed planting to be given to us as separate figures in both mitigation and enhancement. The moderate beneficial effect includes all the proposed vegetation, both that for mitigation and that for enhancement.

00:54:54:17 - 00:54:56:07

It's that that's correct. Is it?

00:54:56:27 - 00:54:58:21

Chris Jackson No it's correct. Yes.

00:54:58:23 - 00:55:30:04

Yeah. And and I understand that in, in uh, previous submissions, you've referred to NPS in one paragraph, 5.1.5 to support this position. And, um, for everyone in the room that states that virtually all nationally significant energy infrastructure projects will have an adverse effect on the landscape, but there may also be beneficial landscape character impacts arising from mitigation. So I'm going to come to stop lying down now.

00:55:30:06 - 00:56:04:08

So I understand that stoplight downs position is that during operation, there can only be a positive impact for landscape fabric components, where that fabric is confirmed as an enhancement and not where it's used for mitigation. Can you give your opinion on how that paragraph in NPS one should be understood, if not to support the position that although proposed planting may be used for the purpose of mitigating impacts, it could still be a beneficial impact in itself.

00:56:04:10 - 00:56:39:12

Yes, of course. Thank you, Sir Daniel Gazelka for stop lying down. If you just give me one second, I will. I will open a copy of NPS and one as well, which you might say I should have had open already. Um, so. And I, like Mr. Tinker. Come in in a moment. If she has anything to add, the starting point that, um, SSD takes is from the wording provided in Bolivia three para 3.39 um, and if it assists you serve as para 3.39 of Bolivia. Three. And then there's also the Bolivia Advice note 2024 at para four brackets.

00:56:39:14 - 00:56:42:10

Four and our understanding.

00:56:42:12 - 00:56:43:17

Sorry what was that second row.

00:56:43:22 - 00:57:15:26

Sorry. That's the Bolivia advice note 2024. Um para four brackets four. Um and our understanding of both of those provisions is they make clear that there is a distinction between enhancement and mitigation, um, and that there shouldn't be a mischaracterization of one when it is in fact the other. I don't know if there is a copy of, um, if a wording for Bolivia.

00:57:16:29 - 00:57:17:18

Yeah.

00:57:22:14 - 00:57:22:29

Um.

00:57:26:23 - 00:57:28:00

Is if you want to give me.

00:57:28:17 - 00:58:00:28

Oh, I was wondering if it's a document in the examination library or if, um, the examining authority has a copy of Bolivia. Not on you. No. Thank you, madam. Yes. Um, no. No, sir. Um, anyway, so our position on that is that those two paragraphs indicate that as a matter of practice, when conducting an Elvia, you should distinguish between enhancement and mitigation. Um, and that fabric editions, fabric changes, which are for mitigation purposes should not be mischaracterized and enhancement.

00:58:01:00 - 00:58:37:18

Now, you asked her, how does that accord with 5.1.5 of NPS even one? Um, the answer we would give to that which is in one of our documents, is that a fabric addition? So, for example, a hedgerow

that's been introduced initially to shield the visual effects of the scheme, um, might when the scheme is removed at the end of its 60 year period, then ceased to have a mitigating effect and therefore have an enhancing effect at that stage. So, for example, we wouldn't take this issue, albeit we take issue with the applicant's assessment of the significance of its landscape.

00:58:37:20 - 00:59:17:29

Legacy landscape benefits. We don't take an issue that the fabric additions could be enhancement at that stage. The issue we have is counting it as both mitigation and enhancement in the operational phase. Um, we understand that as aligning Olivia three with MPs on one obviously MPs and one is the operative national policy statement. But we say that the applicant's approach, while it fits within 5.1.5. You need to understand 5.1.5 in the context of the guidance that is issued by the Landscape Institute, and we say our interpretation aligns both.

00:59:18:11 - 00:59:22:29

Um, do you have anything further to add? No. I hope that's this, sir.

00:59:23:11 - 00:59:30:02

Yeah. That's helpful. Thanks. And I'd like to I'd like to hear what the applicant has to say about that in response.

00:59:35:20 - 01:00:09:27

The applicant? Um, again, I think there's this this crossover between the assessment of landscape fabric and landscape character. So the landscape fabric assessment, as I've said, looks at the the benefits derived from the, um, from the, uh, the vegetation additions that we've just been discussing. Whereas the landscape character assessment focuses on the addition of the infrastructure. It also recognises that the change to the hedgerow heights, for example, bring an adverse effect with them.

01:00:09:29 - 01:00:46:02

So I suppose what we what we are not doing within the landscape character assessment is saying that because there's a beneficial effect in the fabric assessment, that that should be carried through as an enhancement into the landscape character assessment. What landscape character assessment looks at is the adverse impact associated with the solar infrastructure, and the changing landscape management provide the screening and then what it recognises that those changes bring a significant adverse effect, and then through the mitigating effect that the enhanced screening brings, that those adverse effects, while still present, are reduced following year 15.

01:00:47:23 - 01:01:16:21

I would just just again, I know we've raised the, the um, one point before um, but that it's recognising that virtually all energy infrastructure projects will have an adverse effect on the landscape, but there will almost always be beneficial landscape character impacts arising from mitigation. Again, it's that that mitigation point. So when we're looking at the landscape character assessment, we are using those that landscape framework fabric improvement as the mitigation through the landscape character assessment.

01:01:17:23 - 01:01:44:14

Okay. I understand, um, how you've how you've approached the separate assessment of fabric and character. Um, can you comment on how, um, how you consider that your approach is in line with the GL, VA guidance that, um, Mr. Gazelka brought up

01:01:46:14 - 01:01:54:09

and, and, and does that does your does your your approach align with that do you think.

01:01:54:18 - 01:02:17:00

Chris Jackson applicant. And yes. Um the VA aligns with guidelines for Landscape Assessment three by Landscape Institute Bolivia three. As well as the technical advice notes, the assessment of landscape character. Doesn't conclude that there's an enhancement on the landscape as a result of either the infrastructure or the landscape. Mitigation.

01:02:24:13 - 01:02:31:26

Okay. Thank you. Um, I just checked. I want to. Miss Tinkler, do you want to come back on that as well?

01:02:31:28 - 01:03:03:10

Thank you sir. Because I can stop lying down. I think Miss Tinkler will want to come in with it in a moment. Um, I would just say that we don't accept that answer to the question that you just asked, because, um, the applicant still has to rely on there being an enhancement arising out of the fabric that has been introduced, for example, a hedgerow which gives rise to screening. Um, and the guidance that Olivia gives is to distinguish steps which are taken for mitigation and steps which are taken for enhancement.

01:03:03:12 - 01:03:35:19

And that's why it would seem the applicant hasn't been able to go through and identify them. You know precisely what is doing what and lump things together as enhancement and mitigation. Often we would say that they have to pick a lane and put to the benefit that they're ascribing to this fabric, um, change in a, in a pot. Essentially what they've done is they've counted the benefit twice, so they've counted the benefit of these, um, assets in the character assessment by way of screening, etc.

01:03:35:21 - 01:03:48:09

but they've also extracted the same thing and said it's also a benefit in fabric. And we say that's functionally double counting, which is what Olivia Fry is trying to avoid. Um, Miss Tinker, do you want to add anything on that?

01:03:51:03 - 01:03:51:25

Good morning, Sir.

01:03:51:27 - 01:03:52:22

Carly Tinkler.

01:03:52:24 - 01:03:54:09

For stop lying down.

01:04:00:19 - 01:04:30:26

Just to run through. Perhaps we started out trying to understand what the correct process is for assessing effects on landscape, character and fabric. And I think what it is is that both in this case, both aspects of the assessment process are true in that we have to identify when we start the process. We start out by identifying the different aspects of overall character.

01:04:30:28 - 01:05:07:05

So those include what the applicant's landscape expert calls fabric in GL via three. That's called elements. And I completely agree with the council's experts that well in GL via three um elements or fabric includes hard and soft. So I'll come back to that. But once we've identified the landscape fabric, we look at the aesthetic and perceptual elements of the landscape, which are things that can't necessarily be quantified.

01:05:07:07 - 01:05:40:16

It's how it makes you feel. It can be what you hear. It's not all about these are the non-visual effects as well as visual effects. And then having looked at what's there and identified what's there. We bring that together and say, right, that is the overall character of the landscape. So when you're looking at the published landscape character assessments that what that's what those will do. And then what we do is we say, right. We've identified those as receptors as, as parts of the landscape that could be affected.

01:05:40:18 - 01:06:20:21

So fabric could be affected. Aesthetic and perceptual effects could be affected and the overall character. So we go out and we look at the effects on each edge and how people feel. And we report those. So there may well be a negative or a positive effect on fabric, say, but then we have to bring all of that into the round and say, okay, in terms of the overall character of the landscape, which includes all of those things, have we got benefits or harms? So technically, what in my opinion, the Elvia has done, it's done the first step and it's done this throughout its identified landscape receptors.

01:06:20:23 - 01:06:52:11

So where we get the question about whether they should have identified the or assessed effects on the landscape, character areas and types, the published ones, they have taken the correct step of identifying them as receptors. But then when it comes to the assessment of effects, in my opinion there's a complete departure from the guidance. So what they have done is said we're not going to assess, um, character areas and types as Receptors, and I'm sure that's another subject that'll come up.

01:06:52:19 - 01:07:28:25

Um, and we're going to extract landscape fabric from overall character and report effects on that separately. Well that's fine, you have to do that. But then you have to bring it back in to the mix. So if you have a negative effect, let's say a high negative effect on the overall character, you would say to yourself, well, actually I've got a moderate beneficial according to the applicant, significant effect on fabric. So my question is where has that been factored into the overall effect.

01:07:29:17 - 01:08:08:23

Now then we get to the problem. I may be straying off topic here. I'll just come back to fabric because I'm sure we're going to cover these points. But um, just coming back to the point about what fabric is.

So I've agreed that it's hard and soft elements, but I also agree with the applicant that when we're talking about fabric or the natural parts of fabric, we are talking about what's on the ground. So it's the grass and the trees and the water and buildings and access tracks and the the applicant is arguing that the panels will will float, which is true.

01:08:08:28 - 01:08:39:21

So although the fabric will be changed because it will change from arable to pasture or whatever you like, and whether that's possible or not, it's another question. What will happen is that the perception of the landscape fabric will change. So in other words, you won't see that grass anymore. It will look like the land is covered with panels. And I think that's where the confusion has arisen in that both again, both are right. They just haven't brought it to to the logical place.

01:08:39:23 - 01:08:49:18

Can I just ask on that point? Is that perception of landscape fabric? Is that not what a landscape character assessment does so.

01:08:50:13 - 01:09:25:17

Landscape character. If you put a development somewhere, it will. It will have two different effects. The first effect it will have is direct. There'll be an impact, and it will directly affect that land on which it sits. For sure. That's that's accepted in planning. You can't make an omelet without breaking eggs. And what the level of that effect will be will depend on the sensitivity and the magnitude, etc. but you will certainly in this case, and it's accepted by all the parties, there will be a significant adverse direct effect on the character of the landscapes where this sits.

01:09:25:19 - 01:09:38:12

Now you've got that there. How is that going to affect indirectly affect the landscapes around technically, if there's nobody there to see it?

01:09:40:17 - 01:10:12:09

Then it will have directly affected the landscape and it could have indirect effects if there was somebody there to see it. That's why we then have to have these two stages of assessment, where we're looking at indirect effects and saying, if somebody was traveling around this landscape somewhere, if that new building was in the middle of a forest, they probably would never see it until they got really close. But if it was out in the open and you were wandering around, then your indirect effect could be very, very big.

01:10:14:06 - 01:10:46:00

So then we get to. So we have to differentiate between the visual aspects of indirect effects. In other words what do people. So perception is visual and non-visual. So you've got what do we see. But then you've got the non-visual. So what do we smell. What do we hear. If you are blind and walking towards that building it wouldn't make any difference what it looked like. But if it was really noisy, you'd suddenly realize there was a building there and that would be your non-visual perception. Did that answer the question, or did I stray off?

01:10:46:13 - 01:11:00:00

I think that's that's getting on to the the visual impact. Um, but I understand your position. Um, can I come to Wiltshire Council, I think. Yeah.

01:11:00:20 - 01:11:32:27

Thank you sir. Odette. Shall I be for Wiltshire Council? Um. So, having listened to to stop lying down, I think the concern of Wiltshire Council is similar. No matter what definition you use, the key concern is that when the applicant has assessed what they define as landscape fabric, it's a very partial assessment that's left out manmade features. And there's also a missing stage of assessing the perceptual aspect, whether that's on individual features, whether you're calling that part of the fabric assessment or not. There's that stage of the assessment that's missing.

01:11:32:29 - 01:12:06:21

Looking at perceptual change in respect of individual components of the landscape. And Wiltshire Council has identified that you have to do that on an individual basis, looking at perceptual change in terms of trees, hedgerows, land cover and because that's what Olivia tells you, you have to do. And in Wiltshire councils, um rep 3142, which is the response to XK one um which is referred to to the key definitions at Olivia. So at 5.35, um, when it talks about.

01:12:07:18 - 01:12:40:18

Yes. Um, but it's within Wiltshire Council's response to Q1 LV 1.2. Um, so you have to look at first at 5.35 of Bolivia, change in or partial or complete loss of elements, features, or aesthetic or perceptual aspects that individually contribute to character. And you've got to look at addition of new features that will influence character, and you're looking at that on individual basis before you move on to to considering overall character. And also at 5.49 of Olivia.

01:12:42:00 - 01:13:12:20

Olivia sets out how you should address consideration of landscape features. So landscape elements, components. We call it fabric as equivalent to that. And it says first you look at the the proportion that will be lost and gained. And then you also look at the degree to which aesthetic or perceptual aspects are altered. Um, so essentially it's those two things that are missing. It's the the man made features, but also the perceptual assessment on individual components of the landscape.

01:13:12:22 - 01:13:44:24

Whether you're calling that perceptual assessment part of a fabric assessment or not. It's missing I think essentially. So we're in agreement with stop lying down on that point. There's just a couple of other clarifications, um, arising out of the comments the applicants made earlier. And so first is just I'm sorry, going back slightly to a question you made earlier. Um, it would be helpful if it could be clarified in terms of this worst case assessment of hedgerow loss for the access points, whether that includes the visibility sprays as well as the physical access points.

01:13:44:26 - 01:14:02:28

And because the council is not entirely clear, that's a much wider area that will have to be lost for visibility sprays. Um, just I think. Is there anything else Mr. Goodwin missed the point from? Mr. Hawley. Just wants to add. Well, while the council is responding to what's come so far.

01:14:04:04 - 01:14:04:19

Um, will.

01:14:04:21 - 01:14:05:19

Harley for.

01:14:05:22 - 01:14:45:04

Um, the Wiltshire Council. Um, I would point out as well that, um, the, um, assessment of landscape fabric seems to be concerned with the sites themselves. This is supposed to cover the entire study area. I haven't seen any evidence that that's been done, um, or that the council have been involved in a scoping exercise to scope out those elements which are not going to be affected by the, uh, um, uh, by the, uh, proposed development.

01:14:45:06 - 01:14:54:14

So, um, I think there's there's a very large section here missing that, um, that should be included. Um.

01:14:57:26 - 01:15:24:24

And yes, this is, um, at 5.4 in, uh, Libya, um, where it states the elements that make up the landscape in the study area and then lists them beyond that. Um, so really there's there is a large section that we don't know about here and whether there are effects that should have been, uh, should have been scoped in and dealt with.

01:15:26:28 - 01:15:35:18

Thank you. Um, can I come back to the applicant to respond to both the points made by, Stop Lying Down and Wiltshire Council.

01:15:42:23 - 01:16:00:03

Chris Jackson, I'm half the applicant. Um, appreciate. We've just sort of skipped through quite a few bits of pieces, so I'll try and pick up on a few points, but, um, just bear with me what I what I do. So, um, regarding landscape fabric, um, the.

01:16:04:07 - 01:16:37:09

Olivia three doesn't include a definition of landscape fabric, so it's not set out within Landscape Institute within Olivia three or within the, uh, the ten the the technical information on points and classifications. Again, that doesn't include a definition of landscape fabric. Um, so it's it's as set out within the definition of the Elvia as the methodology. Again, as I said earlier, that was set out from the from the scoping and carried through and what we've what we've looked at again within that fabric.

01:16:37:11 - 01:17:10:10

And just to come back to the previous point that, um, Wiltshire Council have just raised the definition for landscape fabric within the LVA focuses on land within the the order limits, whereas the landscape character assessment looks at land within the study area. So the landscape character assessment has as and when we extend it out to to ten kilometres for the cumulative assessment on landscape, character has looked at all of the land and the components within the perceptual components within that study area on landscape character.

01:17:10:16 - 01:17:18:15

What we've looked at within the landscape fabric is the changes within the limits themselves. Um, so the

01:17:20:06 - 01:17:55:18

perceptual aspects that both and stop lying Down and Wiltshire Council have discussed again, that is considered Within transcript character assessment that has been undertaken within the LBA. So all of those points that the the Council and the Scotland have raised. Are all included in the landscape character assessment. We've looked at that. We've looked at that. The change as Miss Tinkler took us through the the visual and then the perceptual changes that arise from development and with all of that is considered in the assessment of landscape character separately from the assessment landscape fabric, which we discussed earlier this morning.

01:17:57:13 - 01:18:09:29

Thank you. I think I understand the different points of view. So if we could move on to the next item I wanted to talk about, which is management of hedgerows, I just stop mine down.

01:18:10:11 - 01:18:18:08

Sorry sir, because I'll stop lying down. It's one very small point. Which is Tinkler arising directly out of. What was that?

01:18:20:24 - 01:18:24:19

Thank you sir. Carly Tinkler for stop lying down. Actually, if I could just go back. To what?

01:18:25:07 - 01:18:26:25

Oh, sorry. I would just keep it to a small point.

01:18:27:21 - 01:18:34:00

Oh, I didn't realize that. I'd think that we'd finished fabric. Otherwise I would have raised this when I was talking about it before.

01:18:34:02 - 01:19:15:18

Well, we're still we're still well within the landscape fabric agenda item. Um, I what I so I, I've understood the different points of view on the approach that needs to be taken to the separation of landscape, fabric and character. And if there's a key point that you want to make that you think has been lost within that, then then please make that now. Um, otherwise I'll, I'll be wanting to discuss, um, management of hedgerows and then, uh, I'll be wanting to talk about post decommissioning legacy effects as well.

01:19:15:20 - 01:19:19:04

So thank you. So that's something that makes sense now and just.

01:19:19:06 - 01:19:53:09

Very, very quickly two points. Um, just going back to your concern about how the loss of hedges, how the applicant would be incentivized to minimize the loss of hedges. I. I think a key point in that is that the applicant said that the there would be no permanent loss because the hedges would be replaced.

But the question that I would be asking is, what are they being replaced with? What is being lost? For example, do we know whether those losses are irreplaceable habitats, veteran trees, etc.?

01:19:53:11 - 01:20:20:26

I'm not going to try and answer that, but the point, the quick point I wanted to make was that the applicant has chosen selectively to assess effects on what they are calling fabric, and only the natural elements of it. They have chosen to exclude the hard elements, but I would just draw your attention, sir, to the Elvia paragraph 8.5.1

01:20:22:24 - 01:20:56:04

Where the applicant says the land associated with the sites is defined as the landscape, fabric, landscape, fabric being the individual tangible elements or features of the landscape. In other words, it's very clear to me that whilst fabric is not defined in GL, via, three elements are and in the glossary, elements which the applicant defines as fabric include built structures and buildings.

01:20:56:11 - 01:20:57:10

Thank you.

01:20:57:29 - 01:21:07:23

Just one quick point. Odette Shah a b for for Wiltshire. It would be helpful to have an answer on the visibility space at some point, even if it's in writing. But we are. It's something we are concerned about.

01:21:09:16 - 01:21:12:10

Yes. Thank you quickly to the applicant on that.

01:21:13:04 - 01:21:54:12

Clare project for the applicant. Um, obviously we slightly strayed into ecology here in terms of the types of hedgerows and what they will be replaced with. And obviously we've got ecology on the agenda tomorrow, and the management plans do set out in quite a lot of detail. Um, what the species are in terms of replacement of hedgerows. So not proposing to deal. Yeah. Respond on that particular point in today's hearing. But hearing. But if you want to if it wants to be added obviously and discussed tomorrow's hearing them, then we can do. Um, it was just to confirm that the, um, the visibility, the potential loss of hedgerows for the visibility space has been included in the in the calculations from a from an ecology perspective as well.

01:21:54:16 - 01:22:43:07

Okay. Thank you. Um, okay. So commenting on its Q1, Wiltshire Council stated that it considers that the proposed management change to existing hedgerows, i.e. allowing them to grow up to 4.5m to help screen development, cannot be considered to represent a landscape fabric benefit, So I it's a clarification question really, is that because simply managing an existing hedgerow to grow taller is not an addition to the landscape fabric and therefore can't be considered a benefit? Or is it because your position is that the management of hedgerows to 4.5m high would have a detrimental effect on the character, and therefore should be not considered of benefit? Does that make sense?

01:22:43:25 - 01:22:53:09

Mark Goodwin, Wiltshire Council yes sir, it does make sense. Um, the answer to your first part is yes, and partially to the second point is yes. Um,

01:22:54:25 - 01:23:25:02

that allowing those hedgerows to grow to 4.5m, um, could well represent a beneficial effect for the ecology side of things. Um, but a wholesale 4.5m hedgerow height without actual understanding Mhm. Of what that might screen or how that might influence the, the perceptual aspects of a certain place.

01:23:25:09 - 01:23:31:21

Those are the aspects which might not represent as a, as a positive um addition.

01:23:32:05 - 01:24:03:28

Thank you. That's helpful. Um, the the applicant, um, provided plans that annex D of its response to Q1 identifying hedgerows, which would be managed to a height of 4.5m. Um, it does appear to be pretty much all the hedgerows within the order limits, including the cable corridor, with the exception of only the hedgerows in-line downstream that are directly adjacent to the canal boundary. Um, so a few questions.

01:24:05:21 - 01:24:21:09

Do the figures for additional hedgerow enforcement in annex of the same document includes all those lengths of hedgerow shown on the height. The the 4.5m height plans.

01:24:24:18 - 01:24:27:25

Sorry sir. Could you possibly just repeat the reference? Yes.

01:24:27:27 - 01:24:58:03

So in response to ask one annexed those plans which show which mark up all the hedgerows that would be managed to a height of 4.5m. I want to know, um, if that is the length of hedgerow that has been included in the annex C tables of, um, uh, what it would be hetero reinforcement.

01:25:01:05 - 01:25:30:24

And then so what's behind this question is if it if it is all of that length, does it potentially overstate the provision of proposed planting, given that some of those hedgerows may not require reinforcements. And if it isn't? How has the how has the length of reinforcement been arrived at? Um, what what surveys have been done to inform the figures of amount of hetero reinforcement that would be required?

01:25:35:02 - 01:25:35:17

From

01:25:36:22 - 01:26:20:01

the the hetero height plan looks at which hedgerows within the scheme we have the two separate management regimes. Um so the the it differs between the heights to 4.5m, which are predominantly, as you've stated, across the majority of the solar PV areas and into the cable corridor, and then identifies those areas alongside the Cotswold National Landscape, the kennel where the management

regime is to maintain those that either existing or 1.5m so that that purely describes or prescribes the the intended management regime that would set across those hedgerows.

01:26:20:11 - 01:26:52:13

The annex C, the landscape fabric picks up on a combination, sir, of the hedgerow reinforcement throughout the scheme, which is your correct looking at the existing hedgerows where we are able to be reinforced. So the the management application through the outline Landscape and Ecology management plan is to gap up and close up and um, strengthen the existing hedgerow framework within the scheme.

01:26:52:15 - 01:27:14:25

We then have the additional hedgerows that will be a plant that will be planted as a result of the, um, the mitigation and also through the um, the uh landscape application for across the sites. Now, both the new hedgerows and the existing change to 4.5m is what ultimately dealt with freedom as mitigation in the assessment.

01:27:15:24 - 01:27:54:24

So the annex D plans, if you look at the cable, how the cable corridors shown on those plans, it does show all. It does show the hedgerows in the cable route corridor, annotated as to be managed to a 4.5m height. Is that is that an error on the plans? Because I don't I don't understand the purpose of managing the heights of hedgerows in the cable route corridor to 4.5m, given that by the time the hedgerows had reached that height, the construction effects are long, long gone.

01:27:55:23 - 01:28:36:07

Clare project for the applicant I think it's a case of the the key perhaps not reflecting the the nuance. So I think obviously it was trying to identify all of the hedgerows that would be managed on the cable route corridor, and then they would be managed up to the height of, effectively, the existing hedgerow that's already there. So you're trying to fill in the gap and then it grows back. So I think it's um, apologies. I think how we've described it in the key is not helpful. Um, so we can have another look at describing what the actual management obligations are for those sections of the hedgerow on the cable route corridor as distinct from the management.

01:28:36:09 - 01:28:42:01

But the the difference in how they'll be managed is set out in the management plans. It's just I apologize. It's not very helpful.

01:28:42:13 - 01:29:16:07

So so the reason for asking for a marked up plan showing the 4.5m hedgerows was to give me a better understanding of what the what the visual implications are, what the landscape character implications are around the site of larger hedgerows. So within the solar PV area, then, are all the hedgerows shown as to be managed to 4.5m? Are they? Are they all going to be 4.5m high hedgerows? Or is there some further information that needs to be added to that plan?

01:29:16:10 - 01:29:47:04

Christian Eriksen, the applicant um, I think as my, as my colleague, Mr. Fredericks, just, just sort of alluded to, it's it's an up to because through the the application is applying for an up to 4.5m high

scheme. We're looking at a combination of arrival. The application rather is looking at both fixed and tracker panels the 3.5 and the 4.5. So the the up to provision, if we had 3.5m high fixed panels, we wouldn't need to grow the hedgerows to 4.5m.

01:29:47:06 - 01:30:02:21

So it's that that flexibility through the Rochdale envelope that that is looking at at this stage. So within the the wider scheme, as we're looking at as the worst case scenario, it's the up to 4.5m to cover the up to 4.5m infrastructure.

01:30:03:10 - 01:30:11:27

Okay. So because there were because there were numerous concerns raised by parties about the implications of

01:30:13:24 - 01:30:20:10

these 4.5m hedgerows and the impact that that would have in itself.

01:30:21:28 - 01:30:27:12

I, I wanted to understand the, the effect of that. So,

01:30:29:00 - 01:30:44:08

so essentially are you are you saying that the, the worst case in terms of the effect of those very tall hedgerows is all the hedgerows except for those in line down. See

01:30:46:03 - 01:30:53:04

understanding that some of the that that is a worst case and you wouldn't need to grow them all out.

01:30:53:20 - 01:30:56:14

Chris Johnston, applicant. That's correct sir. Yes.

01:30:57:04 - 01:30:58:00

Thank you.

01:30:58:28 - 01:31:09:13

Er the applicant. Would it be helpful if we resubmitted the plan with a sort of a note in the key, just to explain that nuance for the for completeness going going forward.

01:31:09:15 - 01:31:14:05

And it would be um, and whether

01:31:15:26 - 01:31:27:14

um, there could, whether there was any reconsideration of the amount of hedgerows which needed to be grown to 4.5m rather than a blanket

01:31:29:00 - 01:31:43:03

everywhere because there like as I said, there there have been there have been lots of concerns raised about the impact that will have visually and landscape character.

01:31:46:02 - 01:32:21:23

On the applicant. So, um, just I think it's probably a useful juncture just to um, I mentioned it earlier, but obviously we've got a, um, we've got the, the, the both the Cotswolds National Landscape Nature recovery strategy and the and the recovery strategy that is moving landscape management away from the manicured, clipped cuts hedgerows to a more, uh, three forms, um, system that allows the hedgerows to grow out and become more more wild and more and more natural, and to support greater biodiversity and habitat management.

01:32:21:25 - 01:32:44:16

And so whilst I suppose it's when we come on to this, this later when we look at landscape character, but it's just understanding that the hedgerow heights are as a consequence of mechanical maintenance at the moment. And there is a general direction towards being more relaxed in the the management of hedgerows as set out within those documents.

01:32:45:02 - 01:32:46:26

Okay. Understood. Thanks.

01:32:49:05 - 01:32:55:10

Um, so I note that Wiltshire Council. Sorry, Mr. Gazelka, do you want to come.

01:32:55:12 - 01:33:13:11

Back on something? Because I like the stop line down. It's a one very small question, just so we understand what's going on, given the map that we've just been looking at, is it correct to understand that you have access to the Elvia on the basis for everything in there that could be up to 4.5m is up to 5.5m.

01:33:14:29 - 01:33:34:18

Chris Jackson, the applicant, the there's a variance between the hedgerow heights along the boundary of the Cotswold National Landscape, which are as existing or 1.5. However, the remainder of the hedgerows are assessed correct up to 4.5, and that is what's assessed within the visual assessment and the landscape assessment.

01:33:35:06 - 01:33:39:01

So where it is up to 4.5, it has been assessed on that basis.

01:33:43:08 - 01:33:43:23

Correct.

01:33:45:19 - 01:33:46:13

Thank you.

01:33:49:15 - 01:34:26:10

Uh, yeah. So I know that Wiltshire Council raised concern in its response to XK one that existing elm hedgerows present within the order limits are unlikely to provide effective screening for the life of the project, as they tend to die when they reach a certain size from Dutch elm disease and that elm hedgerows that are allowed to grow out generally become thin and happy. So the applicants outline landscape and ecological management plan sets out their planting, implementation and management measures.

01:34:27:03 - 01:35:04:25

Requirement seven of the draft data then requires that a final landscape ecological management plan is approved by the local authority. So a question for which council can you advise whether there are any changes to the content of the outline lamp or the wording of requirement seven in the draft DCO that you would need to see to to provide enough reassurance that existing hedgerows that may not provide sufficient screening if just left to grow out, would be enhanced appropriately with an appropriate mix of species.

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Or is that is that a

01:35:13:05 - 01:35:15:01

question for ecologist?

01:35:15:06 - 01:35:24:26

Um, Odette, shall it be Wiltshire Council? I think it's something we have to take away in terms of giving you specific wording. We don't have that with us today, but we can take it away and we'll come back to you.

01:35:25:09 - 01:35:27:09

That's that's absolutely fine. Thank you.

01:35:31:02 - 01:35:39:25

So I want to ask a few questions on the post decommissioning or legacy effects. So.

01:35:44:01 - 01:36:08:16

First question for the applicant. The outline decommissioning strategy sets out the outline management measures for the decommissioning phase. If there's not an ongoing management strategy for the landscape fabric post decommissioning, um, how can there be assurance of long term legacy benefit?

01:36:18:04 - 01:36:21:03

Chris Johnson, on behalf of the applicant, the.

01:36:25:16 - 01:37:07:22

Landscape expected that at the point of decommissioning of the scheme, that the land within the scheme would be returned back to landowners. It's our understanding at that point the equivalent of today's countryside protections would be in place. So therefore hedgerow regulations, Forestry Commission and guidance on on woodland felling. So our expectation is at the point of

decommissioning those new landscape elements. Obviously, we've removed the infrastructure, but the large scale landscape elements that we've been discussing this morning would be retained and would come under the protection of the, um, whatever countryside management and protection plans were in place.

01:37:07:24 - 01:37:17:20

Now, what we've, um, considered at that point as well is that at the point of decommissioning, it's, um.

01:37:21:00 - 01:37:56:01

It would be beneficial to review the state of the landscape components within the scheme at that point so that there is no essentially forced removal of those components to say back to its current state, because it's at that 60 year period, the landscape and the character of the landscape around the scheme may have changed as we move through different countryside stewardship or practices in land management or direction of agriculture towards a more nature recovery based system.

01:37:56:03 - 01:38:32:10

So as we're seeing at the moment, with the trend moving towards greater emphasis on ecology and biodiversity, our anticipation is that at the point in which the scheme is decommissioned, it would be remiss to say that the landscape and the hedgerows need to be reverted back to the character that they are in today and, and therefore, as we popped up on the screen, what we would suggest is that the, um, the landscape is, is reviewed to, to ensure that the, the decommissioning practices are suitable.

01:38:32:12 - 01:39:03:07

So therefore we would consideration should be given to hedgerow heights, whips, plant health, space, diversity, landscape, character, visual amenity as well as the protected and notable wildlife species. And then, if appropriate at the time, measures to reduce the height of hedgerows to their current heights. Height. Would take place during the two year decommissioning phase, so anything would that was needed if it was required at that point. Based on the points I've just raised would take place within that decommissioning phase, um, following the removal of the infrastructure.

01:39:03:09 - 01:39:24:15

So the infrastructure would come out first and then the, um, the reinstatement of the landscape, if that was appropriate at the time, based on undertaking a, um, a review of what was needed at that point to ensure that we weren't, um, in that decommissioning, doing something in itself that was contrary to the character or the, um, the wildlife and habitat and biodiversity of the area.

01:39:26:26 - 01:39:32:07

Thanks. I think, uh, my colleague, Mr. Slater has a question on that.

01:39:33:02 - 01:40:09:06

Yeah, I'm I guess I'm not really understanding the decommissioning process because you've got lease agreements particularly. I'm talking of the solar PV panels. In essence, which at the point of decommissioning you say the land reverts back to the owner. So is it the owners that have to follow these procedures? Or the applicant? Um, and are these particular requirements included in the land contract so that the people that get the land back know what these obligations are?

01:40:10:14 - 01:40:42:15

Er Clare project the applicant. So the decommissioning requirements that will be that are set out in the plan that was updated at deadline three. So that's wrapped up 3096 for anybody who's wanting to find it. Um, those all apply to the applicant and would be undertaken whilst the applicant is still in control of the land. So that includes the removal of all of the equipment and then whatever measures, as Mr. Jackson's uh, explained, are required to be undertaken in respect of the hedgerows.

01:40:42:17 - 01:41:16:18

So that's whether at the time it's decided it's preferable to leave them at their existing height, or whether it is, um, preferable to reduce the height of the hedgerows. And that will be determined at that point in time. Once all of those activities have been completed, then so all of the all of the obligations in the DCO have been complied with and the site of the decommissioning has finished. At that point in time, it will be handed back to the landowner. There will be there are no ongoing DCO obligations from the point of completion of um, the decommissioning stage.

01:41:16:20 - 01:41:51:17

What Mr. Jackson is saying is that our assumption, which we consider to be reasonable, is that existing legislation to protect hedgerows and trees will continue to apply. So whilst the landowner is free to use the land and it will be suitable for continuation of agricultural use, they will, if they wanted to, then remove all of that additional vegetation, they would have to seek all of the necessary consents to do so at that point in time. Um, but as we've said, there are lots of benefits to having that vegetation in place from an agricultural perspective.

01:41:51:19 - 01:42:11:20

Um, so we consider it as light. It is a reasonable assumption that that, that that vegetation will be kept in place for the purposes of, of considering legacy benefits of the scheme. But there are just to be clear, there would be no ongoing DCO obligations on the landowners to maintain it. The completion of decommissioning is when the obligations would stop.

01:42:12:09 - 01:42:49:05

Okay. Thank you. Yeah, that I understand. Um, so stop lying down. Um, I note in your comments on EXC one submitted at deadline three um, that, um, you expressed that you agree that there could be a slight positive impact for some landscape fabric components post decommissioning. Um, could you identify what you consider would need to be included within an outline decommissioning strategy or the DCO to to secure this to your satisfaction.

01:42:52:26 - 01:43:26:26

Carly Tinkler first stop lying down. Thank you sir. Um, yes, I agree that there is the potential for a benefit, but that's subject to many matters. What I was most concerned about was that the applicant, as I understood it, said that the and I completely agree with what the applicant is saying here. I think it's absolutely essential that the baseline situation at the time is the context for the replacement. I think that's so sensible because climate can change, land use can change.

01:43:26:28 - 01:43:58:09

Everything can change. What I don't agree with is what I think the applicant is saying is that the that that this baseline assessment wouldn't be carried out until all the infrastructure had been removed.

Now, in my opinion, that's too late. I think you've got to start thinking about your assessment right towards the end of operation. So you're doing a full whatever the guidance is at that stage, whatever the strategies and policies are, sort of a couple of years before you know that you're going to decommission.

01:43:58:12 - 01:44:29:06

Then you do your assessments. You say, what is the contextual landscape like? You're going out and about, you're doing exactly the same process, but saying what's appropriate. Therefore, when the decommissioning works are undertaken, steps can be put in a place in place in advance to ensure that features and elements that that need to be protected, they may not be valuable now, but they might be then they might be really rare. We don't know, a sycamore might be the last sycamore in England or Leyland DII.

01:44:29:14 - 01:44:47:28

Um, but we would expect that decision to be made before the works were carried out so that the works could be carried out sensitively and say, right. We need to, you know, we can take the panels out through this access, but we shouldn't take them out that way as kind of what I'm getting to thank you.

01:44:48:00 - 01:44:52:15

That's helpful. And to Wiltshire Council have a have a view on this as well.

01:44:54:09 - 01:45:02:24

But whether there needs to be anything additional in the control documents or TCA to secure long term debt.

01:45:02:26 - 01:45:34:21

Shelby, Wiltshire Council, I mean, ultimately and we don't see how you can back to something in as a benefit that is not controlled at all whatsoever. So, um, I think the applicant was was pretty clear there's no control after decommissioning. Um, and so they can make an assumption about what will happen. But that's not something that can be counted as a benefit of the scheme, um, or as something that anyone knows is going to happen. There's just simply no one knows what will happen at that stage, and the DCO doesn't attempt to control it.

01:45:35:21 - 01:45:53:22

Okay. Thank you. As I said, um, so if I come back to the applicant, um, firstly, um, if your comments on Scotland and suggestion that that, um, assessment should be brought forward before decommissioning, and also if you want to comment on which council's.

01:45:54:16 - 01:46:27:15

Uh, Clare project the applicant. Um, yes. I think perhaps there's some confusion there. What Mr. Jackson and what we were talking about was that in order to, um, ensure that the decommissioning activities benefited from the screening of the hedgerows, any hedgerow reduction, should that be appropriate to do so, would be undertaken after those activities had taken place. So the the the screening effects of the higher hedgerows would be in place for the purposes of when documents were being apparatus was being removed.

01:46:27:17 - 01:47:01:05

In terms of the timing, which I think is what, um, was Tinkler was referring to requirement 20 of the draft MDC, and the last version of that is rep 3006. Um states that we have. The applicant has to inform the planning authority um 12 months before it intends to do any decommissioning. Um, and then it also has to provide ten weeks prior to doing any of those decommissioning activities, the plan for um, uh approval.

01:47:01:07 - 01:47:36:26

So before it undertakes any decommissioning activities, all of those elements about what is the appropriate, um, activities to undertake and what is the appropriate to state to leave the land in post decommissioning. Um, will all be, um, approved by the planning authority before any decommissioning activities take place. So I think the point that Miss Tinkler was concerned about in that there wouldn't be a conversation about what was, um, appropriate baseline at that point in time is covered by the decommissioning requirement because we have to submit that plan for approval before we start doing decommissioning activities.

01:47:38:20 - 01:48:11:18

Mr.. Roger, can I just follow up on that? Um, rather than leave it to DCO hearing tomorrow? Um, should there be something in that requirement 20 that requires you to establish a new baseline maybe two years prior to decommissioning? Because I appreciate it. Says you must notify the local authority no later than 12, 12 months prior that you're going to decommission. Then you've got the part three, which says no later than ten weeks prior. There's another requirement, but there's nothing about re-establishing a new baseline on the landscape.

01:48:12:01 - 01:48:31:06

And the wording that cleared off the applicant. So the final decommissioning plan must be substantially in accordance with the outline decommissioning plan. Uh, decommissioning strategy. Sorry. Um, and we had added some wording in the last version to state that, um, uh,

01:48:32:26 - 01:49:04:18

what was the best practice? The management of hedgerows would need to be considered at that point in time. So we have added some wording to the outline decommissioning strategy, which we believe considers that point. But obviously if Wiltshire Council have any comments on the drafting there and any further information they would like to see provided, then we're happy to consider that and have that added to the, um, outline decommissioning strategy. But our view would be it would be that document would be the appropriate place to put it, um, rather than the actual requirement drafting itself.

01:49:05:21 - 01:49:23:08

Um, there was also, um, a separate point about um, uh, legacy benefits, which Mr. Jackson will just, um, clarify because I think it's important about how the assessment has actually taken into account, um, any legacy benefits? Thank you.

01:49:24:14 - 01:50:00:21

Mr. Jackson, on behalf of the applicant. The landscape assessment assesses the scheme up to the point of decommissioning. So the the benefits, the legacy landscape, how we want to refer to it post decommissioning do not influence the findings of the landscape. Visual impact assessment. The the LVA merely nods, I suppose, to to what is likely to be retained and the direction of travel, what it what it can deliver through the the strengthening the alignments of delivery of landscape through the nature recovery strategies, landscape character assessments, for example.

01:50:00:27 - 01:50:09:08

And that that legacy landscape does does not influence the the outputs or the assessments at any point.

01:50:10:08 - 01:50:20:29

Okay. And said and it was because the assessment does nod towards it, I wanted to be sure that I understood it and um, stop lying down. You have a comment to make on that?

01:50:21:01 - 01:50:35:06

Yes. Thank you sir, because I can stop lying down. Um, understand, the answer that's just been given. Is that also the case for complying with your section 85 due to respect to the CNN, or do you rely on the legacy benefits in respect of furthering the purposes of the CNL?

01:50:40:25 - 01:50:46:08

Just a quick point for the rest of the hearing if questions are directed to the examining authority.

01:50:46:10 - 01:50:47:21

But I apologize, sir.

01:50:47:23 - 01:50:53:12

Yes, but yes, I'm happy for the for the applicant to answer that directly.

01:50:53:14 - 01:50:54:02

Thank you

01:50:55:21 - 01:51:01:23

Chris from the applicant. Um, apologies. Let me just confer with my colleague to give you a correct answer.

01:51:13:06 - 01:51:15:13

We will be coming on to the.

01:51:17:25 - 01:51:32:29

National landscape in the next agenda item. So and we will be looking at, um, the duty to further the purposes. So perhaps if you if you want to come back to answer that point, then thanks.

01:51:33:05 - 01:51:35:20

I'm just getting a fairly answer to, uh, to my colleague, Miss Broderick.

01:51:36:05 - 01:52:07:22

Uh, Claire, project the applicant. Yes. Noting the point that we're going to discuss the duty in more detail. It was just to clarify that the, um, uh, the measures that we had, um, put forward in terms of, um, the wildflower meadows and those sorts of management things, again, only apply, uh, or any a commitment that applies during the lifetime of the scheme. So the applicant considers that, that, that to be an a proportionate approach. So it is a um, a benefit that is being provided for the duration of the lifetime of the scheme.

01:52:07:24 - 01:52:21:20

And it would stop at the end at the completion of, of decommissioning. Obviously, the landowner is free to continue to keep that land in its current state of so wishes, but it would. It's not an ongoing commitment. Um, so it is a time limited.

01:52:22:22 - 01:52:55:04

Understood. Thank you. Um, so that is all the questions I plan to ask under landscape fabric. I'll now, um, open the floor to invite representations from parties present today on the matters discussed under this agenda item. Um, after which, um, we'll take a mid-morning break before moving on to the Cotswolds national landscape. So, um, can I ask any interested parties in the room or online who wish to comment on what's been said?

01:52:58:20 - 01:53:09:18

Not seeing any hands, I just asked the parties at the table. Stop lying down. Was there anything that you wanted to add to the discussion? No. Wiltshire Council.

01:53:09:22 - 01:53:21:24

Um, I'd actually I'd be Wiltshire Council. Not to this discussion, but if if we're about to have a break to the administrative question, um, maybe when the applicants finish speaking about landscape, if possible, about the conduct of the rest of the hearing.

01:53:22:22 - 01:53:25:07

Sorry. You have a question about the.

01:53:25:10 - 01:53:27:19

Sorry, it's about the aircon. We're freezing.

01:53:27:21 - 01:53:28:06

Okay.

01:53:28:08 - 01:53:33:11

Where do we deal with that? Just before we have a break, just to ask you about that and would be helpful.

01:53:33:24 - 01:53:47:05

Okay. Yeah, we can have the icon changed, I think so. Thank you. Um, in which case, was there anything the applicant wanted to to add on this agenda item?

01:53:48:25 - 01:54:01:25

Okay. In which case we'll take a, um, just over ten minute break. We'll come back at 1135. It's 1123 now. Um, so I'll adjourn the hearing.