



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Lime Down Solar Project
Hearing:	Issue Specific Hearing 5 (ISH5) - Part 1
Date:	15 September 2026

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

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

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

FULL TRANSCRIPT (with timecode)

00:00:06:10 - 00:00:38:09

Good morning. It's now nine thirty am and time for this hearing to begin. Can I just confirm that everyone can hear me clearly? Yes. Thank you. Can I also confirm with the case team and CVS that the live streaming and recording of the event has started? Yes. Thank you. I'd like to welcome you all to Issue Specific Hearing five in relation to the Limesdown Solar Project. My name is Ben Northover. I am an examining inspector and I have been appointed by the Secretary of State to the panel to examine this application.

00:00:38:17 - 00:01:10:26

I shall be taking us through this morning's session of this hearing. My colleagues David Love and Janine Laver, who is the lead inspector for this examination, have also been appointed to the panel and are here with me today. There are other colleagues from the planning inspectorate who are joining us today, both here and online. Our case manager is Ramil Birney. 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.

00:01:11:13 - 00:01:39:16

Two panel inspectors who are shadowing the panel in this case are also present at the venue. I'll now deal with a few housekeeping matters. There aren't any planned fire drills today that I'm aware of. So if it happens, it's the real thing. There are fire doors immediately to the left of me and outside of this room to the right of me. And the muster point is the EV charging points in the car park outside.

00:01:44:15 - 00:01:58:03

Representatives of the media today. Is that correct? Yes. Okay. If you haven't already, could you make yourselves known to the case team? We don't mind you filming the start of this event as long as it doesn't cause

00:02:11:03 - 00:02:42:26

requested that you speak. We haven't had any requests for any special measures or arrangements to enable participation in this meeting. If you do need assistance, please speak to the case team. And if at any point in the meeting you can't hear us or something you wish to raise with us, please could virtual attendees use the hands up function on Teams and there may sometimes be a delay before we notice, but we will come to you.

00:02:43:18 - 00:03:15:26

A recording of this hearing will be made available on the National Infrastructure Project webpage as soon as practicable after this hearing is finished. With this in mind, could I ask that you speak clearly and state your name clearly and who you're representing each time you speak? For in person participants, if you're not at the table with a microphone, there's a roving microphone. So please pop your hand up and wait one of the microphones to be brought to you before you start to speak so that we manage to capture everything you say on the recording.

00:03:17:02 - 00:03:31:05

And as this event is recorded and published, it's important that you don't add information to the public record that you would wish to be kept private or that is confidential. If you've got any questions about that, please speak to the case team.

00:03:33:05 - 00:03:39:08

We will have short comfort breaks in the proceedings, and we're likely to break for lunch around one pm.

00:03:44:10 - 00:04:17:15

So this meeting will follow the agenda published on the National Infrastructure Planning website. It was published on the seventh of September. The examination library references EV11001. It would be helpful if you had a copy of this in front of you. I believe there are some printed copies available from the case team too. The hearing is intended to enable us as the XA to gain a further understanding of the evidence relating to the matters identified in that agenda.

00:04:17:29 - 00:04:50:25

This includes landscape and visual, glint and glare, cultural heritage, hydrology, flood risk and drainage. To help the hearing run as smoothly as possible, we will run through all of our questions on each agenda item before then asking for any contributions from interested parties. And any oral representations from interested parties must relate to the discussion undertaken. So today is not an open floor session to give wider submissions on the proposed development.

00:04:51:00 - 00:04:53:29

If you do have wider points to make regarding

00:04:55:19 - 00:04:56:20

topics

00:04:59:02 - 00:05:06:01

not brought up today, please could you make these in writing at deadline seven, which is the second of October, sorry.

00:05:07:29 - 00:05:11:17

Written submissions have exactly the same weight as oral submissions.

00:05:14:04 - 00:05:35:18

So moving on to introductions. The case team have provided us with a list of those who have expressed a wish to be heard today. When I invite you to introduce yourself, please state your name, if relevant, who you represent and which agenda item you wish to speak on. And please, could you also state how you wish to be addressed? So

00:05:39:04 - 00:05:42:17

start with the applicant please.

00:05:44:19 - 00:06:15:07

Good morning. My name is Clare Broderick. I'm a partner at Pint St Masons LLP, solicitors for the applicant, Limedown Solar Park Limited. I can be referred to as Miss Broderick. I will let those on the applicants team who are speaking to the first set of agenda items introduce themselves. I have a number of people in the room here and then two people virtually who I'll let introduce themselves. But I'll let those in the room introduce themselves first.

00:06:18:14 - 00:06:27:20

Morning. Will Threlfall, Senior Project Development Manager at Island Green Power and Project Lead for Lime Down Solar Park. Mr Threlfall is fine to an earrings.

00:06:30:09 - 00:06:38:28

Good morning. I'm Christopher Jackson, Director of Landscape Architecture at Lambro, Chartered Landscape Architect. You can refer to me as Mr Jackson.

00:06:42:12 - 00:06:51:18

Good morning. I'm James Plumb, senior technical consultant for Patriot Power, and I'll be speaking with regard to the Clinton Glare assessment on behalf of the applicant.

00:06:54:20 - 00:07:00:10

Then joining us online, I have Mr Mark Topping, who I'd like to introduce himself.

00:07:02:03 - 00:07:23:07

Good morning. My name is Mark Topping. I'm Director of Design at Land Prairie Services Limited. I'm a Chartered Landscape Architect, and I will be addressing elements of tranquility assessment today. Happy to be referred to as Mr Topping. And I'll be acting for the applicant lying down Solar Park Limited. Thank you.

00:07:25:07 - 00:07:30:03

Okay, clear project for the applicant. And then we also have Mr James Darrow, who I'll let to introduce himself.

00:07:32:01 - 00:07:44:12

Good morning. My name's Mr James Darrow. I'm a director Transport at Planning Associates and I'm representing the applicant. I'm here to talk about the HGB flows on the CNL.

00:07:48:08 - 00:07:58:20

And And those are the persons we envisage speaking in relation to the first agenda items, but if anybody else is needed to participate, they'll introduce themselves then. You.

00:07:58:22 - 00:08:04:15

Okay, thank you. That's helpful. I'll now come to Wiltshire Council. Introductions please?

00:08:05:04 - 00:08:14:27

I'm Odette Shalaby, I'm a barrister at Landmark Chambers instructed on behalf of Wiltshire Council. So do you want the instructions for everyone for the day or just the first item?

00:08:16:10 - 00:08:25:16

Likely that this morning will be landscape, visual glint and glare and cultural heritage and then we'll move on to the other agenda items Absolutely. after

00:08:27:21 - 00:08:34:13

So I'll let the two landscape people who you met last time introduce themselves now, please.

00:08:35:19 - 00:08:44:29

Good morning. My name is Mark Goodwin, senior landscape officer at Wiltshire Council. You can refer to me as Mr Goodwin. You.

00:08:46:20 - 00:08:58:11

Good morning. My name is Will Harley. I'm a director of WH landscape, acting as consultant for Wiltshire Council, referred to as Mr Harley.

00:09:00:11 - 00:09:18:20

Odette Shalloughby, Wiltshire Council. We've also got on the back row, who's not intending to speak but is here if necessary, Mr Brett Warren, who's a Public Protection Manager at the Council, who has had some input in reviewing the Glint and Glare assessment. The Council doesn't have a specific Glint and Glare technical expert

00:09:20:18 - 00:09:23:29

its roster. Then finally in terms of

00:09:25:15 - 00:09:29:03

archaeology, Mr Adam, do you want introduce yourself?

00:09:29:13 - 00:09:44:07

Hello, my name is Neil Adam. I'm the Assistant County Archaeologist for Wiltshire Council and I'm dealing with matters of archaeology, not built heritage. You can refer to me as Mr Adam. Thank you.

00:09:46:00 - 00:09:50:14

Could I then move on to stop line down, please?

00:09:52:23 - 00:10:13:04

Thank you, sir. I'm Daniel Kuzelko, a barrister at thirty nine Essex Chambers, instructed on behalf of Stop Line Down. I'll be representing Stop Line Down this morning, and I'll introduce our experts in a moment. I'm joined by Ms. Celia Reynolds, who I think, if you want to briefly introduce yourself.

00:10:13:18 - 00:10:19:02

Celia Reynolds, also a barrister at thirty nine Essex Chambers acting on behalf of Stop Line Down.

00:10:21:14 - 00:10:27:04

Jenny Kiselka, Stop Line Down. And then this morning we're joined first by Ms Carly Tinkler.

00:10:28:20 - 00:10:36:18

Good morning, sir. Carly Tinkler, chartered landscape architect representing Stop Line Down, Ms Tinkler.

00:10:38:11 - 00:10:44:18

And then hopefully we've got a number online. So first if I could ask Mr Bruce Bamba.

00:10:47:02 - 00:11:05:01

Good morning, sir. Bruce Bamba of Relton TPC Limited representing Stop Lime Down. You can refer to me as mister Bamba. I'm here to provide information on HGVs through the national landscape. Thank you.

00:11:05:10 - 00:11:10:19

Then also in line, we should have Mr John Van Hook Stratton.

00:11:15:11 - 00:11:23:20

Good morning, everybody. John Van Hook Stratton from Stratton Consulting Services Limited and you can refer to me as Mr Van Hook Stratton.

00:11:25:01 - 00:11:31:16

Thank you, Mr Hooke Stratton. Mr Hooke Stratton is giving evidence on glints and glare. And then we should have

00:11:33:02 - 00:11:34:22

Ms Lucy Nicholson.

00:11:36:25 - 00:11:47:02

Good morning. Hi, Lucy Nicholson. I'm a heritage expert for Stopline. I am Built Heritage only and please refer to me as Ms Nicholson.

00:11:49:05 - 00:11:53:29

Thank you. And then we should have Mr Tom Linnington as well online.

00:11:55:12 - 00:12:03:21

Good morning. Tom Linnington from Marrant Planning. I am representing Stop Line Down in Maths Regarding to Archaeology.

00:12:04:27 - 00:12:05:23

Thank you, sir.

00:12:12:27 - 00:12:19:12

Thank you. I'll now come to Natural England. Do we have anyone from Natural England online today?

00:12:25:09 - 00:12:38:05

Good morning. Kyle Conroy from Natural England, Sustainable Development Senior Officer. I'm here to speak about agenda item two on furthering the purpose of the Cotswold National Landscape, and you can refer to me as Mr Conroy.

00:12:41:11 - 00:12:47:24

Thank you. And the Environment Agency, do we have anyone online?

00:12:49:26 - 00:13:04:12

This morning, Laura Edwards, Planning Specialist at the Environment Agency. You can refer to me as Ms Edwards and here for ITA Gender Item four. And then I'll introduce my other colleagues. Susie, do you want to go next?

00:13:07:18 - 00:13:17:14

Susie Bateson, for the Environment Agency. I'll be talking, about groundwatering contaminated land. Lucy?

00:13:22:18 - 00:13:34:27

Thank you. Yep. Good morning. My name's Lucy Houghton. You can refer to me as miss Houghton. I come here to talk about water quality for the environment agency if needed on item four. I may not be required but I'm I'm available at item four if needed.

00:13:38:01 - 00:13:39:11

Thank you.

00:13:41:02 - 00:13:46:05

Sorry, was there someone else from Environment Agency?

00:13:46:15 - 00:13:51:15

Good morning, sir. Philip Sale from the Environment I'm sorry

00:14:00:01 - 00:14:05:22

for interrupting you there. Do we have anyone from Cotswold the National Landscape Board?

00:14:07:03 - 00:14:15:08

Good morning, sir. My name is Simon Joyce. I'm Planning Officer at the Cotswold National Landscape Board, and you may refer to me as Mr Joyce.

00:14:20:14 - 00:14:21:27

Thank you.

00:14:23:23 - 00:14:25:23

Historic England, do we have anyone?

00:14:31:16 - 00:14:43:16

Okay. Next I'll ask other interested parties who have registered to speak to introduce themselves, who they represent and which agenda item they'd like to speak on. So do we have Mr. Seymour Williams here?

00:14:46:04 - 00:14:50:09

Could we get a microphone brought to Mr. Seymour Williams, please?

00:14:55:17 - 00:15:03:01

Good morning. I am here present and can speak when you call on me. Thank you.

00:15:05:16 - 00:15:12:10

Is it in relation to flooding and drainage In relation to flooding and drainage,

00:15:12:12 - 00:15:16:05

that was the specific thing I was requested. Okay. You.

00:15:18:00 - 00:15:20:12

We have Anne Henshaw?

00:15:24:29 - 00:15:42:23

Yes, morning, sir. Yes, correct. Good morning, Yes, I would like to speak or make additional comments to previous comments with regard to climate change and mitigation under your first item number two, landscape and visual impact.

00:15:44:20 - 00:15:52:23

Okay, thank you. And do we have Catherine DeGrain, apologies if I haven't pronounced that correctly.

00:16:00:21 - 00:16:01:27

Hello.

00:16:04:02 - 00:16:29:26

I'd like to speak but I'll have to wait till I grasp the incredibly bad planning and the disaster for our world and for the next generation, but I would request to speak when I've grasped a bit more because I've been away. Thank you very much.

00:16:33:28 - 00:16:53:14

So as I said earlier, there are specific issues that we're dealing with today, but at the end, there will be any other business. So if it's not the matters that we raised during the hearing that you'd like speak to on, then we will try and give you a chance at the end of the hearing. Is

00:16:55:19 - 00:16:58:28

there a Wessex Water representative here today?

00:17:03:22 - 00:17:13:10

I'm not seeing. Okay. Is there anyone else in the room or online who has registered to speak but who hasn't introduced themselves? If you could put your hand up now, please.

00:17:22:29 - 00:17:24:05

And

00:17:25:20 - 00:17:34:18

finally, in the room or on the line who didn't register to speak but would like to speak, if they could let me know now.

00:17:36:09 - 00:18:07:24

I'm not seeing any hands. Thank you. May I remind you that if you do wish to speak during the course of proceedings, for example, to make comments in response to representations made by other parties, you should raise your hand either physically or using the function within Microsoft Teams. Please don't shout out or interrupt the proceedings. Okay. That concludes the introductions. We will now move on to item two of the agenda, which is landscape and visual impacts, including glint and glare.

00:18:08:15 - 00:18:39:09

The questions I have this morning are a mixture of specific clarification questions on previous submissions, and I will also be inviting certain parties to respond to or comment on submissions that have been made at more recent deadlines as well. So if we start with agenda item 2.1.1 regarding the special quality of the tranquility of the Cotswolds National Landscape. So the tranquility statement sets out that on

00:18:40:25 - 00:18:55:29

Aldersen Road and the Foss Way there would be fifty six HGV movements per day during peak times of construction, which would be eight per hour, and thirty seven movements per day on average five per hour during the times of construction.

00:18:58:16 - 00:19:29:24

So I note the applicant's position set out in the tranquility statement that even if the level of traffic changes over the ten percent rule of thumb increase, it doesn't automatically mean that it is a significant effect. I'm also aware that there are disagreements between the applicants and stop line down about the numbers of vehicle movements. And perhaps the detail around the number of vehicles movements is best left for the issue specific hearing on transport tomorrow.

00:19:29:26 - 00:19:48:06

But for the purposes of understanding the figures behind the conclusions within the Tranquility Statement, I'd find it helpful for the applicant to set out clearly for the section of road, Alterton Road and the Fosse Way, both the percentage increase of HGV

00:19:52:19 - 00:19:59:25

traffic movements. Is that something that the applicant can provide now or in writing?

00:20:00:26 - 00:20:05:18

Claire Bojack, for the applicant I will hand over to Mr Darrell to respond to the question.

00:20:09:24 - 00:20:12:08

Thank you. Darrell for the applicant.

00:20:14:15 - 00:20:45:01

So Alderson Road, yep, you're correct. So the latest Rep five thousand one hundred seven sets out flow diagrams, and obviously we've been in negotiation with stop line down in terms of the trip generation numbers and we'll get on to the actual detail of that tomorrow because there's a lot of information there and it would take up the whole of this morning talking about that. But yes, you're correct that the numbers come out for older and Ross Way fifty six HGVs and there's twenty one existing HGVs.

00:20:45:04 - 00:21:17:16

So that's a two sixty five percent increase and for that's a peak day. And what that really, the peak day occurs, so just going back one step, the CNL routes sort of allow access to line down A, B and C, and also some of the Kerberoo access junctions. Line down A and B, looking at the construction program last nine months, and then there's an overlap with line down C of two months.

00:21:17:18 - 00:21:45:12

Line Down C lasts for seventeen months. So the numbers we're quoting are sort of the peak days where the Line Down A, B and C overlap. And as you said, Brett, the peak day is fifty six trips, existing HEVs twenty one trips and then percentage increase over that day is two sixty five percent and that works out on an hourly number at four HEVs each way. Eight in an hour.

00:21:46:28 - 00:22:17:03

Currently there's network rail works, network rail embankment works along that route that are lasting six months and our surveys picked up a total of nineteen HGVs along that route in a day in an hour, sorry. In terms of the total movement, so that's all vehicles. The total existing traffic along Alderson Road is nine twenty one vehicles and the total construction movements is two seventy two.

00:22:17:05 - 00:22:22:02

This is also, as I say, on a peak day and that's an increase of thirty percent.

00:22:23:24 - 00:22:55:20

So that sets out the increases in HGVs and in total vehicles over that period. In terms of all other times, not in a peak time, you were looking at sort of thirty seven HGV movements on an average day in an increase and a total of one hundred and fifty construction movements on an average day. That works out in terms of total vehicles on an average day of sixteen percent increase on the CNL.

00:23:03:11 - 00:23:15:07

Sorry, could you just repeat that? So that sixteen percent for non HGVs, a sixteen percent for increase in normal construction days. Could you repeat for the peak, please?

00:23:15:14 - 00:23:33:04

Yes. So for the peak, this is for all movements. That includes HGVs and light vehicles. It's a thirty percent increase on a peak day. And the peak day occurs when line down A, B and C overlap for that two month period. So the peak day could occur within that two month period.

00:23:36:12 - 00:23:42:06

Okay. So that peak day is not a

00:23:44:13 - 00:23:47:02

singular worst case, it's the expected

00:23:49:07 - 00:23:52:22

every day for that two month period. Is that correct?

00:23:52:24 - 00:23:59:14

It's what the peak flow could be on any day for that two month period,

00:23:59:16 - 00:24:03:06

yes. Understood. Thank you.

00:24:06:17 - 00:24:10:15

Would Stop Line Down like to comment on that?

00:24:12:00 - 00:24:12:15

If

00:24:13:01 - 00:24:13:16

you'd

00:24:13:18 - 00:24:18:14

like to provide your own figures as well, either now or in writing.

00:24:18:16 - 00:24:33:05

Thank you, sir Daniel Kuzelka, for Stop Lying Down. Given the direction that you indicated at the start, we'll deal with detail tomorrow, I'll ask Mr Bamber to come in just at a high level, just to give you the sort of main points of distinction on this issue. Mr Bamber?

00:24:33:12 - 00:24:35:03

That'd be helpful. Thank you.

00:24:36:09 - 00:24:41:15

Thank you. Mr Bamba for Stop Lime Down. Yes.

00:24:43:00 - 00:25:20:27

Mr Dowell has pointed out that the construction of limesdown C, A and B only overlaps according to the time scale for two months. But if we disaggregate them and look at the effect of the individual

ones. So to begin with areas A and B. The effect of that on that section of the network is to lead to one hundred and fifty two percent increase in HGVs. Then in the second part after the two months of overlap when it's just area C.

00:25:21:24 - 00:25:38:03

The figure is one hundred and sixteen percent increase. So we have a situation where over the two year period there is consistently an impact over one hundred percent along that section of road.

00:25:40:09 - 00:26:05:28

I think it's could I only quote one paragraph if I may from the ISEP guidelines that I think is relevant to this. And I think it's important to bring this in now because I think the applicant is taking an approach where transport is being separated to some extent from the issue of tranquility. But I think it's important that it that it isn't.

00:26:07:13 - 00:26:55:05

Paragraph three point twelve of the ISEP guidelines states: a critical feature of an environmental assessment is determining whether a given effect is significant. Having quantified the magnitude of the impact, I. E. The level of change, there are various ways of interpreting whether or not the resulting outcome is considered significant. There is no definition of a significant effect in the EIA regulations. Furthermore, for many effects, there are no simple rules or formulae that define appropriate assessment thresholds and therefore, there was a need for interpretation and judgement on the part of the competent traffic and movement expert backed up by data or quantified information wherever possible.

00:26:55:22 - 00:27:49:04

Such judgments will include the assessment of the number of people experiencing an impact and the sensitivity of those people as well as the assessment of the damage to various natural and cultural resources. The confident traffic and movement expert will need to make it clear how they have defined whether a change and the resultant effect is considered significant or not. Now I think that sets the kind of context in which we are approaching this. So I think it's the view that I take is that we are seeing levels of increase of HGVs within the national landscape of over one hundred percent, that goes beyond, the ten percent threshold, way beyond the ten percent threshold that is, identified for the, threshold for a sensitive receptor.

00:27:49:22 - 00:28:12:17

It goes well beyond the thirty percent threshold that is generally considered the point at which it is possible to put people to notice a change, and it goes well beyond the sixty or ninety percent thresholds that are also used as kind of marking thresholds when we're sort of going up in terms of the level of magnitude.

00:28:14:08 - 00:28:40:23

So I think, I mean we can come on to more details of how figures have been calculated and what the implications might be relating to the disagreements about the different ways in which they are calculated. We can do that tomorrow. But I think in terms of the national landscape that sets the kind of context in which I think it's important that these figures are understood.

00:28:41:24 - 00:28:57:03

Thank you. That's helpful. And could just clarify the one hundred and fifty two percent figure you gave for sites A and B before the two month overlap, is that one hundred and fifty two percent using the applicant's figures or using your own

00:28:57:27 - 00:29:04:11

That is using the applicant's revised figures, not the original figures, but the revised ones.

00:29:04:13 - 00:29:06:21

Okay. Thank you. That's helpful.

00:29:11:00 - 00:29:13:10

That's been helpful for me to understand

00:29:14:28 - 00:29:26:09

the numbers that are behind that assessment. I'd like to give the applicant an opportunity to respond to the representation just made by stop line down.

00:29:30:09 - 00:30:00:18

James Narrow for the applicant here. We have followed the ISEP guidance. We used the ten percent and the thirty percent thresholds, then we took the links for further assessment, and we identified the C and L links as moderate. The ISEP guidance actually says that transport consultants and experts should provide the traffic flows and other information to the landscape consultant to actually undertake the tranquility assessment, and that's what we've done.

00:30:00:20 - 00:30:03:12

So we've followed the guidelines exactly. Thank you.

00:30:05:12 - 00:30:15:02

Thank you. In which case is there anything that Mr Jackson did like to add from a landscape and tranquility assessment point of view?

00:30:19:27 - 00:30:32:03

I think given that my colleague Mr Topping undertook the tranquility assessment, I would rather defer any questions relating directly to that to Mark, if possible, please.

00:30:38:20 - 00:30:40:15

Mark is hoping for the applicants.

00:30:42:01 - 00:30:52:12

None as such. But I think there's any specific questions in there for landscape. Happy to take any questions from yourself just to clarify points, if that's helpful, sir.

00:30:53:27 - 00:31:07:11

Well, I guess a response to Stop Line Downs representation that the levels of the sustained level of increase of over one hundred percent

00:31:09:14 - 00:31:29:03

increase in traffic within the C and L being well beyond the ten percent or thirty percent rules of thumb? And how that how would that one hundred percent lead you to the conclusions that you come to in your Tranquility assessment?

00:31:30:21 - 00:32:02:24

Mark's hopping for the applicant. So we've assessed the impacts from a Tranquility perspective are set out in the Tranquility report. Ultimately, the experience from the site in particular was that whilst when HDVs were experienced, it is very much a fleeting experience. So it lasts from between one hundred metres to sort of, say, three hundred metres, both visually and already. And that does then obviously have an impact upon the Tranquility.

00:32:02:26 - 00:32:37:05

But once those vehicles have passed and the Tranquility returns back to the original baseline, notwithstanding in combination effects, which we'd also set out within the Tranquility assessment. So the increase does have an impact. I think that's been stated. But it's the it's the process in which that impact occurs in terms of the vehicles moving through the landscape, the oral sort of aspects of that, the visual aspects of that, and then how that sort of impact recedes relatively quickly during the course of that experience.

00:32:37:08 - 00:33:05:16

And equally for public rights of way, for example, because of the nature of the how users would cross the landscape, they will experience those at different distances at different times. And say, along the course of a route, for instance, you'd experience those HGVs only frequently. You wouldn't you wouldn't see each of those movements because you'd be walking across in a long different public rights of way. So essentially, we've we've taken that into account, and that's how we've assessed

00:33:07:16 - 00:33:10:15

the site from a Tranquility perspective in terms of construction traffic.

00:33:22:02 - 00:33:56:15

Hi Mr Topping. What I'm gathering from what you just said is that the HGVs are fleeting, so you would experience that HGV from the distance that you see it or hear it, so around one hundred metres I think you said. But the ISEP guidance talks about a ten per cent and a thirty per cent threshold, so I'm sort of trying to understand why that threshold would exist if we could always just say, well, every HDB is experiencing a fleeting period of time.

00:33:57:04 - 00:33:58:29

And if you could just provide

00:34:05:06 - 00:34:05:25

think think

00:34:05:27 - 00:34:06:12

think

00:34:09:18 - 00:34:10:03

very

00:34:12:03 - 00:34:12:18

point.

00:34:14:21 - 00:34:47:23

The increase in that traffic and does that reach that sort of threshold criteria. From my experience, doing the desk based assessment from traveling that route, that is something that it was very conscious of. And I think, again, just back to the sort of the fleeting experience, I think it is an important point because it's not a sustained impact. It's not something that although there's a quantum increase in the threshold, that the perception of that through the landscape by various different users at various different points of the landscape is experienced in that context.

00:34:47:25 - 00:35:23:23

It's a temporary experience, which is removed with the absence of the vehicle. And I think that's that's how we've that's how we've assessed it through the through the process. And I think that's how experiences would assess it during construction. There is there is sort of beyond that as well. I have sort of clarified in the report that there are sort of further perceptual aspects as well. So the advent of sort of seeing and and associating those vehicles with, limedown, excuse me, limedown solar park, and and that sort of recognition of the landscape.

00:35:23:25 - 00:36:01:12

So whilst those experiences might be fleeting, as you see them more frequently, you begin to associate those with the schemes of perception and experientially that has a negative connotation as well. So that again, that's how I've tried to sort look at it of very much in the rounds, looking at the quantum increase associated with the scheme, those those two percentage uplifts, and also with the fact that it's a temporary experience of a certain frequency in nature. So how that's experienced sequentially as you're moving through the landscape as well from both coming through the sort of CNL, through the setting of the CNL towards the mitigation associated with the scheme and the scheme itself, and then out and then vice versa.

00:36:09:23 - 00:36:16:13

Okay. Thank you. Was there a hand up online from Mr. Conroy from Natural England?

00:36:23:04 - 00:36:26:05

No. Parle Conroe, Natural England. No apologies, nothing to raise.

00:36:26:14 - 00:36:31:01

Okay, thank you. But I do see a hand from is it Mr Bamba?

00:36:33:03 - 00:36:46:20

Yes. Thank you, sir. Mr Bamba, on behalf of Stop Lime Down, I just want to comment briefly on what I've just heard from mister Topping. Mister Topping is approaching

00:36:48:22 - 00:37:18:23

this from strictly a landscape point of view but is disregarding the well established fact that HGVs are perceived by people to be a negative or an adverse impact. I mean, an HGV by its nature is fleeting or temporary and is not sustained, but it is the presence of that HGV, its size, the perception of it moving, the noise it makes.

00:37:19:00 - 00:37:37:17

This has an impact in terms of several of the elements of transport environmental impact. Amenity, severance, fear and intimidation are all related to the movement of HGVs. And I think to separate,

00:37:37:19 - 00:37:38:04

if

00:37:38:06 - 00:38:18:25

you like, the transport environmental impact in this context from the landscape impact, which is as I'm listening to Mr Topping seems to be taking a very different approach, which is not based on people's perceptions, how they perceive an HGV in reality. I think that's where it is important that we do avoid the risk of defining an HGV as something that is a fleeting temporary impact when it's clear from a transport environmental impact perspective that it's not.

00:38:21:07 - 00:38:32:03

Okay, thank you. I see Mr Darrell you've got your hand up and then I'll also ask Mr Topping to respond as well.

00:38:32:27 - 00:39:04:01

Yes, just to simply say, obviously these roads are already used by HGVs. The percentages are obviously over one hundred, and that's because there's fairly low baseline HGVs apart from all these network rail works, which I've already mentioned. The fear and intimidation or the other effects that Mr. Bam was talking about has been assessed in the ES and we've assessed that in transport terms. And there is no step change when you run the fear and intimidation calculation following the IFCP guidance.

00:39:04:03 - 00:39:17:15

There is no resultant step change. We can't change that result. That is just a sort of output from the calculation. So that is included in our assessment. And I'll pass over to Mark here.

00:39:18:17 - 00:39:35:02

And perhaps, Mr Topping, if you just briefly comment on how the Tranquility assessment in relation to looking at the increase of traffic differs from the AS assessment of traffic and transport effects?

00:39:36:11 - 00:40:06:15

Thank you, sir. Mark, talking to the applicant. I mean, ultimately, what Mr Bamba set out is how we've assessed it. So we have looked at that sort of experience as the traffic comes into contact with the with people with the receptors, as it were, has a negative experience. There is a physical change in terms of you you move away from the you move off the road, you move away from the traffic, you pause your route. I've set out that within the assessment.

00:40:06:26 - 00:40:38:11

So I think that is incorrect to say that I think that is how we've assessed it, both that sort of experiential, that visual, that oral. It is perceived it's listed as a negative factor, sort of major impacts of major roads, impacts of minor roads, impacts of vehicles passing receptors. So I believe that has been set out in the Tranquility assessment. I think that's a misunderstanding of how we've assessed it, you missed the Bamberg phrase. But just to clarify, that is how we've assessed it.

00:40:38:13 - 00:40:54:22

That whole experience, oral visual perceptual on the receptor and how that experience affects the experience of traveling through the routes within the national at the CNL setting, and ultimately the effects of tranquility upon that receptor's experience.

00:40:56:15 - 00:41:02:29

Okay, thank you. I'd like to move on now. So

00:41:04:15 - 00:41:38:13

in relation to the general comments on the Tranquility assessment overall, so at deadline six, Topline Down provided their comments on the updated deadline five Tranquility statement from the applicant. But I'd also like to give the council, the National Landscape Board and Natural England the opportunity to comment on that assessment now and specifically whether your concerns regarding the impact on the tranquility of the national landscape have been to addressed any extent by the updated statement?

00:41:39:28 - 00:41:43:09

If I could start with Wiltshire Council first please.

00:41:44:13 - 00:41:55:13

Adet Shalaby, Wiltshire Council. The Council hasn't yet put together its thoughts on the latest Tranquility Assessment and we'll have to do that in writing for you following today.

00:41:55:27 - 00:42:08:10

Thank you. Can I ask that that's done for deadline seven? Yes. So that there's an opportunity the applicants for to respond at deadline eight. Thank you. And National Landscape Board?

00:42:11:04 - 00:42:24:11

Thank you, sir. Simon Joyce for the Cotsford National Landscape. Likewise, the Board will be making, further written comments regarding the Tranquility Assessment for Deadline seven. But

00:42:28:19 - 00:42:48:25

just to comment further, the Board still has concerns regarding the impact of HTV movements in particular and overall traffic movements on the tranquility of the national landscape, having had time to initially review the tranquility statement that was submitted at deadline five.

00:42:52:06 - 00:43:07:26

Okay, thank you. And likewise, if you can make sure that those are submitted for deadline seven, that would be very helpful. In which case, Natural England, was there anything you wish to raise in this hearing

00:43:09:14 - 00:43:12:27

as a response to the updated Tranquility statement?

00:43:16:06 - 00:43:32:02

Thank you, sir. Car Connery, Natural England. Nothing to raise at this moment. Equally. We may have some comments and can get them to you by deadline seven. One of our internal specialists is reviewing but we haven't prepared anything for today.

00:43:33:08 - 00:43:34:13

Okay. Thank you.

00:43:39:29 - 00:43:52:24

Yes, so there'll be an action point out to this hearing for the National Council Landscape Board of Natural England to provide comments at deadline seven on that.

00:43:57:13 - 00:44:38:16

Moving on to item 2.1.2, furthering the purpose of the Cotswolds national landscape and specifically in relation to the proposed wildflower meadows. So Natural England identified that the EIA Agriculture Regulations two thousand and six could prevent converting more than two hectares of permanent grassland that has been put in place for over fifteen years back to arable use. However, can the applicant confirm whether the proposed wording in Article six sub paragraph four of the draft DCO modifying these regulations would remove such protections for the wildfire mitigation.

00:44:44:06 - 00:45:30:21

Just by way of brief summary, the reasons for the applicant seeking to disapply those regulations is because they already included this application where you've done an environmental statement for a planning application under the Town and Country Planning Act nineteen ninety, but they don't specifically include a scenario where you've already done an environmental impact assessment for a development consent order application. So there is a disconnect between the two regimes which the applicant was seeking to rectify in order to note that an environmental assessment has already been done in relation to the decommissioning of the scheme and its return to agricultural use.

00:45:32:00 - 00:45:59:05

It's noted that a similar dissaplication was requested in respect of one of Ireland Green Power's other applications, which is the Green Hills Solar Farm DCO application and Natural England confirmed their agreement to this application in respect of that application. I believe that submission is now available on the PINS website and we can provide a link to that in our written submission.

00:46:01:01 - 00:46:29:06

In terms of what will actually happen at decommissioning, the applicant under requirement twenty is required to provide a decommissioning plan. When it provides that decommissioning plan for approval by the local planning authority, it needs to confirm under schedule sixteen whether there are

any materially new or different environmental from those considered in the original environmental statement. So should

00:46:30:22 - 00:47:04:16

the nature of the land have changed beyond what was expected in the existing environmental statement such that the impacts of removing that wildflower meadow are materially different, then that would need to be addressed at that point in time. So there is no gap or removal of the need to consider any difference in environmental effects at the point of decommissioning. In terms of protections to any any particular habitat that may have arisen over that time. The DCO only dissupplies legislation that specifically mentioned.

00:47:04:18 - 00:47:35:05

So whilst it gives planning consent for decommissioning, it doesn't deal with any other additional consents or prohibitions that might apply at that point in time. So should the Wildflower Meadows be a protected habitat that would require some form of additional licence or if there is just a prohibition on removing that kind of habitat that exists in sixty years time, the DCO would not circumvent that. It doesn't provide statutory authority to remove any protections that might apply at that point in time.

00:47:35:07 - 00:48:12:02

So to the extent that it become becomes a protected habitat that would need to be dealt with at the point of decommissioning. The applicant's position is that we we don't know what will be the priority in sixty years time. We don't know whether arable land will be the greater priority or whether wildflamado is the appropriate type of vegetation to have in the countryside at that point in time. So that would all need to be decided then taking into account existing legislation and protections and noting whether there has been any changes to the conclusions of the assessment that's been done for the purposes of of the DCO application.

00:48:12:04 - 00:48:28:02

So from our perspective we don't consider it the DCO to remove any planning application any any other protections but it does provide planning consent which is what those regulations specifically are looking at which is if you're trying to

00:48:29:25 - 00:48:37:06

change the use of land to agricultural land then you need to have assessed that and we have done the assessment at this point in time. Thank you.

00:48:37:08 - 00:49:02:09

Okay, thank you. So, if using existing legislation, if the Natural Environment and Rural Communities Act two thousand and six were to still be in place, would the wildflower do you consider that the wildflower meadows would be protected from returning to agriculture as a priority habitat in that case, or could be?

00:49:04:04 - 00:49:16:06

Claire, project for the applicant. Yes, it would depend on the scenario at that point in time and the nature of the site. I think it's what the DCO permits is

00:49:18:21 - 00:49:58:18

the planning consent. Obviously the Natural Environment Rumour Communities Act two thousand and six includes a variety of different measures, and it doesn't at the moment. You'd need to see whether there was an additional consent that would be required at that point in time to the extent that there are other measures, and it's the same position that we've said in relation to. Obviously if we've developed habitats that become habit suitable habitats for a variety of protected species then the DCO doesn't remove the need at the point of decommissioning to obtain any licenses that might be required as part of that decommissioning process.

00:49:58:20 - 00:50:14:17

They would need to be obtained at that time and whatever was the appropriate mitigation measures or replacement habitats that were required at that point in time would need to be put in place. This particular just to reiterate, this particular

00:50:16:10 - 00:50:37:14

provision that we were seeking to disapply was about needing an environmental impact assessment, and the point is we've already done an environmental assessment and at the point of decommissioning, the DCO contains an obligation to review that and see whether there are any materially new or different effects. We consider the purpose of this regulation to already be included within the DCO

00:50:38:08 - 00:50:46:08

So what's behind my question is the matter of furthering the purpose of the CNL because the Wildflower Meadows are

00:50:48:18 - 00:50:53:07

relied on as part of your the applicant's case for

00:50:55:00 - 00:51:22:18

fulfilling the duty of furthering the purpose of the CNL. So I'm so again, in asking, I'm trying to understand assurances what there are. But I note that you have also set out that your that the duty to seek further the purpose of the CNL can be fulfilled even if the wildfire medals are removed at decommissioning. Is that correct?

00:51:23:05 - 00:51:40:11

Claire Bojack the applicant. Yes, that's correct because it's proportionate to the impact of the scheme. So when the scheme is removed, then the land would return to its current scenario. So it's furthering the purposes for the duration of the scheme.

00:51:41:29 - 00:51:53:03

Can I ask if Natural England would like to comment on any of that, in particular, the

00:51:54:23 - 00:52:17:13

whether we could rely on the Wildflower Meadows being protected beyond decommissioning? Or just to clarify your position on the fulfillment of the seek to further duty in the instance that the Wildflower Meadows are removed at decommissioning?

00:52:24:04 - 00:52:25:22

Kyle Conroy, Natural England.

00:52:27:27 - 00:52:36:12

As been mentioned already, the DCO will of course cover the the length of time up until decommissioning.

00:52:38:07 - 00:53:09:11

As has been mentioned any activity post decommissioning on the Wildflower Meadows will need to consider the legislation which has correctly been referred to as the EIA regulations of two thousand and six. So that obviously that legislation protects the land from any agricultural improvements. And will require a screening assessment and decision by Natural England to assess whether any proposed activities or works are likely to have a significant environmental impact.

00:53:10:19 - 00:53:40:26

So examples of these activities could be the application of fertilizer, ploughing or any conversion to intensive agricultural use. This will all need to be considered under these EIA regulations. Any activity to agriculturally improve the land essentially after decommissioning and post DCO would require a screening assessment by Natural England. This further information can be found at gov.

00:53:40:28 - 00:54:08:16

UK the but requirements of a screening assessment that have a couple of different thresholds. So the question refers to priority habitat. Should the habitat be assessed as priority habitat? Then the threshold is zero point five hectares, recognizing its ecological sensitivities for any agricultural land that has been uncultivated for more than fifteen years, which would be the case also here.

00:54:10:05 - 00:54:56:27

Even if that value, the value of that habitat, the value of those wildflower meadows is is considered to be poor. The threshold is two hectares. So that's as per the regulations. We would welcome and and it would be beneficial to have some grass and surveys at post decommissioning. However as just mentioned the regulations legally protect this land anyway despite its botanical condition. As it will have been uncultivated for more than fifteen years. So should the landowner want to undertake any activity to agriculture improve the land, then a screening assessment will be triggered and natural income will consider such matters like habitat, biodiversity and also landscape impacts.

00:55:00:01 - 00:55:00:16

Is that

00:55:02:19 - 00:55:10:26

the case though with the modification of the EIA regulations under Article six of the draft ACO?

00:55:12:19 - 00:55:29:08

Yeah, those regulations are still in place and obviously we can only consider them what what the legislation is at at at the time at you know this current point. We can't predetermine any any changes going in in the future to those regulations.

00:55:30:24 - 00:55:36:14

But that would still be the case for any any agricultural improvements post decommissioning.

00:55:38:05 - 00:56:13:12

What would be really useful? We did have a conversation project with team. I'm not quite sure if they're on the call. And I thought we were quite clear that but what we would what we would be requiring and would be useful wording in any planning permission would be to state that the land would be passed back to the owner in its condition at decommissioning. At that point, the DCO the DCO sort of time frame would will have stopped. And then from that point onwards should the landowner wish to make any agricultural improvements to the land as previously mentioned.

00:56:14:08 - 00:56:27:29

Mentioned a few examples earlier. Then it would be it would trigger the EIA and have to go through that. It is worth noting that the the regulations do provide natural angular powers to to enforce should the activity take Mister

00:56:28:11 - 00:57:10:09

Conroy can I just always to interrupt you there? As as I understand it and I'm and I'm happy for the applicant to correct me because I understand that the process you've described under the EIA agricultural regs two thousand and six, that's being disapplied. So the applicants requesting that that's is not applicable come decommissioning. So the process you have set out there about requesting having the screening opinion and the change in land use from the Wildflower Meadows or any other part of the project site that's not been used for agricultural purposes for fifteen years.

00:57:10:24 - 00:57:25:11

That process you've described won't be applicable. So I'm happy to correct me, but that's my understanding at the moment. Ms Broderick, do you want to have a comment on that and then we'll come back to Natural England just to clarify the position? Thank you.

00:57:25:23 - 00:58:08:03

Claire Broderick, the Atkins. There's two elements here. One is we are seeking to disapply it because we have already, so it doesn't prevent anything, it just requires an environmental impact assessment to be carried out so you can screen it and then requirement for environmental impact assessment. So we are seeking to do to supply it for the activities that form part of decommissioning because we have already assessed in an environmental impact assessment decommissioning. And to the extent there are any differences because the nature of the land behaves differently or the impacts would be greater, then there would be a requirement as part of that decommissioning plan to fully assess again what those differences are.

00:58:09:10 - 00:58:40:19

So all of the activities that are required for decommissioning full within that assessment, so there is no gap, as it were, there. However, as I said before, that doesn't supply any other environmental protections or consents, it's just about the method of assessment. If the landowner, once the site's been decommissioned in accordance with the decommissioning plan, the land is then handed back to the landowner. If the landowner wishes to do any of the activities that have been mentioned

00:58:42:04 - 00:59:13:05

and that would trigger those regulations post decommissioning, then the existing regime continues to apply. Everything that we're required to do is decommissioning, so that may well be restoring the land to agricultural uses, so maybe the removal of habitats if that's considered to be appropriate at that point in time. We would restore the land to agricultural use. It would be handed back to the landowner. But then if the landowner wished to do some sort of intensive ploughing then they would be bound by those regulations.

00:59:13:07 - 00:59:38:00

Yes. It authorises activities that are mentioned in the decommissioning plan, but then that is it, going then forward the existing or whatever the regime is at that point in time would apply to the landowner. But to the extent we've committed to do certain works as part of decommissioning, and that could include vegetation removal potentially, then that would have been assessed as part of the discharge of the decommissioning plan.

00:59:38:02 - 00:59:40:29

Yes, but I'm right in saying the EIA regs

00:59:41:07 - 00:59:48:27

Are disapplied. For the purposes of all of the activities in the decommissioning plan, but not disapplied forever.

00:59:48:29 - 00:59:55:09

No, I understand that part, yes. Before I come back to Mr Conroy, Ms Challaby at the Council had raised a hand.

00:59:55:11 - 01:00:22:02

Yes, I did, Challaby, Wiltshire Council. It was just to confirm that point, the Council's understanding is that it has disapplied the whole EIA regs for the purpose of decommissioning. So none of the protections Natural England have cited, whether that's screening or the required it's not just screening and a requirement for assessment, there's also a requirement for consent from Natural England in the regulations. All of that is dis supplied to decommissioning stage, and once the project's finished then things move on and we're in a new world. That's the council's understanding as well.

01:00:22:29 - 01:00:51:08

Thank you, Ms. Shelby. I believe 's our understanding of this position as well. Mr Conroy, given what you've heard, and I don't want to take over the hearing with matters of ecology, but I think it's a poignant point and we need to get to the bottom of it. Mr Conroy, given what you've heard and the disapplication of the EIA regs, and yes, there are other requirements in the decommissioning strategy, do you want to clarify any point or add anything further?

01:00:53:06 - 01:01:28:14

It will be useful to understand the position of the applicant at decommissioning of how that land would be handed back to the to the landowner. I thought I thought we were quite clear on that and that it would be handed back in the condition as it is at the time. But it does sound like the position is that

it will be handed back having been potentially agriculturally improved. And then it seems like we're talking about a case whereby EIO will be applied EIA regulations will apply to any activity after that.

01:01:29:22 - 01:01:34:21

So if I could just get clarification on on that matter that would be useful as a starting point.

01:01:37:03 - 01:01:39:12

Sorry can I confer with my colleague?

01:01:54:26 - 01:02:11:20

I was just conferring with my colleague because we straying into territory where we are likely to be discussing things next week at Issue Pacific hearing eight. So what we'll do is we'll ask the applicant to clarify the points Mr Conroy has raised and then we'll move on.

01:02:13:05 - 01:02:45:13

Claire project for the applicant. Yes, so for the purposes of the activities in the decommissioning plan and that we don't know what yet decommissioning obviously decommissioning will involve the removal of all of the solar infrastructure. But to the extent of to what happens with the land it is not clear yet. The the landowner may wish to have keep it as welfare meadow. They may wish to have it reverted to be used for agricultural purposes because one may be preferable than the other in sixty years time. We've obviously we've got a balance of things.

01:02:45:15 - 01:03:23:14

At the moment our environmental impact assessment has assumed from a soils agricultural perspective that this is a temporary use of land and it will revert back to agricultural use. So depending on which way we go, the decommissioning plan and the supporting environmental information that is supplied at that point in time pursuant to schedule sixteen, we'll need to document how the activities will differ from what has been currently assessed in the environmental statement. So there is no gap here, and that the the decommissioning activities will still have to be approved by the relevant the local planning authority.

01:03:23:19 - 01:04:00:25

But there are two scenarios. One the land stays as wildflower meadow and then we would need to provide environmental information to say well that will then result in a more permanent loss of agricultural land than what we had assumed as part of the environmental assessment or it would be the other way around and that it goes back to agricultural use and that supporting environmental information would need to assess the removal of the wild flower meadow. But as I said before, to the extent that it's protected under other legislation and there would be additional consents, the DCO does not override that and the applicant would have to go off and get those consents at that point in time.

01:04:01:00 - 01:04:17:04

We're really looking at how the assessment of the decommissioning activities is achieved, and it's achieved via the DCO and the requirement to report on differences compared to the environmental impact assessment via schedule sixteen.

01:04:24:08 - 01:04:25:11

Ms Shalabee.

01:04:25:16 - 01:04:48:09

Odetta Shalabee, Wiltshire Council. So just to understand then, has the environmental assessment assumed both that the impact would be temporary from a soils point of view such that it would return to agriculture and also not assess the removal of wildflowers? So it's assessed on two best case impacts, is what I understood from what Ms Broderick just said, which are inconsistent.

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

Claire Project the applicant. So so the environmental impact assessment has assumed that the the land will go back to agricultural use but the the hedgerow tree additional planting would remain. So the sort of the structural elements around the scheme, the hedgerows, etcetera, those would not be removed on decommissioning but the wildflower meadows would be removed. That's what and the return to agricultural land is what's been assessed.

01:05:28:24 - 01:05:32:07

Okay. Thank you. And in terms of

01:05:34:12 - 01:06:02:07

the agenda item, in relation to furthering the purpose of the CNL, that's a helpful clarification to understand how that's been assessed. Can I just note that there will be an action point then for Natural England to put in writing your position on that having heard what the applicant has clarified just now?

01:06:07:01 - 01:06:13:13

So we will move on to agenda item two point two, the sequential

01:06:19:04 - 01:06:44:07

additional sequential visual assessments at deadline six, and that's Rep six thousand and sixty two. I first have a couple of questions for the applicant, and then I will come to Wiltshire Council and stop line down. So firstly, percentage change figures are given in the conclusions for some of the routes. Can the applicant just clarify, is that a percentage

01:06:45:23 - 01:06:55:03

of the distance of the route where any change would be perceptible regardless of the level of effect, or does it relate to change above a certain threshold?

01:06:56:26 - 01:07:08:21

Mr Jackson, I'm mouthful applicant. Those percentage calculations relate to direct appreciation of the scheme, so it's not relating to magnitude of changes. Think you're asking.

01:07:10:11 - 01:07:13:24

So it's wherever the scheme's seen from?

01:07:13:26 - 01:07:24:04

Exactly so. So it's that moment at which Receptor's users and people in the landscape are either passing and have a view of the scheme as a consequence of its development.

01:07:24:06 - 01:07:26:14

And it's done on distance, is it?

01:07:27:08 - 01:07:29:10

It's done on distance, yes, correct. And

01:07:34:24 - 01:07:38:07

in concluding on the various routes that are assessed,

01:07:39:27 - 01:08:01:20

the term significant experiential change is used. So does the applicant consider that where significant experiential change is identified along the route, does this represent an additional significant adverse effect on top of that experienced by the individual receptor points? Or is your position that it's already covered in the individual receptor points?

01:08:02:02 - 01:08:32:29

Mr Chancellor, I'm half the applicant. The latter, sir, is that we've already assessed it within the original LBIA or any of the other subsequent assessments that have taken place. It's not an identification of an additional significant effect. The LBIA looked at sequential views and changes to views as people, receptors move along routes. Obviously we've got a series of additional sequential visual assessments that have been undertaken and it looks at views but also the experience.

01:08:33:01 - 01:08:46:22

It's just a colloquial term describing the change in experience of users moving up and down those receptor routes, but doesn't that leads on sorry, leans on the assessment from the original LBIA.

01:08:48:08 - 01:08:59:12

Okay. So your position is that there are no further effects that weren't already assessed as a result of this sequential patient assessment?

01:08:59:17 - 01:09:01:17

Yes, that's correct.

01:09:01:19 - 01:09:17:08

Okay, thank you. As the additional routes were suggested by both Wiltshire Council and Stock Line Down. I'd like to hear any comments that you may have on the applicant's methodology and conclusions in the assessment. I'll start with Wiltshire Council please.

01:09:17:15 - 01:09:23:01

Odetta Shelby, Wiltshire Council. I think Mr Harley is going to predominantly deal with this so I'll hand over to him.

01:09:26:06 - 01:09:33:09

Will Harley for Wiltshire council. Yeah, we've had a

01:09:35:14 - 01:09:48:01

good look through this document and have got some serious misgivings as to the various aspects of it which I believe we will be submitting in detail

01:09:50:08 - 01:09:57:07

for deadline seven. But to summarise the main issues that

01:10:01:00 - 01:10:06:17

concern the council, if may I take a few minutes to go through them.

01:10:10:12 - 01:10:36:20

We feel that there's been a consistent downplaying of the level of effects and this come may as a result of the three key issues that we have highlighted. The first one is in respect of the assumptions and limitations. There

01:10:39:04 - 01:11:04:19

is one factor which is key and at GLVIA three, page one hundred thirty four, six bullet point, which states that where the projects have yet to be constructed and may not even be fully designed, a judgment will have to be reached about their appearance, making clear assumptions made on

01:11:06:29 - 01:11:32:23

information used. No assumptions regarding the design of the panels, other factors such spoils, storage, access points, etcetera, have been made. Therefore the design parameters that are used in making the judgment are not known to the council and may have resulted in the assessment of effects being grossly underestimated.

01:11:34:16 - 01:11:56:13

There are only two assumptions and limitations in the methodology that was produced and this was not one of them. So at the present time we don't know what is actually going to be on these application fields. So how can that assessment been

01:11:57:28 - 01:11:58:29

accurately made?

01:12:00:15 - 01:12:37:15

The second point is that the sequential assessment should have assessed each route in both directions as traffic travels in both directions on all roads within the Wiltshire Council routes proposed and none of them are one way routes. And there's a complete lack of photographic evidence apart from the photographs taken for the LVIA, which in best practice are not necessarily the ones that you're going to be using for making a sequential

01:12:40:04 - 01:12:40:23

assessment.

01:12:42:15 - 01:12:51:26

So we would require photographic evidence from along the route in both directions. We haven't seen any of that.

01:12:53:19 - 01:13:30:11

The third point is where the assessment has been broken down into each of the routes recommended into smaller units, which we can see to an extent why that has been done, it's created a potential large gap in the assessment process because there's a lack of continuity as the receptor passes through along the route. So there are no sequential assessments from one section of a route to another, which again is yet another shortcoming.

01:13:31:24 - 01:13:32:25

And this

01:13:34:16 - 01:13:40:28

we consider probably has resulted in the understating of

01:13:43:05 - 01:14:04:12

the effects. And another factor which hasn't been considered is that the mitigation should have been reconsidered in terms of the sequential cumulative effects but there is no evidence that that has been revisited. So those are three

01:14:15:25 - 01:14:24:16

also we've looked at the magnitude of change and the sensitivities.

01:14:26:04 - 01:14:30:28

We consider that it's been downplaying of the sensitivity

01:14:32:26 - 01:14:56:26

of the roots in general, particularly those which we consider to be within the setting of the CNL. And the magnitude change, of particularly during construction operation year fifteen and decommissioning has been underestimated throughout.

01:14:59:17 - 01:15:01:17

And again this

01:15:03:08 - 01:15:20:27

adds into the point about the fact that we don't have a detailed design and we have no idea of the assumptions being made in respect to the design at these various points along the routes. Mr Harley, can I

01:15:20:29 - 01:15:46:09

just ask, when the deadline seven submission is made, can you be specific about where and to what extent sensitivity has been downplayed and magnitude? So suggest what you regard the sensitivity is of that route and what you regard the magnitude of change would be? Will Hardy for Wiltshire Council. Yes, that will

01:15:46:11 - 01:15:48:09

be submitted with him. Thank you.

01:15:51:10 - 01:15:58:11

Thank you. That's helpful. I'll come to stop line down before ask the applicant I to respond to both. Mr Kiselke.

01:15:59:12 - 01:16:43:03

Thank you, Sir Daniel Kiselke for stop line down. I've got two preliminary points and then I'll hand over to Ms Tinkler. The two preliminary points. The first point is a point where you've heard from us previously, but you can see it again in this document. So you can see from the document 8.13.3 that the applicant continues to use renewable project as the comparator for cumulative effects. And you'll remember from the last ISH we were of the view that the correct interpretation of Bolivia would be to go beyond that and look at projects that share features that are similar to a solar scheme.

01:16:43:05 - 01:17:05:27

We're referring there, it's Paris seven point nine to seven point one two of Bolivia Free. And I can give you a couple of examples of where that might have made a difference. I say might because obviously we don't have the ability to do sort of ZTVs for these individual things and interlink them. But I'll highlight them to you with some examples against

01:17:08:07 - 01:17:11:25

the routes that have been assessed.

01:17:15:27 - 01:18:04:04

So I should also in say the document, sorry, wherein it's 1.1.16 that talks about the same type as well. So that reference I think I gave you was in 6b-five, which is the current LVIA instead. So apologies if that's two different places that makes the same point. So we have concerns, for example, a short list about CD3, which is a forty five dwelling development in Sherston, CD5, is a which GP development to the east of Sherstone, and then also fifty eight, which is seventy one dwellings in Hullabington, and three fifty seven, which is a warehouse development northeast of Hullabington.

01:18:04:09 - 01:18:25:16

And they're just ones which are approximate to the routes that we asked you to consider previously and have been looked at in Rep six to Ash sixty two. I'm not saying that's a complete list, I'm just providing it as examples so that you can consider what difference a wider approach to cumulative developments might make with that sort of quite lengthy.

01:18:25:18 - 01:18:34:18

Sorry, just to clarify. So those are cumulative developments that you don't feel have been covered by the sequential assessment adequately?

01:18:34:20 - 01:19:12:26

Well, as we understand, Daniel, I to stop lying down, as we understand it, the applicant wouldn't assess them because they're focused on renewable projects. All the ones I just listed haven't, but we would say have features. So for example, a warehouse is a large industrial like feature in the

landscape. We would say that considering Bolivia at seven point nine to seven point one two, you would want to take though, sorry, say you would want, we consider it should be taken into accounts. I mean the answer to obvious maybe there's no intervisibility anyway or anything like that, but the applicant has excluded it at the prior stage, which is what it has considered from the shortlist.

01:19:13:16 - 01:19:19:01

I hope that makes sense. Yes, thank you. And then I'll now hand over to Ms Tinkler.

01:19:24:12 - 01:19:24:27

I

01:19:34:09 - 01:19:41:28

have any comments on the three routes assessment, as the applicant calls it. That's the routes between the villages.

01:19:44:10 - 01:19:55:00

Regarding SLD route one, yes, that has been previously assessed. My concern remains that the assessment

01:19:56:18 - 01:20:44:00

assumes that the existing vegetation which screens views will remain in place for the duration of the operation, and I just don't think we're going to agree on that point. I would like to clarify though that the applicant in the last submission said that I had assumed that all existing vegetation may go. That's obviously not what I'm saying. I'm just saying that it is highly likely that a large percentage of the existing off-site vegetation over which the applicant evidently has no control and upon which they are relying on to screen may well disappear next week, let alone ten years' time.

01:20:44:17 - 01:21:00:17

For example, we've got the proliferation of pests, diseases and pathogens. We've got the issues of changes in climate and weather patterns, and I will be making further submissions on that at deadline seven.

01:21:04:05 - 01:21:21:25

Regarding two, route SLD route two, yes, as Mr Kazzalko said, we are concerned that other what we would call industrializing developments have not been factored into the cumulative sequential visual effects assessment.

01:21:24:21 - 01:21:35:13

My other concern is that it appears that in the sequential visual effects assessment the applicant has only considered site CD two forty three,

01:21:36:28 - 01:22:01:08

whereas we have CD site two twenty one. It's mentioned as another CD site south of the motorway in the assessment, but after that it's not considered. And it is in proximity to route two. Therefore we consider that to be emissions as it could well be visible from two.

01:22:09:03 - 01:22:15:04

Sorry, could you just repeat the CD reference for that development? Thank you, Then I

01:22:15:06 - 01:22:24:03

could stop lying down. It's CD221. And I think our particular concern about it is it's a forty nine point nine megawatt solar fab. And

01:22:25:01 - 01:22:31:29

that's in relation to? SLD Route two, Section five of the applicant's report. And

01:22:33:14 - 01:22:39:14

nor does the assessment appear to have factored in views of the

01:22:41:12 - 01:22:41:27

plan

01:22:43:19 - 01:22:59:17

that there is no mention of them in the assessment. And again it's quite possible that those would be visible from the route. Not just in isolation but also in combination with the Lyme down sites.

01:23:01:24 - 01:23:18:29

That was a general point. So the applicant has cut the route two down into sections. So section one to two runs through the CNL from Sherston to Foxley Road.

01:23:20:24 - 01:23:51:17

Now in paragraph five point one point one nine of the assessment, it says there is no visibility of the line down scheme from this section of the route. I question that because when we look at the even not just the bare earth but the augmented ZTV plans which factor in existing vegetation, it does show not only intervisibility with line down A but also with the rest of the schemes.

01:23:51:19 - 01:24:11:17

So clarification on that point or a response to that point would be helpful. But I do agree that it is unlikely that any of the identified currently identified CD sites in the assessment would be visible from that section of the route.

01:24:15:00 - 01:24:31:09

Regarding section two to three, goes that through line down A as far as the Foss Way. And I agree with the applicant's assessment that effects would be significant adverse for the duration of

01:24:41:23 - 01:24:43:08

first of

01:24:45:16 - 01:24:55:14

higher for reasons such as underestimation of levels of receptor sensitivity etc. Again, we can deal with that at deadline seven if that would help.

01:24:55:16 - 01:25:06:00

Yes, and as I requested of the council, if you could be specific about where the sensitivity is higher and it should be. Would be great. You.

01:25:06:14 - 01:25:18:13

Again, on that section of the route, in my opinion, none of the CD sites identified in the assessment would be visible from section two to three.

01:25:26:06 - 01:25:34:09

Section three to four, which is between the Foss Way and the railway line to the south, and that runs through Lyme Down C.

01:25:36:01 - 01:26:21:29

The assessment paragraph five point one point two seven that states in terms of line down C, there will be no adverse effects on this section of the route. But in paragraph five point one point three seven, it states that moderate to minor adverse effects were recorded in section three-four. So again, clarification of that point would be helpful. And again, the applicant does not appear to have factored in that the augmented ZTV plans show intervisibility not just with Limedown C but with all of the Limedown sites.

01:26:22:01 - 01:26:44:02

So again, it's a concern that the visibility of the other limedown sites doesn't appear to be factored in. It's only the visibility of the site through which the route is passing which has been factored in. But again I don't think that the identified CD sites would be visible from from that section.

01:26:47:03 - 01:26:55:11

Section four to five is between the railway line and the M4, and the northern part of that crosses line down C.

01:26:57:08 - 01:27:21:09

The conclusion is that there would be moderate to minor reducing to minor neutral or no effect. But again, that is assuming that all the vegetation that exists would remain in place, and I don't agree that is likely. And again, the augmented ZTV plans show into visibility with the rest of Limedown.

01:27:22:29 - 01:27:26:03

A point for clarification is that

01:27:28:03 - 01:27:34:02

it doesn't appear to have factored in the existing solar development south of Limedown Sea.

01:27:35:28 - 01:28:03:29

It hasn't, but apparently hasn't, factored in CD site two twenty one, which we mentioned earlier. And I couldn't see any mention of CD site two forty three along that section of the route, which is about just over a kilometre to the southeast and it's quite large. Therefore consider that there I would be visibility or would be in the absence of vegetation.

01:28:06:14 - 01:28:40:04

And then we go to section five to six. between That's the M4 and Chippenham. Here we do consider the visibility of site two forty three, which is very close to the route. It does appear to currently be very well screened. And I agree that due to the distance, it's unlikely that the CD243 site and the Limedown complex would be intervisible.

01:28:41:01 - 01:29:11:21

But again, we don't have an assessment of whether CD site two twenty one and the existing solar developments would be visible. And then my final point on this is that the cumulative effects of glint and glare have not been assessed by the applicant, and evidently the effects of glint and glare will draw the eye to other solar infrastructure.

01:29:11:28 - 01:29:16:17

And in my report, that's an important emission which needs to be rectified. Thank you.

01:29:16:19 - 01:29:18:24

So that's the

01:29:20:20 - 01:29:24:03

glint and glare from other developments as well as the development?

01:29:24:05 - 01:29:24:20

Yes.

01:29:24:22 - 01:29:26:10

Okay, understood. Thank you.

01:29:30:03 - 01:29:34:09

Can I ask the applicant to respond to that? There

01:29:37:08 - 01:29:43:13

was a fair bit of detail there in Ms Tinkler's response, and I suggest maybe

01:29:45:25 - 01:29:55:01

visiting the detail in a deadline seven response. But if you could come back on the high level issues that

01:29:55:03 - 01:30:06:06

are raised by both council and staff line down. Thank you. I just wanted to clarify that we will deal with Wiltshire comments first, shall we, and then move on to the rapid pace Thank of Stockland you.

01:30:07:24 - 01:30:08:11

I

01:30:10:16 - 01:30:27:24

appreciate we've been through a few bits and pieces and as Ms Broderick suggested, would probably be easier to come back to some of the more detailed points through written responses. I But just had the opportunity to direct Wiltshire Council to

01:30:29:19 - 01:30:31:14

appendix two of

01:30:37:19 - 01:30:54:09

the assessment, which includes the photographic record. So the suggestion that there was no additional photography undertaken is incorrect. Given it is Appendix two, which includes photography for all of the additional routes, including the Wiltshire Council routes,

01:30:56:01 - 01:31:05:14

which was undertaken away from the initial LVIA photography, and they are referred to as the ASVPs,

01:31:07:18 - 01:31:15:23

which, as I said, which are in the individual routes are in Appendix two Illustrative Viewpoint Photography. I wonder if it

01:31:15:25 - 01:31:33:10

would be helpful to include in the text the assessment references to the viewpoints and the photography in Appendix two as well so that someone us reading could cross refer.

01:31:34:01 - 01:31:43:19

Chris Jansen, example. Absolutely so. In our written responses to which counts to Stockholm down, I'm sure there is suitable referencing that point.

01:31:53:06 - 01:32:29:16

The second point raised by Watch Council regarding the lack of continuity through breaking down of the individual sections. It's predominantly designed to consider the different sections of the route, given the fact that they are not a marked or promoted route. So it's individual sections of public highway, public footpath, right of way that Wilshire Council have asked us to review sequentially. As a user would move down that route, it's not route that is promoted in any such way.

01:32:29:18 - 01:32:39:05

So it is already subdivided into separate sections. So the assessment has been produced to align with that subdivision that currently exists.

01:32:41:08 - 01:33:08:02

Given the Wiltshire and, to a degree, the SLD routes that were requested in regards to the additional mitigation response, particularly with Wiltshire, those routes are generally in and around the individual service sites themselves. And so have already been undertaken an assessment has already been undertaken within the LDA. So through that initial iterative design process, we undertook

01:33:10:23 - 01:33:21:14

whilst we were designing the scheme, the layouts and the approach to mitigation, those impacts have been considered as regard to the emerging layout as it came forward. So

01:33:23:00 - 01:33:35:26

the request to look back retrospectively now and to revise the mitigation is not needed because we've already assessed these routes individually and sequentially due to the original LVIA.

01:33:37:14 - 01:33:49:01

And then finally, there was the request or the difference of opinion on mentioned change in sensitivity, which I think you're probably better referring back to in a recent response at this point.

01:33:51:13 - 01:34:03:20

And then moving on to Ms Tinkler and some of the stop line down comments, again, recognizing that Ms Tinkler's come through the different routes and different sections, we're probably best coming back to that in writing to allow

01:34:05:25 - 01:34:37:11

greater referencing and detail to around some of those more specific matters. Two points I would like to touch on, though, is obviously some of the commentary around the ZTV work. And obviously, there's ZTV being a computer generated program that looks at theoretical visibility. And we've always used, particularly on these projects, to understand potential visibility of individual sites in the wider scheme and its relationship of different elements within the scheme.

01:34:39:05 - 01:35:11:16

But whilst it is very helpful, it is an initial tool to aid on-site field work. It is not definitive whilst it can support. There's nothing more helpful than actually getting out on the ground reviewing those potential areas of visibility or areas where these activities concluded there would not be any visibility. So it is a guide, it is a tool. Most of them are very helpful. They are by no means to be relied upon in entirety for where something would or would not be visible.

01:35:11:18 - 01:35:17:09

It is the zone of theoretical visibility and they are a tool to support the on-site assessment.

01:35:19:12 - 01:35:56:13

Obviously, Tinker and I have a slight difference of opinion regarding the landscape outside of the DTO and the applicant's control and how that will be managed and maintained and the longevity of that. And obviously would agree with mystic pronouncement that it's outside of our control. We have no input to that, but we would assume that normal countryside management practices and requirements and legislation will ensure that there will be a degree of permanence of that vegetation within the wider landscape, for example, ancient woodland and how that will be looked after and maintained.

01:35:56:20 - 01:36:20:20

Again, the dispersed nature of the does rely on that intervening vegetation to provide screening and mitigation along with changes in topography and landform. But that's one of the what we described to

you, one of the benefits of a dispersed scheme is that it can rely those on other external features to provide separation and disaggregation.

01:36:22:18 - 01:36:33:20

And then lastly, I think looking at some of the longer SLD routes that were requested, and again, just that

01:36:35:27 - 01:37:10:17

distance and extension of the routes down between sort of Shearson and Chippenham, particularly. And the proximity to some of the cumulative development sites that we looked at are quite distant. And there are some, particularly the one at Kingston St. Michael, for example, we do come close to, and as Ms. Tink has accepted, is currently well screened. And so it's just recognizing that they are long distance routes that predominantly will transverse the wider landscape, the railway lines, the M4, and do take time to travel.

01:37:11:08 - 01:37:20:07

And I think one of the things that we need to be cognizant of as well is just,

01:37:22:17 - 01:37:27:17

as I said, the distance and the time it takes to travel some of these routes that have

01:37:29:12 - 01:37:48:08

spread across different routes, so public routes away, footpath, highway. There's a transition across landscapers it would be for with or without the line down scheme within it and some of those cumulative sites and just changes as one would move through it.

01:37:50:03 - 01:37:57:24

Just before I come to a close, just on Wilshire's point regarding the outline nature of the scheme or the lack of

01:38:00:21 - 01:38:36:14

a scheme to assess, I think clearly all of our assessment work is undertaken within the reference to design principles document and the fact that there's the Rochdale envelope and then the parameters of each individual infrastructure and the work plans. So there isn't an acknowledgment of a nature of development that will be come forward within each individual field or depending on what it's proposed within the works plans. That then is connected back to the principles and premises documents and the commitments within the DCO for what that infrastructure will be regard within to the workshop envelope.

01:38:38:02 - 01:38:50:19

Okay. Could you also comment on the point Stopline Down raised about cumulative assessment developments that are not renewable development being included?

01:38:51:28 - 01:38:57:11

Mr Shuston, behalf of the applicant. I can, yes. I suppose I would come back to

01:38:58:27 - 01:39:36:27

the consultation process that we had with Wiltshire Council, the beginning and emergence of scheme through the initial scoping exercise, peer and then bridge application where the methodology for the LVI was agreed. That methodology included the cumulative assessment, the LVI assessment, which within that clearly sets out the nature of development that the LVI would be considering within its cumulative assessment. And that is what we have consistently followed throughout the LVIA and the subsequent sequential visibility assessments that have come forward, either this one or the Wiltshire cycleway or the original technical number we've looked at.

01:39:38:20 - 01:39:40:03

Thank you. Yes, Ms Shaladay?

01:39:40:17 - 01:39:52:29

Odette Shaladay, Wiltshire Council. Obviously we can respond to the detail of that in writing. I don't want to take time going round and round in circles here. There is one point just of clarification so that no one ends up misled today that Mr Goodwin just wants to make about a factual matter.

01:39:54:05 - 01:40:30:29

Will Harley, Wiltshire Council. Appendix two doesn't include the photographs of the site. There are none relating to Wiltshire Council Route two. There are two relating to the Halvington existing solar site on Route 1A. And there are a few but a not great number relating to 1B.

01:40:32:00 - 01:40:55:02

So there are no photographs in appendix two. So the council's point remains that we expect a full photographic record both directions and it doesn't appear to have been carried out. Just one other point that the council

01:40:57:00 - 01:41:01:29

is specifically looking in this case at intra project,

01:41:03:14 - 01:41:04:25

an intra project

01:41:06:24 - 01:41:35:08

sequential effects rather than going into the wider inter project cumulative effects. So it was specifically related from our point of view to the intra project results. But we are lacking in photographic evidence at this stage and to make meaningful comments obviously we need that to be provided.

01:41:38:02 - 01:41:39:24

On behalf of the applicant,

01:41:48:14 - 01:42:22:17

The photographic record is not the point at which the assessment is undertaken. The assessment is not undertaken on the photography. The photography is there to illustrate the nature of the views and the route through the landscape. The assessment is undertaken out in the field, on foot and then written

up. Whilst the views and photography are helpful, they are there as a supporting tool to the assessment. There is nothing to stop Wiltshire from undertaking the same routes or anyone in the examination from taking the same routes and experiencing those routes and the potential change with it.

01:42:22:19 - 01:42:29:17

The individual's photography is purely there to support the assessment, but it's not the assessment.

01:42:32:06 - 01:42:39:09

Understood. Thank you. Was there any points that Stop Line Down wanted to add?

01:42:40:01 - 01:43:11:02

Thank you to Danica, for stop line down. I don't think anything specific except to say on this point about the types of development. This did come up at ISH, can't remember which number it was last time. Obviously, we understand what may or may not have been agreed between the council at that point at that last ISH, that the council did agree with us on the approach that should be taken there. It's power of two point four four of their post hearing summary as well on that day. Sorry, of the council? Of the councils, yes.

01:43:11:04 - 01:43:32:00

I just wanted to flag it just because that's partially why we raised it, because we understood that it is a position that's sort of being maintained on this side of the room. But you can ultimately take a view on what you think should be required to meet requirements of Bolivia. Thank you.

01:43:33:09 - 01:43:38:12

So if we move on then to

01:43:40:26 - 01:44:00:22

Glint and Glare now, agenda item two point three. So can the starting with 2.3.1, Bagminton Airfield, can the applicant an give update on whether discussions with Bagminton Airfield have taken place and whether there's agreement that the predicted glare effects would be operationally accommodatable?

01:44:04:22 - 01:44:42:19

You. James Plum on behalf of the applicant. The applicant has remained engaged with the owner of Badminton Airfield and has confirmed that the owner of the airfield is at site of the Lyndon Glare report, which is APP261, and has no objection to the findings of said reports. Badminton output fields explanation is part of the Badminton estate, which is one of the landowners for solar option areas and has therefore been engaged with the applicants throughout application and design process of this development. The applicant understands the airfield is operated by one individual primarily for infrequent personal use with occasional visiting aircraft.

01:44:42:26 - 01:45:17:18

The applicant has assessed the airfield in line with its current and legally permitted use and notes also that the low volume of air traffic is a significant factor in the assessment of glint and glare impacts. The applicant has reached out to the individual who operates the airfield to request meetings to

discuss any matters further and confirm their lack of objections to the project, but has yet to receive a response on this. But nonetheless, the applicant like would to note that neither the operator nor the owner of the airfield have at any stage raised any objection to the scheme throughout the consultation process.

01:45:18:15 - 01:45:19:00

Sorry, just

01:45:19:02 - 01:45:28:00

to clarify. They haven't raised any objection. Has there been contact? Has there been communication from them

01:45:28:02 - 01:45:36:14

there? James Clombe, on behalf of the applicant. There has been regular communication with the landowner, Badlands and Estates.

01:45:38:03 - 01:45:53:26

There has been no direct contact as yet with the individual who operates the airfield and who flies out of there. We have made efforts to reach out to them and we are hoping that we can have a meeting with them, but that has not taken place as yet.

01:45:53:28 - 01:45:59:02

So the question then is without

01:46:01:24 - 01:46:21:10

the view from the operator and having the applicant's view that the glare effects would be operationally accommodatable, how can we as the AXA have confidence that the glare impacts would be operationally accommodatable if we haven't got a view from the operator?

01:46:23:23 - 01:47:08:25

James Plum on behalf of the applicants. Our judgment as regards to operationally accommodating any level of glare comes from our experience with other developments in other airfields. And these are not necessarily specific measures that have to be taken by an airfield. It is a recognition that there are suite a of options available to people from very simple measures, such as ensuring that they're aware that glare is possible and therefore don't get surprised by the presence of glare to typical mitigation that people would use for direct sun, such as having sunglasses with them.

01:47:09:02 - 01:47:45:17

And it's not that is not reducing the impact down to no impact, but it is a relevant measure which somebody can take as a sort of common sense approach. And pilots regularly encounter direct low sun. And at the times where this glare is predicted to occur, there would be direct low sun also coming from a similar direction. So that is a factor in that a lot of these measures that we would hope one would to take accommodate the glare should already be taking place to accommodate direct sun.

01:47:47:08 - 01:47:50:14

Okay, thank you. Could I ask if Stop

01:47:54:22 - 01:48:02:12

lying down. I'll see in the first instance, hopefully Mr John Van Hoogstraten, who hopefully is online.

01:48:04:13 - 01:48:05:21

John, can you hear us?

01:48:05:28 - 01:48:07:11

Yes, I can.

01:48:07:13 - 01:48:36:07

Thank you, John. And just as a preliminary point, sir, so you know where some of our information on this, because I know Glington Glare has not been looked at so far previously as a hearing. At six point four of our original submission appendix G to our written representation, Rep that's one-one hundred seventy eight. Mr Van Hoopstratten set out four specific concerns that he had about Badminton Airfield. With that introduction, John, if you'd like to comment on what you've just heard.

01:48:37:04 - 01:49:27:12

Yeah, thanks very much. John from Ullestroften, Ports Top Line Down. I think the major concern is the lack of representation from airfield operators, pilots, instructors and regular users at the airfield with regards to the impact of glint and glare. I don't think it's appropriate for the landowner to make comment if they're not regular users of the airfield. This is a safety concern to aviation and I think our biggest concern is the size and scope of the development and it's not so much I think the issue is the key issue for us is how can it be operationally accommodatable and what does that actually mean when the operators haven't been

01:49:29:17 - 01:49:30:26

consulted on this matter.

01:49:35:11 - 01:49:37:01

Yes, thank you.

01:49:37:03 - 01:50:17:11

Sorry, sir, don't know if I could stop lying down. Thank you, Mr Van Hooke Stratham. Just to highlight, there's another feature here think which is likely to come up in the on the issue of roads as well. So I'll just highlight it for now. We have a concern generally about how sensitivity to glint and glare effects is obviously is often being measured against user numbers where the severity effects of glint and glare can be so significant, given ultimately what we're talking about. Obviously, Mr Van Hookestrasse, you can comment on that and obviously your background as well and why that's relevant to this particular issue.

01:50:17:26 - 01:50:58:04

Yeah, think our main concern is around how they quantify or qualify the whether there is an issue or not given the they base the analysis on frequency rather than on severity. A case in point is the road usage where because the motorway has higher usage then that's more of an issue and that must be

assessed where a single road where there's no painted lines is infrequently used is somehow less of an issue and therefore not assessed.

01:50:58:06 - 01:51:36:17

And I think, you know, it's not a case of what the issue is around the severity in the event of an event occurring, not whether it's gonna be in frequent or not. And I think the other concern around the road usage is there's no, well, from the Ginton Glare analysis, there's no, qualifying statement to say what is considered busy and what's not considered busy. These these roads have a very similar speed restriction, and there's other users on those roads, pedestrians, horses, bicycles for that matter, whereas on a motorway, everybody's traveling in the same direction.

01:51:37:06 - 01:51:43:09

Whereas obviously on these smaller roads you have opposite directions, so you get a higher

01:51:45:11 - 01:51:49:23

potential for head on collision versus same direction traffic events.

01:51:51:11 - 01:52:04:01

Jennie, because I'll stop by now. Think Mr Van Hoostrat, I'm sorry I may have led you astray there. Was, oh, that's very helpful and I'm sure we'll come to it as well, but I was thinking the context of Badminton Airfield and just the reference to user numbers there as well.

01:52:05:07 - 01:52:40:10

Yeah, absolutely and I think once you start looking at the severity of the glare and what it could result in, bearing in mind that the airfield is a visual circuit airfield. In aviation, we talk about instrument flight rules and visual flight rules. Badminton airport is a visual flight rule so it is very reliant on pilots, using visual cues to position themselves around the airport and make sure they're lined up to the correct runway, to the correct path.

01:52:41:04 - 01:53:12:10

When you're talking about airfields that don't have external lighting, for example Heathrow or Gatwick would have lighting to be able to guide pilots to where the runway is. That's not the case with badminton so the visual cues are very very important and the results of glint and glare is a critical factor then for pilots to be able to visually see the airfield, not only visually see the airfield, see the runway and be able to line up correctly on it.

01:53:13:01 - 01:53:21:23

Okay, thank you. And just to clarify, is your position that the sensitivity of badminton airfield has been understated?

01:53:23:16 - 01:53:27:16

I think the assessment has been understated and

01:53:29:08 - 01:53:34:09

the definition of operationally accommodatable hasn't been fleshed out with

01:53:36:02 - 01:53:39:17

the users of the airfield, not the owner of the airfield. I think

01:53:41:20 - 01:53:49:22

talking to the pilots, the operators, the instructors, the regular users of the airfield is where the focus needs to be.

01:53:50:23 - 01:54:10:18

Thank you. If we could come back to the applicant and maybe confirm just that an action point will be to again try and get that consultation with the operator of the airfields because it would be helpful for us to understand

01:54:13:10 - 01:54:17:19

this question of operationally accommodatable from the view of the operator.

01:54:18:06 - 01:55:10:01

Claire Project for the applicant. Yes, are obviously making inquiries via the landowner as well. We obviously can't compel somebody to engage with this, and this is more of an individual rather than a larger operating airfield that's more of a business, if that makes sense. It is very much dependent on one individual responding. I wonder whether in order to give the examining authority a bit more comfort whether the applicant could have a look at at the measures in the outline construction environmental management plan in terms of requirements to provide information that can then enable the operator to put in place those operational accommodation measures such that you can be assured that the the information will be provided to that individual in the event that they do not wish to voluntarily engage with us.

01:55:12:23 - 01:55:57:16

Yes, it's something I think you could take away and have a look at. Obviously we've got another issue on management plans coming up, and I know it's only two days away but maybe something for then would be helpful. But just taking that one step further, obviously we've had no dialogue here with the operators at all, except everything everyone says, without talking to the operators we really don't know what can be done or if anything needs to be done for badminton. But the construction environmental management plan will be signed by the council and I wonder if there shouldn't be something in there, if you're looking at putting measures in there that requires consultation with those operators at the time the camp goes to the council for approval.

01:55:58:20 - 01:56:00:05

It's just something I'm going to leave

01:56:00:07 - 01:56:13:09

you with. Claire Brodrick, the applicant. Yes, we can have a look at requests for input. Obviously, as I said, we can't compel somebody to respond. But we'll also have a look in

01:56:14:27 - 01:56:38:24

the written summary to see whether we could provide some more detail of the sorts of measures that we're envisaging here, as Mr Plum was mentioning just to show that they are easily accommodatable

measures. We're not talking about complete complete changes to the way in which the airfield has operated in in this sense. It is very minor measures that are being talked at but we don't think that

01:56:38:26 - 01:57:14:16

there would be any issue with that particular pilot putting in place not very onerous measures. My only concern would be the council receiving that document with those measures in. They're not in a position to take a call and issue an approval with some words in a camp which the operators have not had sight of or consultation on. So it's more that consultation stage at the approval stage is what I'm really interested in, so that there is some flag in there that when the council receives the document for sign off that they have to consult with those operators.

01:57:14:18 - 01:57:31:23

Now whether those operators then choose to provide a response might be a similar scenario where they don't comment, but I think where safety is concerned, I'm not sure the Council would want not to be able to consult with those operators over those measures.

01:57:32:05 - 01:57:42:20

Claire Bodge the applicant. Yes, we can definitely have a look at at the wording there and the applicant could send a copy of the outline document to to the

01:57:44:06 - 01:57:59:18

operator or the the individual just make it clear, is an individual here rather than a bigger sort of operation, that they could send a copy of the document at the same time as they send a copy of the document to the Council for

01:57:59:24 - 01:58:04:13

approval. Thank you. And Mr Kizarco?

01:58:04:23 - 01:58:52:07

Thank you sir. I don't know if Kizarco stopped lying down. Just a very short additional point. And and so one of the things that Mister Van Hookstratten picks up in his report is that for Badminton there's never a quantification of the glare provided the yellow glare at Badminton Airfield. And so it's just to be said low impact. One of the concerns we have generally is about the qualifications provided, etcetera. But it seems to us that if a view is going to be taken on how accommodatable this is, there should also be some kind of quantification provided as well, particularly to the operator, because there's a significant difference between if it's hundreds of minutes of yellow glare or tens of thousands of minutes of yellow glare.

01:58:53:04 - 01:59:08:25

And obviously what steps would need be to taken needs to be informed by what is predicted, rather than a qualitative statement from Pager Power. And so it may assist, one, for that information to be provided to you and two, if not at least provided to the operator.

01:59:12:02 - 01:59:16:28

Thank you. Mr Van Hookstrand, did you also have your hand up?

01:59:17:20 - 01:59:24:06

Yes, it was just to cover the point that was raised now but nothing further to add.

01:59:25:03 - 01:59:29:27

Okay, thank you. And applicant in response to what Mr Kasalka just said?

01:59:30:23 - 01:59:31:29

You. James Plum on behalf of

01:59:32:01 - 01:59:40:21

the applicant. I will briefly go over the points that have been raised. And then if you have any further clarifications that you'd like from me, then please do ask.

01:59:42:17 - 02:00:17:12

With regard to the size and scope of the development, no one's claim going this is a small solar development, but I think it's worth noting that there is a four point five kilometer separation between Badminton airfield and the closest solar panel area. So it is not directly adjacent. And I think that is relevant when we're talking about it being a visual aerodrome and the visual cues of the aerodrome. A pilot is very unlikely to be looking at the solar panel areas when they're trying to find a visual reference point with regard to the aerodrome.

02:00:18:06 - 02:00:33:20

And we've here references also to looking for wind stocks to check wind direction. That is all on the aerodrome. And therefore, you're looking at that location, not a solar panel, which is four point five kilometers further afield.

02:00:35:12 - 02:01:05:23

I think that also leads into sort of discussion of the quantification of the glare. So we have provided a summary of the quantification. So within the initial Glint and Glare report, APP261, there's a statement of solar reflections to occur for no more than sixty minutes on any given day at a particular location between February and April and then August to November.

02:01:07:04 - 02:01:21:00

And any reflections are predicted to occur within two hours of sunrise current site direct and sunlight. So I appreciate it's not a day by day breakdown, but there is some information which provides in terms of the scale of that glare.

02:01:24:18 - 02:01:33:13

When it comes to the operational accommodation and the consultation with the operator, I think that's already been covered by my colleague.

02:01:35:05 - 02:01:38:14

But then on the point of looking at frequency

02:01:40:04 - 02:01:42:01

and Riley

02:01:48:03 - 02:01:48:18
ahead.

02:01:55:26 - 02:02:27:11

Just as we would assess any other aerodrome, which is primarily used for general aviation flying. So there are two sets of receptors essentially that we would use, one for commercial aviation, which is approaches, and then one for general aviation, which actually adds additional receptors to look at circuiting routes and final sections of circuits. So we've used that set of receptors, but otherwise it's been treated just as any other aerodrome aerodrome would have been anywhere in the UK for our assessment.

02:02:27:13 - 02:02:37:16

So we have not sort of sought to downplay those impacts and all of those quantifications of glare also that I talk about are with reference to that full set of receptors.

02:02:39:01 - 02:03:09:13

The consideration of frequency comes in when we're talking about operational accommodatability because it is harder for a larger aerodrome with more regular flights to maybe some make of these accommodations depending on which deemed feasible at that aerodrome. Some of these measures would include sort of doing an additional circuit so they get another chance to look at the aerodrome, overflying the runway in advance of landing.

02:03:09:22 - 02:03:34:13

These measures are much more likely to be feasible at a smaller aerodrome where you have one pilot trying to land at a time than it would be at a busy training aerodrome when you've got all of that air traffic also in circuit patterns, potentially don't have the ability to do whatever procedures you would like at any one point. So that's where the consideration comes in. It's not in terms of the modeling or the base assessment at all.

02:03:35:14 - 02:03:43:05

Understood. Thank you. If we could then move on to rodent rail receptors.

02:03:46:04 - 02:04:16:26

So I wonder if the applicant could identify which other solar DCA projects have used the Pager Power guidance to support a similar approach to assessing impacts on road and rail receptors. So this is in reference to your response to EXQ2 that when asked on guidance, and you stated that it's been used on other DCOs, so I'd just like some examples.

02:04:18:17 - 02:04:19:20

You. James Plum on behalf

02:04:19:22 - 02:04:53:04

of the applicant. So I can confirm that Page Pass Glint and Glare guidance has been used in the assessment of Glint and Glare for many consented solar DCOs. If you will excuse the rather long list, I'll go through some of these. So this includes, but is not limited to, Buyer's Gill Solar, Cleve Hills

Solar Park, Cotton Solar Project, Pelios Renewable Energy Project, Little Crow Solar Park, Longfield Solar Farm, Mallard Pass Solar Projects, Oakland's Farm Solar Project, Stone Street Green Solar, Sunniker Energy Farm, West Burton Solar Projects,

02:04:53:08 - 02:04:58:10

Penrith Mr. Plum, I'm getting the idea. I think maybe

02:05:01:23 - 02:05:05:01

so to be clear, examples

02:05:06:19 - 02:05:22:22

are these examples where which primarily consider the field of view and then only go on other considerations if a reflection is geometrically possible within the field of view? Because that's what's,

02:05:24:22 - 02:05:36:28

I guess, disputed Stop Line by Down that other matters should be taken into account, whereas the applicant's assessment primarily takes into account the field of view?

02:05:38:19 - 02:06:13:02

James Plumbaugh, the applicant. I can confirm that for all of these assessments the page power methodology has been used. The field of view consideration is an integral part of that methodology with regard to road receptors. Some of these assessments also include an assessment of railways, where there is a railway within the assessment area, and that also includes the field of view considerations. But because this is an integral part of the methodology, it is used in any assessment where there a receptor present and the page power methodology is used.

02:06:13:12 - 02:06:44:01

I would just add on this point that from that very long list of projects we have reviewed the recommendation lists and decision reports for all projects consents under the currently active NPS, and PageFile's methodology has not been questioned or criticized in any of these. So I think that demonstrates a precedent of acceptance of the methodology, and also demonstrates that it has been used for projects at scale as well. It's not just small developments.

02:06:44:20 - 02:06:47:12

There's a precedent of these larger developments as well.

02:06:50:23 - 02:07:15:07

Mr Plumb, are you the only company that produces these sorts of reports for the UK? Because you listed out a fair chunk of NSIPs there. And I guess the reason I'm asking that question is if there isn't another company that produces these, then obviously the methodology that your company works to all the time is not challenged. And I'm just wondering

02:07:17:14 - 02:07:19:00

if you can comment on that, please.

02:07:19:02 - 02:07:57:16

Yes, course. James Plum on behalf of the applicant. So Pedro Power is, I believe, the largest supplier of glint and glare assessments in the UK and also worldwide from the data that we have. But there are other providers. There are other companies that produce these reports. Some use methodologies very similar to our own, some use different methodologies. There is no formally adopted methodology in the UK. And so we do see variance on this, but broadly speaking, we're working as a similar concept in most areas, I would say.

02:07:58:17 - 02:08:08:04

Okay. Can I just come back on that and just ask if you know from the time that Page Power has operated and has undertaken these assessments whether

02:08:10:23 - 02:08:27:23

there has been a change in your methodology? Is there best practice, is there continual professional development as more evidence comes out in the field and across the world on this, or is it's the same methodology that's just tried and tested and hence the lack of challenge?

02:08:28:17 - 02:08:30:03

Thank you. James Pond on behalf of

02:08:30:05 - 02:09:03:08

the applicant. So our current Page of Pergolins and Glare guidance is now in its fourth edition and we're actually currently writing a fifth edition. So this has been updated regularly since we first published, I believe it was in twenty thirteen, but I can confirm in written summaries. So there have been additions that have come out of this. It's an iterative process of looking at our processes and how they could be improved, looking at the relevant guidance, which is released internationally as well.

02:09:04:02 - 02:09:11:26

There's no direct UK guidance on GLEP, but there is guidance in Australia and other locations around the world.

02:09:13:21 - 02:09:31:12

And so our methodology is informed by that and also our own project experience because it's gone from being quite a niche issue when we first wrote the Glint and Glare guidance to now being more mainstream. And so there's a greater variety of projects out there which we can learn from.

02:09:32:16 - 02:09:34:04

Thank you. That's very helpful.

02:09:35:03 - 02:09:51:13

Thank you. And so turning to stop line down, we've got your deadline five response to AX Q2, which sets out your position on this matter. Is there anything you'd like to add to that following the applicant's deadline six response and the comments they've made just now?

02:09:51:15 - 02:10:03:20

Yes, thank you, sir. Dani Kasak, stop line down. I'll start and then I'll go to Mr Van Hooke Stratham, because given Mrs Under Road and Rail, it might be useful to use example, which is the concern that we identify.

02:10:05:08 - 02:10:40:28

We, to be honest, agree with Mr Plumb that Pager Power pretty much is people who do these in DCO settings. I mean every DCO that I've done has used Pager Power or used Pager Power's guidance. And so it is pretty common and I'm aware that it is the guidance which has been used, has produced DCOs. So we don't dispute that. Ultimately, we would say that you need to consider the challenges that are brought to the guidance at the time that they're bought. There's obviously a case law on that. This isn't a case where because we're raising this issue, you're simply bam to apply that guidance for consistency's consistency's sake.

02:10:41:00 - 02:10:53:24

We would say it's one of those occasions where real issues have been raised where you need to essentially look at the matter afresh. And if it's helpful, can set out why we say that from a legal perspective in our post hearing submissions.

02:10:55:28 - 02:11:26:01

Under this heading, one of the things that particularly concerns us is, because this is on Road and Rail, is the approach to the assessment of sensitivity of receptors, which is a common feature in the Page Power Guidance. The entire Pager Power guidance I don't think is a mis examination, it has been provided in others. We've not submitted it because it technically has a confidentiality clause written on one of the front pages. So if Pager Power confirmed we can get it submitted, then let's get it submitted here.

02:11:26:03 - 02:11:34:18

But has it been recently submitted in Rosefield, for example, which I also acted on. But there is snippets from it in

02:11:36:27 - 02:11:50:00

this assessment that's being produced here. And just to highlight this example, Mr Van Hoogh Stratham will be able to comment on as well. Apologies, let me just get the right page of it.

02:11:52:00 - 02:12:37:15

So one of the features that comes up in the assessment is the assessment of roads, and there's two roads in particular that Mr Van Hoogstraten can talk to, which is the Foss Way and then Bradfield Cottages, which will be of interest to you as well as a authority because those are also locations where there are concerns about highways' effects more generally. As we understand it in the assessment that the applicant produced using Pager Power's guidance, Bradfield Cottages was assessed, but Fosse Way wasn't on the basis that local roads generally are and never, even on a worst case scenario, going to give rise to an effect that needs to be reported and mitigated.

02:12:38:19 - 02:12:53:26

And it's that. And if I- I don't know, it's in app two sixty one, there is a flowchart in app two sixty one which shows the guidance as it's being applied. Sorry, I'm just getting it.

02:12:59:14 - 02:13:38:21

There it is. So on it's internal page one hundred and thirteen of Act two sixty one. It's not all the text of the guidance, but it sort of makes the point, which is that reflections towards a local road are always assigned low impact and therefore mitigation is never recommended under Pager Power's guidance. We would submit that. And there is some more detail to that in the guidance. So the guidance that Pager Power have, I think, advises that those who are assessing should go and speak to local authorities about, and the highways authority about, the specific local roads.

02:13:39:13 - 02:14:01:13

But that's how we understand, for example, that Fosse Way wasn't assessed. And mister Van Hoogstraten, who I'll bring in now, does identify significant yellow glare on that route. And then separately, there is an assessment of Bradfield Cottages, was which I think mister Van Hookstraten will be able to speak to as well. But if I bring in mister Van Hookstraten at this stage.

02:14:03:21 - 02:14:47:21

Yeah. Thanks very much. John Van Hookstraten for his top line down. I think the the concerns that I've raised and that's been covered now quite a while and I'll try and expand on that a bit more. But I think getting to the first point, the central distinction is previous use is not equivalent to validation and Pager Power is recognized for doing a lot of of glint and glare analysis. I'm a smaller company to Pager Power. We don't do as many but we do regular glint and glare analysis And certainly one thing that I think generally speaking is that the generic information or the general guidance that they've got is very generic in nature.

02:14:48:15 - 02:15:04:28

The Lyme down development is quite unique in certain ways and there's certain elements that haven't been captured effectively enough. If look at the significance or the determinant of significance there's no,

02:15:06:25 - 02:15:41:02

we cannot see any risk assessment matrix that defines the severity versus the likelihood. And this comes back to the road, example I mentioned earlier on. Traffic traveling seventy miles per hour in the same direction down a road, yes there's there's there may be a volume of of aircraft sorry not aircraft vehicles on the road but if you get on to to quieter lanes where there may be thirty movements a day but, vehicles in opposite directions with cyclists and people walking.

02:15:41:11 - 02:15:45:11

There's no lanes or there's no painted lanes to indicate you know who,

02:15:47:08 - 02:16:19:19

how do you know you're in the in the correct lane or you're far enough across? And typically some of these lanes do have, speed restrictions of sixty miles per hour. So there there is a similarity on that, but you've got to determine the severity versus the likelihood, not the frequency of use. And I think that is a concern that we've raised, is how do you determine whether ten is sufficient or eleven movements per hour as an example is considered a frequent use.

02:16:24:27 - 02:16:29:16

Thank you. The applicant like to come back on any of that?

02:16:31:08 - 02:16:32:14

Thank you. James Plot on behalf

02:16:32:16 - 02:16:42:17

of the applicants. I think to address the matter of local roads and what is considered a local road, we would typically look at

02:16:44:05 - 02:17:14:11

broad characteristics of what the road looks like. That might include whether it is going to be the primary route between two settlements. These would typically be designated as an A or a B road. And so we look at factors like that, factors such as other lane markings general indications that the route is going to be used more frequently than others. We don't have a specific threshold when it comes to number of traffic movements.

02:17:15:15 - 02:17:47:26

But the general principle is that if a road is more often traveled, you're more likely to meet another road user on that road. And therefore, the severity of any glare is directly impacted by the frequency of traffic because a momentary distraction when there isn't there are no other hazards present, there are no other road users is less severe than if you had another road user in front of you who might be driving erratically or and there are a number of factors that feed in.

02:17:47:28 - 02:17:51:07

That's just one example. But broadly speaking, I

02:17:53:16 - 02:17:56:29

impact of the COVID-nineteen And

02:18:04:10 - 02:18:09:19

I think think a COVID-nineteen Mr Van Hoonstraaten pandemic

02:18:09:21 - 02:18:14:05

pandemic has spoken to separate those two things.

02:18:18:10 - 02:18:22:17

And then sorry, Mr Kasarke. Thank you, sir.

02:18:22:19 - 02:18:33:16

Danny Kasar, stop lying down. If it helps, this discussion, it's Section four point three of Act two sixty one is the analysis that we're discussing, I think, between SLD and the applicant.

02:18:36:11 - 02:19:11:12

Our position would be that is conflating severity with susceptibility. The severity of this effect is obviously high because it's a health safety effect. The reasonable worst case of the glint and glare

effect on a single car is a crash. That is ultimately what glint and glare can do and I don't think that's been denied. What is being said is the numbers change this. But ultimately low numbers on a high severity effect would still be, from a sensitivity perspective, not a low sensitivity we would submit issue.

02:19:11:14 - 02:19:54:06

And that's ultimately what we're getting to here, is it is being said that local roads are low sensitivity, but there is essentially double counting of the number of road users in both severity and susceptibility. And I'm using those words because while this page of guidance isn't framed in EIA terms, if you think of it in the way that we do it in an EIA, you can see that point, which is severity and susceptibility come together to form sensitivity. And so if you want sort of the Page of Power is saying local roads are low sensitivity, we would say for example they are moderate sensitivity, but not as high sensitivity as Mr Van Hoobschlarton explained, as a motorway in sort of difficult situations.

02:19:54:15 - 02:20:28:10

But as you will see from section 4.3.1 of this report, it says in terms technical modelling is not recommended for local roads. There is no individual assessment of the road. And that's essentially what happens when Pager Power's guidance is applied. And it may be that this will be remedied in the future in version five of Pager Power's guidance, but it's not there currently. And I should say, to be fair to Pager Power, there is more in the guidance. So one of the things I think I mentioned earlier is Pager Power's guidance advises applicants that go and speak to local highways authorities about their roads.

02:20:28:19 - 02:20:36:19

But we're not really aware of that happening. And ultimately it has resulted in some effects, which Mr Van Hoogsstratsen identified being ignored.

02:20:38:13 - 02:20:57:15

Road one, this is from his report five point one of Mr Van Hoogstratten's report, Road one is the Foss Way and Mr Van Hoogstratten identifies over the course of the year forty seven thousand two hundred and forty six minutes of yellow glare. That's just not assessed by the Pager Power assessment because it's a local road.

02:20:59:05 - 02:21:09:05

Just to clarify, when you're referring to duration of yellow glare, that's duration of glare experienced by a single point?

02:21:11:02 - 02:21:16:13

Dominic is up, stop lying down. Would there have to go to Mr. Vaggensternalt immediately outside of my knowledge?

02:21:17:17 - 02:21:38:03

Not specifically for a single point. It'll be on the course of that assessed area. So we'd actually have to go to the results and determine over what length of that road is affected by yellow glare. So it's not just a single point in space.

02:21:38:05 - 02:21:51:13

Yeah, so what I want to understand is when you raise concern with the duration of glare on road receptors, are you taking a length of road

02:21:53:20 - 02:22:07:14

and saying there's a duration of glare that occurs at any point along that road for this length of time. I'm trying to understand the usefulness of that figure as

02:22:07:24 - 02:22:13:24

Yes, it will be defined over a portion of that road segment that has been assessed.

02:22:16:07 - 02:22:16:22

Thank you.

02:22:16:24 - 02:22:17:09

Does that

02:22:17:11 - 02:22:17:26

make sense?

02:22:17:28 - 02:22:38:21

Daniel, because I have a stop line down. We have included our Forged Solar figures in the original report, sir. It will probably require me and Mr Van Hoogenstraten sit together briefly. But we will find you the page that deals with it from our output so you can see the length of road that's been assessed. But we have included that, the actual underlying forged solar outputs as well. Yes.

02:22:38:23 - 02:23:11:02

Okay. Yes, thank you. That would be helpful in the post hearing notes. And because there is a difference of opinion of how this should be assessed, what would then be helpful for me from stop line down is as much as you can with the information you've got to set out, where a greater sensitivity would lead on specific receptors where that leads to different conclusions of significance of effect?

02:23:11:09 - 02:23:44:16

Danu, because I'll stop lying down. Thank you, sir. Yes, and I think that identifies the point. So we have concerns about the guidance in how it assesses sensitivity, then we also have concerns about just how the applicant has produced outputs. They're two different but related concerns, and that essentially what you're identifying there is our sensitivity concern. You'll be aware we also raise concerns about the sort of generic way which Mr Van Hookestratten explained that the applicant has dealt with assessing impact, but that is essentially our sensitivity point in a nutshell, which obviously we will deal as you asked.

02:23:46:04 - 02:24:07:29

Great, Thank you. Can I suggest we take a short comfort break now? So it's eleven fifty three. If we could come back at ten past twelve, so give us fifteen minutes. Yep. Okay. The meeting is adjourned.