



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Lime Down Solar Project
Hearing:	Issue Specific Hearing 6 (ISH6) - Part 3
Date:	16 September 2026

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FULL TRANSCRIPT (with timecode)

00:00:07:02 - 00:00:15:16

Hey. Welcome back, everybody, to issue specific hearing six. When we left at the break, we were partway through item four. Mister Kozelko, you've your hand up.

00:00:15:23 - 00:00:34:26

Thank you, madam. Dani Kozelko, stop lying down. Just a quick query about, procedure or the the agenda. We were just discussing at lunch for, item three bullet point three. We may have hopped over or or or we sort of didn't we may have only dealt with peripherally. I don't know if you're you were intending to separately discuss

00:00:34:28 - 00:00:35:18

the NMUs.

00:00:35:20 - 00:01:12:21

You're absolutely right. We have skipped over that. I will return after item four. Thank you for pointing that out. So we left at the break. We'd been talking about the applicant's highway improvement plans for Bradfield cottages or potential mitigation options. And I wanted to come to, Wiltshire Council, and or stop line down to ask if there were any other parts of the construction route network in light of those plans in Annexes I, j, and k,

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which the applicant has been updating, whether there were any other areas where you really wanted focus to in.

00:01:32:14 - 00:02:03:04

David, I want to cancel. Yes. We'd like to look at made some comments on the length of applicant slash drawings on Foss Way Okay. Before moving on to Foss so Aldersham Road, I'm happy with what I've seen on Aldersham Road now, the latest drawings. So the nine improvement areas and and the plans. The level of detail in terms of dimensions is is fine. I do have issues with Bosway, not so much on

00:02:17:06 - 00:02:52:12

between the Oldsom Road junction and a point some three hundred meters north of the Stoke Lodge junction. But the point I made in my comments before is that all the mitigation being offered is all very concentrated together in one location. Suppose what I would prefer to see is a sensible spacing along the whole of Fosse Way. And it seems what's happened is all the mitigation works which are being offered are within the current red line boundary areas, so the current Type A works 8A areas, and nothing outside of that.

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I suppose that picks up on a point Mr Bamba made in his last submission, which Mr. Bamba, I think you said something along the lines of the applicant's mitigation is is just using the opportunity of

existing sort of passing areas or existing access ways as its sort of width, you know, or pull in space. I mean, forgive me if I'm getting the terminology wrong, I think you said something to that effect, I wonder if mister Lear, if that's what also what you're referring to.

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I mean, yes. Mean, if we were able to pull that plan up.

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We will ask the applicant to pull up a plan of the

00:03:29:08 - 00:03:36:21

Fosse where you look they've identified areas of, there are areas of, I mean, you go along the Fosse Way at the moment,

00:03:38:27 - 00:04:21:19

is a lot of edge damage in places. There are some passing places which have been foot which basically where I wouldn't have said they're formal passing places they've kind of been created over time by overrun. And as a the result carriageway is pretty potholed and damaged along those edges where they do overrun. So they have relied in some cases to say, well, there's one, but it's obviously quite it's not in great shape. I the comment think I had when when I looked at the plans went so there was say, there's when you go from the Alton Road junction, they relied on maybe one or two, including the junction with Stoke Lodge as a passing place, which questionable where, yes, they can pull in, but whether they should be pulling in over the give way line.

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I mean, they will do because because if there's nothing there, most of the time they will do that. So they've used this and those areas are saying, well, we've got one there. We've got one there. Oh, there's something there. I I think there's still some one area where there's maybe four hundred meters between positions.

00:04:38:02 - 00:04:46:07

Yeah, okay. Let's ask the applicant to pull up a plan for Fosse Way. Mr. Dara, you'll know the plan number, it'll be PL something.

00:04:46:09 - 00:04:51:10

Yes, it's Annex I PL306A, Fosse Way South.

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Is that

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the permit? That's the one, yeah.

00:05:04:18 - 00:05:05:25

Take me through that.

00:05:06:21 - 00:05:23:27

So you look at, there's a couple of points, so if we look at where the foot pathway corner is, there's a couple of points in there where they've identified. I think some of them are too short anyway, one or two are too short to pass and aren't too articulated lorries.

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Could we zoom in on that?

00:05:28:03 - 00:05:42:04

And most of those are just existing areas where basically lorries are pulled up onto the verge in the past. It's not a formal place. It's a bit rough and ready. So I'm okay there because if you go north there, then it's

00:05:42:14 - 00:05:55:02

If you were an HGV in a car passing at that point and a car had to pull in over that rough surface Yeah. I'm not sure could would they do that swiftly or would it be too damaged and a car might fear damage to their

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Are you talking about these locations here?

00:05:56:22 - 00:06:01:19

Yeah, the location you pointed at before, the lower dam on the corner. On the bend?

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Yeah.

00:06:03:24 - 00:06:09:18

But again, it comes down to it's a similar situation to the bend we've been talking about.

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So

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any lorry proceeding from the coming coming from the northeast has to get to a position they can see another one coming up. If they if they've gone beyond that point, they've got to keep coming. So the question is then the lorry coming up. It's a case of that intervisibility around the fact that you will never get intervisibility right around that bend. But it's not something we looked at when we were out on our site visit, I think, because we could only we achieved so much in one day.

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We concentrated on Bradfield cottages, we did we did the Sheraton Road from from from the Boss Way. So as you appreciate, that's an awful long way to walk, but a big drive back that down way. That is a blindish corner. I'd say there's more width as shown on the south side, but as you approach it from the northeast,

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problem is if a lorry then pop around the corner, you'd have nowhere to go. So basically it would have to be not gone beyond that five point five meter point, but we haven't verified that five point five meter length.

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And if they did go beyond that and then the approaching vehicle was coming out, what's the distance back? Mr Dow, do you know that? For another HEV to reverse?

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Well we've got sweat path analysis showing vehicles passing there so I'm not quite sure what the point is.

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Our sweat path analysis shows vehicles passing at that point.

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Are you

00:07:35:10 - 00:07:38:00

talking about that first bend at the top of Oldson Road?

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We've got that one on there, yeah.

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It's fine,

00:07:46:01 - 00:07:54:20

I don't think we've got the same ability to improve that corner or to widen on that corner as we have the other one?

00:08:15:12 - 00:08:57:19

Sorry James down for the applicant. So we've got SB43B, which is Fosse Way northbound, SB44B, which is Fosse Way northbound two, which is the top end, and SB45B southbound. So I'll just quickly open those. In which document? That's all in annex j car passing an HGV, and then annex k's HGVs passing in h hgb.

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So it's k we need to see, isn't it?

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Annex k is two hgb's passing.

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Can you bring that up?

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I know it feels tedious, but I just want to go through this. This is the last chance we're gonna get to all look at this together.

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Collaborate a sec. We're just trying to find the right document to get up on the screen.

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Okay so the drawing we want is SP52B in Annex K if we want to look at two SUVs passing at that point.

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It's Annex K SP52B.

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And on that drawing, it's inset two at the northern end of that.

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So

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it's showing an intervisibility of fifty seven point three meters.

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Just scroll up a bit please, sorry, add a bit more.

00:11:03:20 - 00:11:14:13

Is that helpful Mr Lee? Or is that not clear? I'm not expecting you to make a position on the run as such, but have you not seen this plan before?

00:11:14:15 - 00:11:23:26

I've seen this plan before, yeah, yeah. I mean, I think I've played in the past, I thought that one lorry could see another. They could get to a close point where they could, I would need to check it again.

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Okay.

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But Can I leave you

00:11:25:28 - 00:11:33:08

with that? And if you have any further responses on this particular issue, then you can put them in writing.

00:11:33:10 - 00:11:49:04

Okay. For sure. But then going further up that route, as we talked about, there's very little in the way of land mitigation. Yeah. Almost from this corner all the way up to hundred three meters north of Fossilod Junction.

00:11:49:06 - 00:12:00:03

Yeah. I wanna come back to you on that one of the others planned to be put back up, but mister Bamba just gave me a nod, and he might just wanna talk something on this junction before we move off this this this bend.

00:12:00:20 - 00:12:18:07

Yeah. Poose Bamba, stop lying down. Just looking at that drawing, there there is a space available next to the carriageway there where vehicles can pull across as is shown on drawing. But if you're traveling north,

00:12:19:25 - 00:12:48:06

you wouldn't, automatically leave the carriageway, in anticipation of something coming the other way. And it's not until you are partly around that bend before you actually see whether something's coming the other direction. So the, what is shown there, it shows two HGVs passing, but what it doesn't demonstrate is that, dynamically, whether that northbound HGV would,

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be in a position to make a decision to get into that, position as is shown on the plan,

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because of that restricted forward visibility around the bend, which isn't shown on this plan?

00:13:06:28 - 00:13:24:24

James Darrow, the applicant. Yes, so the sweat path actually shows two HDVs side by side on that bend, and so where we've drawn the inter visibility line, that's the point at which it's virtually around the bend and it can see to the next passing point. So path the shows them passing each other there.

00:13:25:11 - 00:13:26:26

We zoom in just a bit more.

00:13:29:18 - 00:13:35:18

So what it does on the left hand side is it crosses the giveaway markings, but that road is a dead end.

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Right.

00:13:37:17 - 00:13:41:20

That's what happens now with the network rail works that are occurring.

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Mr. Bamberger, do you have anything else?

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No,

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doesn't answer the question. That northbound driver there,

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that the driver has, according to this swept path drawing, in order to get into a position where it can pass, it has pulled off the carriageway.

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An evasive maneuver

00:14:04:05 - 00:14:04:20

Yeah.

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In anticipation.

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It would that driver wouldn't wouldn't necessarily have known that something was coming in order to make that decision to make that evasive maneuver. Yeah. Once it gets into that position, it can see, but that is getting into that position.

00:14:21:27 - 00:14:27:08

Further south or and and just following the white line, you're saying you you just wouldn't

00:14:27:23 - 00:14:28:14

Yeah. Be able

00:14:28:16 - 00:14:29:01

to pass.

00:14:29:03 - 00:14:37:06

Yeah. There will be instances where it will get on the carriageway to a point, oh, something's coming. Ah, I haven't. I'm not in the right position to be able to pass.

00:14:40:00 - 00:14:55:00

James, our applicant. Yeah. The the northbound would see the southbound before the position shown on that plan. So it's probably about two green arrows back from this on track the left. It would it clearly can see the southbound. Okay. So, I don't really yeah.

00:14:55:24 - 00:15:17:15

Alright. Mister Leah, I will come back to you in a second but the plan that we've the PL plan of, that we were looking at before the Fosse Way, the length of that would be we can have that back on the screen, and then Mr. Leah can take me through the other sections, particularly this long section of of no passing.

00:15:49:04 - 00:15:52:22

It's annex I p l three zero six a.

00:16:04:01 - 00:16:05:28

Okay. You want to go further north of that.

00:16:27:01 - 00:16:27:29

Yeah, the crossroad.

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So,

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point. Do you want? So again, that's eighteen meters, but then you've got to get you've to get in and out of there. Done questionable anywhere. It's got the right it's got tapers enough for that because bear in mind, you've got to get sixteen point meter five articulated lorry into that corner. Is that just where the junction is at the moment? Because you've measured into the junction there as well, which they won't go into.

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So those are the only points that there's no there's they're just using what's currently there, which doesn't seem very adequate to me. And if we just perhaps zoom out a bit. Can't remember where that one is there. Then you've got then you click then you get to the you to the fossil log junction itself, the rationale there is that they'll pull into the junction's bell mouth, which again is whether that's right, I mean they will probably do that. But if there's

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certainly not a vehicle there, most people would that.

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But then beyond that point then it's about another, I think another two hundred meters, three fifty meters up to the next point

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there. Then you then see this massive concentration points are all close together. Now some of those, where they've actually decided, well, we're building a junction, we're just widening the road opposite. I thought we don't really need those to be as close as that. I'd rather see a better spacing to the south. You've got four there, which are all within about fifty meters of each other.

00:18:51:11 - 00:19:12:23

Is it presumably and and we'll just come to mister Daryl. Presumably, the the distance just south of that, we're talking two that hundred meter distance, is because it's a relatively straight road, so the visibility, you're not trying to peer around bends where you need to make a very quick evasive maneuver. Is that the logic by not putting any more in that section?

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James, yes, it's got very good forward visibility. It's a long straight road, Roman road.

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Yeah.

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There's there's even on what's there now, the ones to the south, they're not really that great. I mean, there's no there's no there's no proposal to improve or lengthen them or anything. It's just they leave them as they are. So all the works where they're showing physical works are within the redline boundary. And then they've identified areas to say, well, here's an existing access, here's an existing small junction. You could just squeeze in there. Here's an existing passing place, which is probably not wide enough. So they're relying on what's there, which isn't that great.

00:19:53:06 - 00:20:27:09

And there's quite a lot of damage around some of those areas. Whereas then you said as soon as you get into the red line boundary, suddenly there's widening improvements and everything else. So I think what's been done is that the mitigations being effectively where it's being offered is within the red line boundary, within the order limits. So as soon as you go outside the order limits, it's not much. There's no offer. And that's the same if we talk about Bradfield Cottage, it's the same case there. None of that section we've talked about before is within the order limits.

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So it's not anything that's been offered at the present time.

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Okay. But would you accept in terms that of separation, because there's two hundred meters, give or take, and you've got really good forward visibility, what more would you need to do? What what would be the reason for adding in more passing spaces?

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Well, of the ones we've talked about.

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Well, with the exception of making them They're too short. More formalized.

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Two hundred meters is fine on that section, possibly a bit more. It's a dead straight road.

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It's because those bays where they are using them or what's currently there is just not long enough.

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Not long enough and then there's quite a lot of damage in places and they're not, you know, depending on what treatment you're proposing, if you're going to put in pass and break, you're going to widen the road, you're going to put asphalt down, do a proper job of it, those don't meet that standard.

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Yeah. Okay. So, mister Daryl, I think that's a fair point. If they're not long enough, albeit forward visibility is fine, they are going to be used because you're certainly have gonna to if you've got two hundred meters from that one to the next one, but you've the ones beforehand are also just not big enough for an HGB to tuck in without causing more damage or losing a bit more Virgil hedge. What what's the the options here?

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James Darrow for the applicant. Yeah, I mean, as I said before, eighty percent of the vehicles are nine point eight metres long, so they are actually long enough for that type of HDB.

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But twenty percent or not?

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Twenty percent or not, but the chances of those encounter is obviously less because there's only twenty percent of the whole total HDB numbers.

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Okay, but let's just play if on that twenty percent, they do need to use those passing bays, but they're not long enough, then what?

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Yeah, so it's the likelihood. I mean, at the moment, obviously, this is going on at the moment with the network rail works, and there's no additional widening or anything posed for that or that's in place, and that's way over what we're predicting in terms of our numbers of HGVs. So we feel that this is what we've shown here is adequate for the trips that we're generating and the mix of tippa lorries and articulated lorries.

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Mr Lew?

00:22:47:06 - 00:23:18:01

I think I can that answer question, would say. So if you were to apply as we have on other sites, you basically say, the largest two vehicles are articulated, but you need to apply sort of a design criteria to, you know, if you're going passing make bay improvements, what are you going to design for? So Alderston Road, where they have offered proposals, have all been six meters, at least twenty meters, clear width, twenty meter length excluding tapers.

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So that's been offered for Oldston Road.

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And even in the areas where they've within the order limits, we you know, they obviously have proposed some works within on Fos Way within the order limits now. All of those, they've applied the same criteria, six meter width, twenty meter length excluding tapers.

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That's the design.

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Whilst it might be said, well, yeah, there's a large number of tippers and not many artists, elsewhere where they've been able to do it, they've applied that design criteria. So the design vehicle been an articulated vehicle in both directions. And now we're being told, well, because these down here are too short, that doesn't really matter because we're using a tipper. So there seems to be basically a bit of a disconnect there to me. You you either apply the same principle throughout or you, you

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know, you can't you can't if you've done it everywhere else but not there, and the only reason is because, in my view, it's outside the order limits, then that's not a reason for not doing it.

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Yeah. Think Mr. Mr Lear makes a valid point there. You make all the changes to Alderston Road in accordance with the maximum requirement, but then as soon as you turn up to Alderston Road onto Fosse Way,

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you know, so what?

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James Lara from the applicant. Fosseway, as you say, is a long straight road with very good visibility. It's completely different from Alderson Road. It has existing passing places on it that are being used, and we've just identified them shown on the plan, and we think they're adequate for our HEB trip generation. Now going back to the length of them, on the bottom of Fosse Way, we're showing fifteen meters, which is less than a sixteen point five meter Arctic, but then the next one ninety is meters, next one after that is twenty three meters, and then you've got the junction that's over twenty meters.

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So they're not all as small as we're saying, so we think there's adequate passing opportunities for the large vehicles

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for

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the numbers that we're talking about.

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We've got two polarized petitions, and I think that's where we are. But I want to just come to Mr. Bamba. Thanks.

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Thank you. Bruce Bamba, stop line down. A couple of points. The National Rail works, there was a period when there was an intense level of activity when they set up the compound. But the works themselves, it's not a major construction project. It is works to reinforce the embankment. So, it's not really comparable with this long term construction, for Limedown. And also, setting up compound is just basically tip a lorries, so the vast majority would have been that size.

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The other the general point, which is along the lines of what's been discussed, is to do with this the approach that's been taken to passing places along the Fosse Way. When I I've looked at the intervisibility plans, and I've listed out the intervisibility intervisibility distances between the passing opportunities. And I find that one, two, three, four, five.

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There's five separations that over are two hundred meters, which range from two hundred and three point eight meters. One is two hundred and twenty meters. One's two hundred and forty eight meters. One's three hundred and sixty one meters, and one is four hundred and twenty four meters. When I locate those stretches of the Fosse Way, superimpose that on a plan that shows where the DCO areas are and the road improvement areas are, all of those areas are outside of the highway improvement areas and the DCO areas.

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So, I entirely agree with, mister Lear on this, that, the applicant has only looked at putting in passing places or improving existing passing opportunities in those areas that happen to be within the order limits.

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It is not clear to me why there are sections of this construction route which are below the width required to allow two HGBs to pass, which have been excluded from the order limits, and therefore they haven't been identified and assessed in terms of their ability to put in passing places. So that's my concern. And once you get around two hundred meters, there's a distance where a driver may see something coming, but might assume, well, there's gonna be another Yeah.

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And so once they get past that, then there's no going back.

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Yeah. Yeah. That my only concern. It's great. You do have that visibility, but you will assume at some point, oh, and I'll just keep going forward. They'll keep coming forward, and at some point, we're bound to find a passing bay in

00:28:32:08 - 00:28:33:00

this Yes.

00:28:33:02 - 00:28:42:08

And if it's the construction same drivers over and over, they'll get used to that, but we don't know that's going to be the case. So, yeah, I appreciate I appreciate the comment. Claire Porter, if

00:28:42:10 - 00:29:17:02

you happen if I can just clarify one point. Obviously, when mister Darrow explained the reasons why, in his opinion, he didn't consider additional works to be required. So the actual order limits when they were being, put together, an exercise was done at that point in time to identify known highway improvement works that we considered were necessary, and those were included, obviously, in the order limits from the outset. We're now obviously talking about further works that Wiltshire Council would like to see to the highway.

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Those are areas in which, mister Darron, as part of his assessment, didn't consider there to be a need for for further hire work, so they weren't included in the order limits. You typically only include the things that you know you're going to need to do at that point, and mister Darrow set out the reasons why he didn't consider there there to be a need because he, in his view, there was sufficient width or existing, ability for for vehicles to pass. I think what would obviously, are where we are, and so I think if it's a case that, obviously, Wiltshire Council are are saying that actually they like to would see specific works, as we were talking about before, if there is specific, works they would like to see in advance of construction starting where it's been identified that there is maybe a a passing place, but it's in a poor condition, and it would be preferable for it to be, repaired

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in advance of construction starting rather than what we've said, which is that we will repair as soon as we see any further deterioration, then I think we just need to

00:30:20:03 - 00:31:13:04

have a clear view of what those areas are, and then we can adjust our mitigation measures appropriately. Because what I'm hearing here is that there is a way of mitigating the impacts, and we just need to be clear what's actually required of the applicant. Yeah. I also think there's a range of different measures, which we'll come on to later, but in terms of the specific point you were making about passing bays, obviously, as I understand it, as part of our mitigation, we can have signage up saying where the passing bays are and where the distance to the next passing bay so that there isn't somebody isn't having to make that kind of, judgment, and other that's users using the road, whereas the actual construction, HGV drivers will have been given a full briefing before they start identifying, obviously, the construction routes that they're allowed to use, but also all of these particular

00:31:13:08 - 00:31:13:23

Yeah.

00:31:13:25 - 00:31:35:08

Pinch points. So there is a whole suite of measures that will be put in place to minimize the issues that are being talked about, which I appreciate we're gonna be talking to later, but we think some of the conversation is being had in the absence of the mitigation measures that will be put in place, to manage driver behavior, during construction works. But I think if if,

00:31:36:26 - 00:32:15:14

if we can have a clear list of the particular passing places that we've identified as being suitable that but the Wiltshire Council would like to see some works doing too first, then I think that would be a useful, starting point. Obviously, we noted your that, you know, some road damage is part of WALTER's responsibility to repair, but we're keen to make sure, obviously, that the construction works and the assumptions we've made are correct and that it's it's safe. If there are specific roadworks that need to be done to the existing if we have a list of them, then we can look at making sure if that's something that we need to do, then we can commit to that.

00:32:15:16 - 00:32:27:02

But I think we have it doesn't sound to me like there's we haven't necessarily had that detailed conversation or feedback from Butcher in terms of those specific locations. If we're able to have that, then

00:32:27:04 - 00:33:26:11

we can look at putting in place commitments to deliver that. Yeah, okay. There is a discussion to be had with Wiltshire Council. I don't want to speak for Wiltshire Council. I think it would be helpful if a bit that of detail could be provided to the applicant and clear detail. But what I would not want the applicant to do with that information is to assume that's everything on the list for Wiltshire Council because we're obviously in a very dynamic examination with very few weeks to go. And applicant gives you, if if Wiltshire Council gives you a list of things they would like to see done and you say, that's okay, we can deal with that, that, that, and that in the construction traffic management plan, and we'll put those in, that that's the end of the conversation because it certainly isn't because until we get to the detail of of submitting that construction traffic management plan, time will evolve, other things may happen on the network, and Wiltshire Council will not want to be bound by comments they made here today or in a in a action Action plan plan response. response,

00:33:26:13 - 00:33:26:28

response,

00:33:28:13 - 00:33:28:28

down

00:33:29:00 - 00:34:04:09

the line? Clear project, yes, that's very much accepted, and the outline management plans are definitely intended to reflect the situation as at the point that we seek to discharge that requirement and the detailed design. So it wouldn't place a limitation should the baseline change in the intervening period. But it was more to give comfort that if there are specific works that Wiltshire Council would like a commitment from the applicant to deliver prior to construction starting, then the applicant can look at giving those commitments if we know there is a minimum level that they would like committing to.

00:34:05:08 - 00:34:16:23

What I'm trying to say is the applicant is happy to look at that and add in commitments to do that if that would address some of the concerns, noting that they will have another opportunity to look at it all again at the detailed design stage.

00:34:17:27 - 00:34:31:00

Miss Shalabee, Miss Aliyah, do you have a position on that? Do you think that's something that you could be doing in the next few weeks until we, you know, behind the scenes till we hit deadline seven?

00:34:34:08 - 00:34:45:08

Yeah. I'm I'm sure can, we I'm sure you can look at some of the some of the the plan we've got and say what we've got there now and say, can we improve this one, this one, this one, and this one? We can we can do something.

00:34:45:10 - 00:35:12:02

Would you accept, though, that the the the point miss Broderick said about signage, there could be no. I was just trying to clutter this up rural network with signage. For for a two year construction window, you could have signs, which were placed to say next passing bay is two hundred and fifty meters away. I mean, would that be so objectionable? Well, I think it doesn't necessarily mean it won't work, but it's a better indicator than no indicator.

00:35:12:10 - 00:35:33:02

I'd rather see the passing places. Well, don't mind how far ahead, know, there is a of therapeutic disc spacing, you don't need the signing because you you've got sufficient. You shouldn't get a position where, as you say, two two lorry drivers think, oh, okay. Well, I'll move forward because I'm because I'm sure he will he will wait, you know, if they're suitable. But it's a passing place of a suitable frequency.

00:35:33:25 - 00:35:37:01

Space But does that not then change the character of the road? That you

00:35:37:03 - 00:35:40:02

shouldn't need signs all along the route saying next passing place.

00:35:40:04 - 00:36:09:11

Okay. I'm just conscious of making too to make it too many adjustments to the Fosse Way that it no longer becomes a country road which is attractive to drive along because we've engineered the life out of it. There's a highway engineering element and there's also a character element. So there's to be some sort of medium in there, particularly on what is a relatively straight section of road. Algerton Road is different and the bends are different.

00:36:11:09 - 00:36:19:26

Okay. Well, I don't see that having passing places maybe, you know, two to two fifty ms at suitable spacing along that route is an onerous requirement.

00:36:19:28 - 00:36:39:13

I'm not suggesting it is. I'm just saying we need to think along with our other colleagues, your own other colleagues who will be coming at it from arboriculture and landscape and visual rather than just looking at purely from a highway perspective. So I'm just going to plant it, that's all, and there needs to be a bit more dialogue, I think.

00:36:40:12 - 00:36:53:04

Odette Shallerby, Wiltshire Council. Just to say, I mean, Mr. Lear has made comments these in writing before. It's not the first time the applicant's hearing them. In his deadline five submissions, all these points were made. So it's not the first time that he's raising this.

00:36:53:09 - 00:37:12:04

No. Point taken, but we are at the pointy end now, so now is the time to actually have the conversation and that's equally on the applicant's, plate to deal with as well. Mr. Spamba, did you want anything to, did you have anything to add before we go on to the next section of this road up towards Sherston?

00:37:12:11 - 00:37:31:19

Bruce Bamba's top line down. Not not particularly. I I think there does need to be something done. And as you say, there there is a sensitivity to this route as well that needs to be taken into account. And what I don't know, because the applicant hasn't presented the information, is

00:37:33:07 - 00:37:42:01

what are the implications of providing a scheme that is safe and appropriate and, meets all those requirements.

00:37:44:18 - 00:37:50:27

I mean, it sounds as if the onus is being placed on Wiltshire to come up with a scheme and then to No.

00:37:50:29 - 00:38:22:21

I I certainly don't want it to be the onus to come onto Wiltshire to come up with a scheme. Certainly not. I think it miss Broderick was just suggesting if there are things which mister Lear categorically would like to be done for the council but, you know, if you've a wish list of ten things and it's all ten, that's okay. But if, you know, if you've got five main things, let's have them on the table. Let's see if we can work with them. And but similarly, you've heard what's in the room. There are concerns about distance between these passing rays and whilst your position might be held, we don't feel we need to do anymore.

00:38:23:18 - 00:38:29:27

You know, you may have to look at being flexible on that in a way that the council is having to look at being flexible in their position as well.

00:38:32:29 - 00:39:15:12

Project, the up yes. That's understood, and that's why we're offering to look at doing further works. So Yeah. But the point is taken, that, mister Bamba raised, obviously, we won't be looking to the extent that we commit to doing any particular works, we won't be looking at those in isolation. So we would

have a look and see whether, it would have any other consequential impacts, hedgerow removal, for example, and things like that. But, by the large the majority of things we're talking about is where the road is currently already damaged or vehicles are already using it and making that of a more formal, repairing that and making it more formal passing place rather than completely new passing places.

00:39:15:14 - 00:39:21:27

So I would expect the impacts to be minimal, but it's definitely something that we would consider as part of putting it forward as

00:39:21:29 - 00:39:34:09

a mitigation measure for the scheme. It wouldn't be just traffic in isolation. Thank you, Ms. Project. Okay, let's go back onto the plan and let Mr. Lear take us through the next section.

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You've still got comments, Mr. Lear, on north of this, towards up Sherstone?

00:39:44:19 - 00:39:45:18

The Fosse Way.

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You have any issues on David that

00:39:51:01 - 00:39:51:27

Lear, Woolwich Council.

00:39:53:29 - 00:40:04:14

Usefully we did walk this section in its entirety last Thursday with Mr Bamba and Mr Darrell, we had a good walk all the way up.

00:40:06:07 - 00:40:45:23

I think from my own point of view, first thing I was concerned about is obviously when a jump vehicle a lorry gets to the Foss top of the Fossway and is looking up. I was content they could see a fair old way up that road. And, I mean, it's clear that the that's happened in the past because where where the vehicles come down, there is some there is some overrun on one side where, obviously, they they don't wait at the layby. They they come further down, and and I was fairly happy that between the junction and and almost the stables entrance that we didn't have any particular width issues that would cause a problem.

00:40:46:00 - 00:41:15:24

I think beyond stables the there are there as I think we alluded to before there are there was there's a long section of road to the north of stables where there's the odd passing opportunity in the vicinity of existing accesses but generally it's it's probably not quite well it's not identified as being five point five meters, and and there is some evidence that where it is, it's been gouged out by, effectively overrun. I think in terms

00:41:18:00 - 00:41:50:25

active mitigation, and I'm sure that Mr Bama may disagree, I wasn't looking at it and saying I definitely need something. Two reasons for that. First of all, when we get to Lime Down A, obviously the phosph Way's waste carrying lorries from Limestone C, B and A. There's a much greater number of lorries. When you get to this junction and up to Limestone A, 're looking at a much reduced number of lorries. So, obviously, the risk of two meeting is much less.

00:41:51:07 - 00:42:22:16

I'm not saying that between the stables and the Lyme Down A entrance, there may there isn't a risk of damage. There possibly is. But a bit like I discussed earlier on Bradford Way, it's probably something we could look at, you know, effectively. Don't jump ahead and go and widen the road because we may have an issue, but obviously it's something to be monitored during damage. I take a different view personally with this length, having walked it at length with the two gentlemen.

00:42:23:24 - 00:42:36:12

What's reasonable to us for now over and above, it doesn't need active mitigation. Okay. Preemptive mitigation now, my view is no. Whereas I take a different view, obviously, on some of the other routes.

00:42:36:24 - 00:42:50:04

But some of that information could be captured, could it not, in the outline construction traffic management plan from the council's perspective. So not active change at this point in time, but sort of Well, waiting won't to be obviously

00:42:50:06 - 00:43:13:17

obviously required, but obviously the damage surveys will be done. I think the intention is to do them at six month intervals anyway. So if there's a lot of overrun damage and we come to the view, can't let this get worse, then that's a that's a matter for bringing something then. So my my only concern with, mitigation, which is, like, almost post, pre, during construction,

00:43:15:05 - 00:44:13:28

and it was a point my colleague, mister Cheleda, made earlier is if we if if the damage got so bad and we go, actually, we need to get in and do something, and then the road had to be closed temporarily, for a period. That obviously then, you know, if if Limestone relying on that to get their lorries and and they keep to their program on Limestone A, that that then causes them a long sort of problem that stretches their program as well. So we're not trying to be difficult. We're trying to say, know, if it's bad and I didn't appreciate when we talked about Bradford Cottages that, you know, if it needed to be done, repaired, Kevin was saying the road was closed and actually the day an eye with the day we went on the site visit the road to Bradford Cottages was closed because they were very doing small, some small works to the street junction and the whole road the whole road to Bradford Cottages was closed.

00:44:14:08 - 00:44:33:23

So and that was for something that was lasting a day. If you were looking at having to repair a length, it may take longer. So in terms of this route, I don't, I don't see an immediate need for anything upfront. This, this particular length, what I, well, from what could I see.

00:44:34:03 - 00:44:37:21

Okay. Thank you. Mister Bamba, did you have anything you wanted to add?

00:44:37:26 - 00:44:43:04

Bruce Bamba, stop line down. I'm happy to go along with mister Lear on this one. Yeah.

00:44:43:07 - 00:44:46:03

There's a surprise, mister Lear. You thought mister Bamba would disagree.

00:44:48:01 - 00:44:51:17

Thank you. So

00:44:53:02 - 00:45:23:09

my next point actually follows on from Mr Lia, really. Is sort of the last point on this item, was about adaptive management. In the XQ2 TT two point three, the XA asked the applicant what would happen if a construction route was found to be inadequate or unsuitable after consent was granted. And I'm specifically thinking when about the construction vehicles start to use the network, so it's what Mr. Shaleda was talking about before. Now the applicant's response

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said that should any of the become routes unavailable, deliveries will be stopped until they are available again.

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But my question that I posed in EXQ was more about what happens if any part of the route becomes inadequate or unsuitable, because it's all well and good at this point. We're modeling, we're doing sweat paths, we're looking at whether passing places are sufficient. But if when vehicles start to use that route and they become it's deemed to be totally inadequate, there are problems, then what happens? How does the council then secure adaptive management

00:46:06:24 - 00:46:08:05

measures with the applicant?

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In terms of the that repairs are needed or that the road is unsuitable for use.

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Yeah. Just because HDB suddenly cannot pass or it we we know we have more accidents. You know, all of this is all well and good, we hope it all works on paper, but if it doesn't, and over the course of monitoring, you know, the council's position is, you know, this, this is dangerous. What happens then? What's, what's the, what's the process that's set aside in the, in the construction traffic management plan to enable that dialogue to occur? Or is it, well, you've signed off the construction traffic management plan council, we're just carrying on?

00:46:55:00 - 00:47:06:21

James Dowell for the applicant. The construction traffic management plan is a live document throughout the whole construction period, and things can be added to it as well. So the actual plan itself is a management adaptive You

00:47:06:28 - 00:47:37:01

can add to it because it's your document, but the council can't add to it because once they've approved your document, then what powers does the council have having approved a document and then find that they're and we're talking hypotheticals, of course we are, but it's problematic. Take Bradford Cottage and say, no, we have more accidents. It is dangerous on that bend. HGV, they're not passing well. It, you need to stop using that route. We

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need

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to come up with some mitigation. What, what powers does the council then have to do that? What measures are in that plan for them to be able to do that? Or do they rely upon measures beyond the DCO?

00:47:50:28 - 00:48:27:13

Chair Budget for the applicant. At the moment the adaptive management provisions in there say effectively that should it become apparent that some of the construction routes become problematic or not suitable, then the applicant has a an obligation to consider those, and, agree them with the local highway authority. I think the problem that you have, raised is, respectfully one that exists across all construction projects in the sense that if it suddenly becomes the circumstances change, then you would have to reconsider your roots.

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But I don't believe any of the the other projects have an ability for the, a specific ability. But it's some a point we can take away and have a look and see whether wording has been included before. I think here Yeah. I here, we've commitment got to consider it and make sure it's agreed. I think, what you're suggesting is that that is a there there is no explicit whilst we have an obligation to comply with that requirement to consider, as I understand it, the point you're raising is at the moment, there isn't an explicit provision in the outline plan that enables the highway authority to raise concerns with us and us proactively have to do something.

00:49:09:07 - 00:49:39:26

Yeah. That's what that's what I am raising. And it may be what if the, you know, whatever the council raises is is unacceptable for whatever reason, you know, that it would have to be substantiated. But the way read I that measure in the construction traffic management plan is six point eighteen point two, is that it's it's a discretionary conversation to be had. So they approach you. Yes, we'll consider it. We we will agree things. But there if isn't an agreement, then what is it? Just you carry on regardless, the council's hamstrung.

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You

00:49:43:11 - 00:49:56:25

you can make adaptive measures, but you choose not to make adaptive measures. I'm just trying to understand what powers, and maybe Ms. Shalabee even might know what powers the council would have under some sort of highway act provisions, if we find ourselves in a very worst case scenario.

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Oh, dear Shaliby, Welsh Council, I I don't, but mister Cholider may do because this this is his surveyor. I don't know if he has any comments.

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Because you're right, miss Broderick. It wouldn't just be your scheme. It could be any scheme.

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Claire Broderick, the applicant. And, yes, I mean, that assumes that it's the applicant's issue to resolve and not necessarily somebody else who's, caused the problem to arise in in the first place. But I'll I'll let mister Shalabee come in in in terms of other measures that, obviously, the council is free to do, you know, has powers to do all kinds of things in terms of imposed traffic regulation measures on the highway network, closed highway network, etcetera, depending on the scenario. Mr. Schallader?

00:50:40:00 - 00:51:01:01

So I have Kevin Kevin Schallader for Wiltshire Council. Yes. It's actually not my area of expertise anymore, but I used to look after some roads in in another authority, which did come under that remit. Yeah. I think, basically, I I think I would

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again, I've mentioned it before, section fifty nine of the Highways Act,

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but I know there's this ongoing discussion about what is extraordinary traffic. So we we we know this is gonna be extraordinary traffic, and so we would put measures in place. And, yeah, it was just how we work together. And, yes, we can do emergency closures and the like, but but it was it it was my original point was just sort of it isn't the roads aren't in brilliant condition. It's it's pretty foreseeable that there will be damage and need to do maintenance during during the course of the construction period.

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And and so it's what effect that has on their program to do the works and the cable works as well. And so, yeah, I'm I'm pretty confident we've got the powers we need. I just didn't understand how the DCO might trump those, and we're going to dispute. That that was a little bit of my concern.

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Mister Schaleta, that's exactly the point that I'm making. I don't know which powers would take priority in a in a in a in a scenario where we could have a highway safety a major highway safety implication. So I we're not going to answer that in the room. We might just need to back in come writing. Clear project for

00:52:24:28 - 00:52:56:14

the applicant. So obviously, the the DCO gives the applicant powers to do things subject to getting consents. But obviously, in a scenario where for I don't know. Say there was a a burst water main and that caused a massive sinkhole in the road. So it's nothing to do with the project at all, and the road had to be closed in order to facilitate the water company doing those works. There's nothing in the DCO that would override that, road closure and now allow our vehicles to take down a barrier and go on through. That those aren't powers aren't in there.

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In that scenario, the applicant would need to discuss whether there was a suitable alternative route. Presumably, other traffic would be put on different a route, as is the case for a complete road closure. There would be some form of diversion potentially, and there would be a discussion as to whether the diversion was suitable for our traffic. If it was, you know, for a very limited time, that might be something that was considered to acceptable. It might those the diversion might not be acceptable, but it would need to be a conversation that was had. There's nothing in the DCO that would if if the road was closed by, for for a different reason, we couldn't No.

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I I appreciate the temporary road closure. I don't think that's problematic. It was more my original question was around adaptive management. Should the route be unsuitable, not just if it were to become unavailable? So there's a difference between becoming unavailable because of, you know, some emergency works that needed to occur or just becoming unsuitable. Because for all the modeling in the world, for all the sweat paths, you know, we could find ourselves in a very different situation. And you're absolutely right. It would happen to every project. I just don't know what power the council then has once you have a consent, they've signed off your construction traffic management plan and you carry on and then the problems become apparent.

00:54:13:19 - 00:54:46:17

So you've got measures you can be adaptive to, but the council can't amend your construction traffic management plan unilaterally. So I think the council, if they could come back to me at deadline seven, just trying to set out for my own knowledge, just what powers council the has under those type of scenarios and I'm not talking diversions or temporary closures just if you found that there was a severe issue on the network had that not been anticipated.

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I'd actually be Wilshire Council. And is this in a scenario where the applicant is sort of refusing to engage with the council about alternatives and wants to keep using that route? Well, that's what at the moment,

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in my mind, they've once got their construction traffic management plan signed off, they can continue to use the because they have a consent that allows them to construct. They would have a consented construction traffic management plan, which says everything will follow the construction traffic management plan, and they're doing that and they're not doing anything in breach of that. But if, for whatever reason, one part of this route, you know, two HDVs cannot pass, it becomes a problem every

day. The HDV is reversing four hundred meters into tiniest the gap. The applicant can carry on as regardless.

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So it's just would the council have any powers to be able to acquire the applicant to take some adaptive measure. Adept Shabby, Welsh Council, mean, sounds to

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me like those powers would have to be set out within the CTMP, but we will

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that point away.

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Yeah. Mr Lee?

00:55:54:19 - 00:56:03:18

I think the fundamental question here is, so as a highway authority you have a duty under the Highways Act to maintain safe highway.

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The powers in the Highways Act is what that's

00:56:08:13 - 00:56:23:22

probably Well, what I'm that's what provides the duty on the highway authority to basically maintain a safe highway, I'm sure it is the Highways Act nineteen eighty. So the question is if then something with despite the endeavors best of everyone, as you say,

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there's two or three incidents and it's clear that there's a real safety problem. Do we have the powers under the act as a responsible highway authority to make a change, say, well, you can't use this? Or does the DCO basically override the power of us to do that? And then what is this DCO over does the DCO override our basic duty to maintain a safe highway under the Highways Act.

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It probably doesn't.

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I would hope not, but I don't know, sir.

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It doesn't. Ms. Brodick's saying that it probably doesn't, and that's probably all I need to know. To leverage the applicant,

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no, it if it's it only explicitly changes or disapplies the legislation that is specifically referred to in the article six. Yeah. Otherwise, it is subject to any other piece of legislation that applies at that point in time. Everybody else retains their powers and the applicant has to comply

00:57:22:11 - 00:57:53:13

with all other laws. It doesn't provide anything greater than what is specifically set out in that document. So coming back then to that section of the CTMP, which is the adaptive management section six point eighteen point two at the moment. Like I said, it is worded, you know, we will liaise and and agree. But if you can't get to a point of agreement, the could override it anyway if it were a highway safety matter, for example, because of the highway act.

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That's really where we've come around in a full circle. That's why I wanted to.

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That that's my understanding that they could deem a road to be unsuitable for HTVs, for example, and then prohibit HDVs Yeah. From But wouldn't just be but wouldn't be us. No. It would

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be your HDVs. It would

00:58:06:14 - 00:58:36:14

be all HDVs because it would be a safety matter. But I we obviously have a a complaints procedure in relation to, sort of other parties parties raising complaints about in the CTMP. We'll have a look at the wording and see whether we can make it explicit that the, high that there would be an ongoing dialogue, it wouldn't just be Yeah. Should the applicant become aware of an issue, that there's a a procedure in there that, the highway authority would be able to raise concerns, which I think is what would happen anyway.

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But if it would be helpful to have that explicitly in there, then I can't see that there's any issues with making the adaptive management that we would need to take into account comments Thank you. That have been made by the local health authority. Appreciate it.

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Mister Kusalko.

00:58:51:05 - 00:59:21:15

Thank you, madam. Janet Kusalko for stop lying down. Just on this point, I mean, what it seems to me you're really getting at is where the the development produces a materially new or materially different environmental effect, I e, on the highway that wasn't anticipated. And, obviously, there's wording in the DCO that about when you apply for things. But if we did get loads of complaints, for example, under the logbook procedure, there's still no obligation on the applicant to change what it's doing in the approved CTMP. It's just the oblige the complaints are logged.

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I wonder if there is scope possibly for the council to identify a materially new or materially different environmental effect and give notice to the applicant where it considers that that has occurred, and could that start a process of looking at the CTMP in some way. I I appreciate, and I'm sure the applicant will say this. I'm not aware of this ever being done in any other DCO ever, but that seems to me the problem has been identified. Because I think my understanding of the Highways Act's powers, it have to be a really severe situation for the powers to override what is a consented document because this will be functionally depriving the applicant of the benefit of their

01:00:00:17 - 01:00:01:02

Yeah.

01:00:01:04 - 01:00:30:17

Permission. So I wonder if I mean, it may be the answer is all this of should be all anticipated by the fact that this is a reasonable worst case assessment anyway, but that might be another way of doing it is giving the council the power to notify the applicant that it has concerns under the CTMP, because of something that's materially new or materially different. could That be subject to set schedule sixteen of the of the DCO if the applicant's concern is the approach is unfair, and there could be a modification to the CTMP required by the council.

01:00:30:19 - 01:00:33:11

So what but where would you capture that obligation on the council?

01:00:34:05 - 01:01:12:21

We, Dani, because I could stop lying down. What I would be is the CTMP provide that the council have the power to notify the applicant where it considers that there's a materially new or materially different effect different effect arising out of the application of the CTMP. has The to consider that and either respond or challenge it under the, dispute procedures under the DCO. So you could do it just as a wording in the CTMP. But I appreciate this is I mean, missus Mead sort of shooting from the hip, but I don't I think the hit the Highways Act meets all these concerns if it is a concern that needs to be responded to, which in law, it might not be because it's not a reasonable worst case.

01:01:13:10 - 01:01:43:17

Yeah. I mean, maybe I was maybe shouldn't have asked the question in first the place. Feel so I've opened up a can of worms. It's just we're On some of these sections of the network, have two very different narratives. One, all the passing places are fine. The HDV numbers absolutely are okay. Existing HGVs use it. There's a low baseline already, but HGVs still pass. On the other side, we're hearing that there's a lot more HGVs, lots of these parts of the route network, the local network are constrained.

01:01:43:19 - 01:02:22:27

There sight are line issues until the construction, you know, as an XA, we're gonna have to toss all this up when we write it up and decide, you know, are these roads safe to be used? As you suggest, you know, the impacts are not severe. They won't create unnecessary risk to life, you know, to use an extreme. But on the other hand, we might find the other way. If the consent is issued and construction vehicles start using this route and we do end up in a scenario where it didn't plan out as we had all anticipated, I'm just thinking that next stage ahead of what then is adaptive.

01:02:23:29 - 01:02:48:27

You're mister Kozelka. We we you should the applicant deprived be then to go any further with its consent, not just, you know, the implications of that, you know, I don't even want to even discuss, but are there measures that the council could require you to do at the moment? There doesn't seem to be any measure that there are unless it is, you know, a materially different environmental outcome.

01:02:49:09 - 01:03:27:01

Don't think so. So about that. Well, I don't I think currently, if the applicant gets its this is how I understand the DCO operating is. you If get your CTMP and then something really unusual happens, which no one anticipated, that's it. The CTMP is you can choose to change your CTMP and then apply to the council, but the council can't require that, and no one else any has other legal powers to challenge. The only other thing you could maybe do is seek to try and vary their DCO, but, again, that would be an incredibly onerous task. I mean, if you included wording that allows the council to raise an issue with the applicant and require it to reconsider its CTMP, that would achieve this.

01:03:27:03 - 01:03:55:14

Yeah. And and I think that's probably all we need to think about is whether there could be some additional wording in the in the CTMP that allows the, you know, not all the owners on the applicant to adapt its CTB, not for the council to be able to do it, but to facilitate that dialogue. And you're and you you you mentioned, miss Broderick, probably the council would be raising those concerns with the operator, and they're not sitting in their own office doing nothing about this, but it just feels like we need a to hook hang it on. Klaborj, if

01:03:55:16 - 01:04:03:00

you have, yeah, point's noted, and we will have a think about what's the best, wording to put on there and in terms of how it can be,

01:04:05:14 - 01:04:43:04

the different circumstances in which that could apply. Obviously, we've talked there are specific measures about us needing to do repairs. It it's we're talking about other things that might need other scenarios that might arise that might necessitate, additional works or additional mitigation, measures, as I understand it, that have not found their way into the final CTMP, obviously will be much more detailed than the current outline that we have in front of us. Leave that as an action with us to wording, consider and see whether we can add to section six point eighteen.

01:04:43:20 - 01:05:14:25

We will also have a look at whether, the point has arisen on any other, DC is necessarily not solar ones, but we will have a a look to see whether there's been any examples of a similar provision in in a different some of the different DCOs that are out there, some of which have considerably more traffic movements than for this particular scheme. We'll we'll have a look at some of the the larger scale projects as well, the nuclear power stations, for example, and things like that that had to deal with considerably more traffic movements over a much longer duration.

01:05:14:27 - 01:05:27:01

So we're more likely to need that sort of adaptive management because obviously, if you've got a ten year construction project, it may well change quite considerably rather than over a two year period.

01:05:27:03 - 01:05:33:17

Okay, thank you. Think we're having aired that point now, but

01:05:35:14 - 01:06:13:04

it was necessary. Okay, I don't have anything further I want to talk about on construction route highway improvement works necessarily, so unless I know any other party does, I want to just come to the back point we missed before the break on item agenda three, which was to come and talk about the applicant's repeat NMU survey, the results of which came in at deadline six, which was Rep six, put glasses back on, sixty one. I just wonder if the applicant could give the XA the headlines of those survey results, please.

01:06:13:23 - 01:06:58:26

James Darrow for the applicant. So the survey was done in end of July, beginning of August, covering key sections of the proposed construction routes. So the locations were Fosse Way, northern bit, the unmetalled bit, site one, site two middle of Fosse Way, site three Alderson Road, site four Bradfield Cottages by the Flying Monk Cafe, site five unnamed road east of Falampton, site six the unnamed track south west of Robborn, site seven the unnamed track south west of Robborn near Mal W54, and then site eight which is the unnamed track south west of Robborn at the railway bridge.

01:06:59:27 - 01:07:27:26

In terms of the key sections of the construction Site two Foss Way, as shown in Table three, Rep six thousand and sixty one, recorded no horse riders and low number of pedestrians, and a moderate average of forty one cyclists recorded in the proposed weekday delivery hours, and ninety six cyclists recorded on the pro Saturday delivery hours. So there's more cyclists on a Saturday obviously.

01:07:29:28 - 01:07:49:16

Site three, Oldson Road, again this is in table four of Rep six thousand and sixty one, showed very low numbers of possessions and horse riders and a moderate sort of average level of number of cyclists, fifty cyclists recorded in the weekday delivery hours and one hundred cyclists recorded in proposed Saturday delivery hours.

01:07:51:24 - 01:08:22:18

Site five of Bradfield Cottages, also shown in table five, there were no horse riders recorded on a low level of pedestrians. Thirty cyclists were recorded in the proposed weekday delivery hours, and sixty six cyclists were recorded on the proposed Saturday delivery hours. So we concluded from that that the likelihood of construction vehicles interacting with pedestrians and horse riders is low, but obviously there's a higher number of cyclists and that's really what the survey showed.

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So that was

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actual survey.

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So no change as a result of that then in terms of going back to the original ES, it wouldn't change any of the findings?

01:08:36:27 - 01:08:43:29

No, we've surveyed it three times now and the third survey is showing we were it was showing all along.

01:08:47:03 - 01:08:48:16

Stop line down, please.

01:08:49:12 - 01:09:15:03

Thank you. Bruce Bamba, stop line down. I fundamentally disagree with the conclusion that's drawn from this. What these surveys show is that there are, I would call this, high numbers of cyclists using the Fosse Way, quite significant numbers, using Bedfordville cottages. And I think the likelihood is that,

01:09:17:10 - 01:09:24:08

probably most of those cyclists using the FOSS Way, would be meeting an HTV.

01:09:28:20 - 01:10:01:15

In terms of pedestrians, I can understand why very few were observed in Alderson Road and Sherston and other places, but I'm also conscious that it did show numbers of pedestrians using Brentville cottages, six per day during weekday construction hours and seven on a Saturday during construction hours. That is with the, right of way closed. So I'd expect that to be higher if that right of way was opened.

01:10:02:02 - 01:10:40:00

And also, I'm conscious that the survey was done the just south of the Flying Monk, so it wouldn't have picked up necessarily well, it wouldn't have picked up any, pedestrians walking between, her Lavington and, for example, employment, to the north of the, railway bridge or the housing there or the rights of way that are further south than the survey point. So my general conclusion is that this is contrary to what the ES said at the beginning, which said, very low levels of use by, NMUs.

01:10:40:21 - 01:11:25:03

It it demonstrated that there are equestrians, which we know anyway. It demonstrates that there pedestrians using the Bradfield Cottage's route, which hasn't got footways, and it's showing high numbers of cyclists, which we know. It confirms what we've all seen out on-site that this is a very popular or parts this of construction, it's a very popular with cyclists. And obviously, it comprises part of the Wiltshire cycleway. So my view is this confirms that there would be conflict, and it is very important to really understand, what the implications would be in terms of safety for large vehicles using these routes.

01:11:33:26 - 01:11:36:15

Thank you. Anything from Wiltshire Council?

01:11:38:01 - 01:11:57:23

David Lee, Wilshire Council. Yes, I mean, first thing I say is, I mean, the technical note was very welcome. I mean, I think the I was a bit surprised there was no survey on the Fosse Way to Sheridan Road, that seemed to me missed out. There were surveys on Fosse Way and obviously Bradford Cottages.

01:11:59:13 - 01:12:32:05

A little bit surprised we know, think in a seven day period there were no horse riders on Fosse Way main section which was a bit surprising but then given that most of the day I think five to seven days, were near thirty degrees, maybe not surprising. I don't know. It was obviously very warm, but I mean, thankfully, if it was raining, we'd probably criticize the service then because it was raining. So it certainly wasn't raining, but it was very warm. I think the only point I make is obviously the one that comes out the most, obviously, they were Jewish pedestrians.

01:12:33:28 - 01:13:07:25

The one thing that jumps out at you, the large number cyclists that use most of those roads, particularly the Way. So I don't agree with the conclusion that there's not an HGV potential, HGV cyclist conflict. I think the point you make is obviously it always reiterates the importance of making sure that there is adequate provision on that road, the passing place provision that the disease cyclists appear in well, when I was out on-site, two gentlemen, they don't appear at one.

01:13:07:27 - 01:13:43:19

They appear en masse in groups, these cyclists, so you know if there's regular provision then those cyclists have an opportunity to move out of the way as well. So in other words then you know to ease those conflicts along that route in particular. Fosse waste stands out by far as being the most, that was the heaviest loads of cyclists and mainly on Saturday but quite a few in the weekday as well and that was consistent with, so the results I saw were consistent with what I saw when I was on on-site on the roads we looked at.

01:13:43:22 - 01:13:55:22

Yeah. But I couldn't understand why the stables route to Lyndown A to Fossway wasn't included. But other than that, it was, survey coverage was fine.

01:13:55:24 - 01:14:07:19

Okay, Thank you. Mister Roderick, I don't have any questions for the applicant. I think the survey says what it says. So unless you had anything to round off. Klabocha, I was

01:14:07:21 - 01:14:13:25

just gonna say I don't believe mister Daryl said that there wouldn't be any interactions with cyclists. He said it didn't change the conclusions of the

01:14:14:02 - 01:14:15:16

Yeah. No. I don't think that.

01:14:15:18 - 01:14:40:25

We're obviously coming on to management plan latest, there have been a number of provisions added specifically in relation to communications with cyclists and provision of information so that cyclists could become aware of the fact that there will be increased HTP movements on the road. But we can talk later, Amanda, gender item to the extent that, Woolwich Council feel that there's a need for any further mitigation measures, in in terms of, managing interactions Interactions with

01:14:40:27 - 01:14:46:08

with with cyclists. cyclists. Okay. All right, let's come on then to agenda item five,

01:14:47:28 - 01:15:11:06

which is construction worker traffic. Now, we were due to discuss this at Ish three along with shuttle busing, but the time got the better of us. And I think there's been a reasonable amount of information submitted into the examination on these matters through responses to our written questions, but the issue is still worthy of air. Now,

01:15:12:24 - 01:15:26:22

the applicant will well, I am asking the applicant to come on in a second to explain its reliance on the proportioning of light vehicle movements across the site and the justification for reliance on fifty percent shuttle bus usage.

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See the methodology monitoring and enforceability of this is disputed. I also personally query whether the spread of construction workers on a proportional basis is somewhat simplistic, particularly as the four hundred kilobytes substation in the Bess in Line Jandy, would almost undoubtedly attract well above average the number of workers, and is likely to result in greater light vehicle traffic pressures on the section between Dyson roundabout and Bradfield cottages. So can the applicant explain their methodology assumptions regarding proportioning construction traffic, the extent of shuttle bus take up? And also as part of the response whether there's likely to be an increase in construction work as needed in light of the planting of nearly two hundred and fifty thousand more panels was than originally assumed?

01:16:19:29 - 01:16:21:20

James Dowell from the applicant.

01:16:23:27 - 01:16:45:03

The worker trips were derived from a breakdown of all activities that would be undertaken in each site over the twelve month period and that came from a contractor. We were given sort of monthly maximums for each month and then what I took from that is

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understand the criticism because that doesn't really focus on the routes, so for example A, B and C and D and E. So I did a check to see whether that would actually whether that was higher than specific amount per route, and when I looked on a route by route basis it resulted in two hundred and so sixty two results in two ninety five workers in A, B and C and three twenty seven workers in D and

01:17:23:17 - 01:17:29:04

E. Mr Dow, could you just speak up a little bit? You're a bit quiet. Thanks.

01:17:29:23 - 01:17:49:17

So I'll go back a bit. The peak work trip month was six twenty two. When you that split proportionally between each of the site areas, end up with two ninety five workers in A, B and C and three twenty seven in D

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maximum number, what we wanted to do is check whether that actually was those splits ended up more or less than if you'd divided the two sites out and focused on the routes. So we did that check and the check was done to see if the daily peaks within any month exceeded these trips. We found that they were lower with two eighty nine workers in A, B and C and three thirteen in D and E. So these are the peak daily trips. And then the applicant then applied this maximum worker number to every day of the construction period.

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So every single day of the construction period we whacked in these maximum peak flows.

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Since then obviously we've adjusted the four hundred kV construction period and that actually hasn't been updated in the worker spreadsheet. Well it has been updated but hasn't been submitted, which I was going to submit at deadline seven because when looking at that it still doesn't change the results and the main reason for that is the four hundred kV substation is spread out over a longer time period so you don't get such a peak. And obviously we're taking the peak and just spreading it not spreading it assuming but it happens every single day of the construction period.

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So that overestimation has meant that extending the four hundred kV doesn't increase the actual peak day but it would increase number the of workers overall in a two year period. So that's something I can present at deadline seven to provide further information, which I will do. I also did a further test

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where I looked at the busiest twelve month construction period for the workers,

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and within that the trips actually end up quite a lot lower. So the AOTs on Fossewe and Bradford cottages would be sixty six and ninety six, for example.

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Sorry, I don't understand that. Could you just elaborate on that?

01:19:59:00 - 01:20:35:18

Yeah, so the point I was making was we've been using the peak daily work trip and we've been assuming that happens every single day of the construction period which is obviously unrealistic. If you take the actual construction program and work out the twelve month peak period within that construction program, you end up with a lot lower numbers because it takes into account those days

where there's less work trips rather than more. Just that what I'm doing is illustrating that the peak work trip number is obviously a hell of a lot higher than what you'd find on other months in the year.

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Okay.

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So moving on to shuttle bus services,

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we're saying they're required. Not all construction workers have access to vehicles. Some workers may not own their own vehicle or hold a license, for example. Rural location of sites that comprise the scheme so that direct access by public transport is limited, and the shuttle bus service would help to address this.

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It's also important because obviously it would minimize any effects on the highway network and each shuttle bus transport multiple workers, therefore reduce the number of car van trips, etc.

01:21:24:17 - 01:21:25:11

Overall,

01:21:26:27 - 01:21:47:03

the shuttle bus so when we looked at the shuttle bus percentages, so we're proposing fifty percent use by shuttle bus. What we did was a comparison against all the other DCO schemes where that percentage was known. Unfortunately there's no existing survey information to demonstrate

01:21:49:12 - 01:22:02:15

what the uptake up is of the shuttle bus. So that's not something that's publicly available, but as I've set out just a minute ago there is a need for it, so that need means that it will be provided.

01:22:04:15 - 01:22:38:29

And from the socioeconomic chapter, fifty nine percent of the trips are estimated to relocate from across the UK to the study area, and forty percent of the workers are already within that study area. So obviously you've got quite a big pool of workers outside of area that would be expected to be able to travel by other means or using a shuttle bus or a train or whatever, and some of those will be relocated into the area and they're the sort of target workers for the shuttle bus.

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The other DCO solar farms, Gate Burton for example fifty five percent use, Beacon Fenn Energy Park, fifty five percent use Cleef Hill Certopharm, one hundred percent use and there's various others. And our fifty percent sort of lands below or within the other sort of DCO assumptions and applications.

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So the reason why I think fifty percent is robust is because fifty percent is low and the proportion of workers likely to be shuttle bus accessible, which is fifty nine percent. It doesn't include any workers that live closer than twenty kilometers, even though some of those workers will not have a car. It sits at the lower end of the comparable sites, which I've just listed. And the final CTMP is a live document, as I said earlier, so it's not passive and it gives the applicant control over uptake by targeting locations with the greatest worker concentrations, so picking and providing pickup drop offs points at temporary accommodation, train stations, residential centers, etcetera.

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So it's something that we can manage and promote, and will be managed and promoted throughout the course or the lifetime of the construction traffic management plan.

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And monitoring of that will also be monitoring the compliance of that will be through Traffic Safety Control Officer, which we've got in our CTMP.

01:24:20:04 - 01:24:21:00

What was the other?

01:24:21:02 - 01:24:30:21

The question was whether, based on the number of panels that have increased, the two hundred and fifty thousand in the worst case assessment, does that then increase the number of workers?

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Yes, so it obviously increases the number of workers and that's what said I'll submit at deadline seven because we revised the worker trip generation calculations and we've looked at the busiest twelve month period in the construction period.

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Okay.

01:24:48:16 - 01:25:00:28

The perspective of the shuttle buses, I mean, we did hear this at ISH3 about monitoring on other schemes, and I think Cleanfield's the only one that's fully built out. And you said then that there is no

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evidence available to suggest how many people use the buses, you know, what the uptake was, and all we've got is what has been put into other solar examinations, but we don't know what the patronage of those will be. Now, whilst you could say, well, the other accepted those, they're consented schemes, but I'm not certain that's a realistic tool for determining patronage. I think you're absolutely right. People will, some workers will use the shuttle buses. I think it's in their interest to use a shuttle bus, many of them of that live further away.

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It also saves on fuel costs. It's not their cost to do so. But is it a worst case assessment, fifty percent? I mean, the council were pushing a twenty percent figure and I think if we were looking at trying to the capture worst case,

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is fifty percent a worst case? I mean, how confident can we be on that?

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Well, I'm basing my, mostly percentages off other schemes, so we're at sort the of low It's off level

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level other schemes that haven't been constructed.

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That's all I can base it on, I'm afraid.

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But therefore then is it a worst case? We're just plucking

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them into

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pieces that's been used in another scheme that doesn't demonstrate that's not evidence.

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The thing is you can't provide evidence if there's no evidence there, so the evidence we've got is what has been applied on the other schemes. Now the uptake of that, I agree we don't have that information, but I haven't personally seen a survey of any of that. We've inquired, we've done a lot of searching around, and the reason why it's not in the public domain, it doesn't get put in the public domain for these DCO solar sites. But it's something that definitely is offered on every site.

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If I just take it a step further, if it turns out that it wasn't the worst case and only twenty percent people take it up, you can't compel somebody to use your buses, so more people drive.

01:27:01:29 - 01:27:27:13

Do we then need bigger compounds to deal with more workers that drive to site? Or is it the fact they then can't park on-site is almost the encouragement to get people in the buses because they'll arrive at the compounds and they can't park. So ultimately tomorrow they're going to get on the bus. I'm just trying to predict what might happen if they choose not to take the bus. So they continue to drive and park upon all the rural roads around the site. How is that going to be controlled?

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So James, obviously, there is parking available at each compound, and there'll probably be some parking next to the access roads and in the site, but not on the public highway.

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Well, there won't be parking on the public highway. Doesn't stop people parking on the public highway. So what that's I'm trying to prevent.

01:27:45:23 - 01:28:10:04

Yeah, that's why shuttle providing bus to help to prevent that. In terms of the actual capacities and the impacts of the vehicles on the road network, it's marginal because they're not traveling in the peak times, so it's not an issue. I think David was commenting on that on the site visit as well in terms of effects of light vehicles on the red night.

01:28:10:12 - 01:28:19:23

Yeah. All right. Do any of the other parties have any comments to make on construction worker numbers and shuttle bus usage?

01:28:21:08 - 01:28:37:28

Yes. David Lee, Wilshire Council. I think you've you've already alluded to the fact that we we said scoping almost that we saw the fifty percent figure, and we kind of raised our eyebrows and said, that doesn't seem that seems quite high.

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I think that's still our view. So the latest data which applicant the has shared is basically saying, as Jane just said, that they're assuming within a twenty kilometer radius forty percent of the workforce will come from there,

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and none of them are expected to use shuttle bus. It's the one beyond twenty kilometers that are coming from a twenty kilometer radius and that's like Bristol, Bath, Swindland, you know basically a long way away. So what we're being asked to believe is that of that sixty percent of workers which are beyond twenty kilometers away, the vast majority will actually use a shuttle bus to come to the site.

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Notwithstanding the fact that's been agreed on other studies, it does seem a bit of a heroic assumption. So I'll say no more than that. The other thing I would say on mode shift is when you then look at there's an assumption made about car occupancy, so the number people who of will be traveling is car passengers so when you take into effect so looking at the overall development the overall workers the six twenty two workers that would come so when you take into account fifty percent they're using the bus that are the ones that are actually car sharing you end up with the base assumption that of the whole workforce only eighteen percent will be actually single occupant caravan drivers which does seem quite low because we're losing sight of the fact there's actually quite a lot of people.

01:30:09:11 - 01:30:51:02

The light vehicle traffic is actually it's actually on the network is quite low. So that's the point I would say that on the The other point I've made in writing before, so if we look at the remaining forty percent which are within the area, the assumption and again this goes back to scoping is assumption the they assume all the light vehicle traffic to Limestone A to C will follow the lorry route. So it uses

the same route as the lorries coming from junction actually from the A46 to the west and and all the workers going to Lime Down E and D come up the A49 and distribute that way which is probably less of an issue.

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The only comment I would make now based on based on the typical so way we've got our twenty kilometer radius so if you were looking at any other development you say well we've got a new factory here or a new shopping center you would say where people where will people come from and we'll assume a twenty kilometer radius they could come from. You look at the population distribution within that area to say yeah most will come from there you know if you've got a rural area and there's a big town in the corner most would come from there. So the only point I would make on line down A to C in particular is if you look at that twenty kilometer radius, most of the towns, most of the big urban centers, and I say big, Chippenham, Melksham, Melksham, Corsham, Malmesbury are all to the south and There's nothing out towards the west apart from the odd villages.

01:31:43:21 - 01:32:20:10

So my feeling is a lot of those trips going to A to C will actually come up the A four twenty nine or up from Yassen Kernel and they will cross. So the route we've been talking about Bradfield Cottage we could see more trip we could see quite a lot of trips going to to A C coming from that direction as opposed to from the west. And whilst that reduces the amount of traffic on the B road through Iron Act and Burton, obviously it pushes more traffic onto the narrower roads, so drivers may decide to follow the route up to Limedown Dee and through Norton to go to the top of the Foss Way.

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They may choose to go through the streets through to Griddleton that way. So I think my view is that, I know, whilst the applicant says well we've assumed the worst case by putting on the lorry construction routes, it's kind of it almost seems it's not really a real distribution because it's not really based on anything. And if you base it on the population distribution within within the twenty kilometer, you may come up with something different. I think the final point I make is

01:32:51:24 - 01:33:33:28

I think from the council's perspective, the light vehicle traffic distribution, the light vehicle movements on those roads are less of an issue to us than lorries. Obviously there's a volume but there's no suggestion that those roads we've talked about can't take more vehicle light traffic there's no way the increases would compromise operational capacity of those of those roads so but obviously there's a but if we're then going to look at link flow diagrams where we look at overall flows and say, when there are changes in this area, you know, what it's saying is, well, there's hardly any change between the two points because everyone going here is coming up this route and everyone come everyone going to line down a to c is coming from the west.

01:33:34:00 - 01:34:24:20

So they don't actually impact on the bit in the middle. But then I think the reality of the situation is there will be more traffic, I think, routing to A to C, which will come from the southeast. Yeah. And they won't be going to junction eighteen and coming back. They'll be routing up the A-four twenty nine. They'll be routing up to Griddleton and South. So I think it's a case of point, well, if you do a distribution analysis, maybe we should make sure, at least it's really I know there's this thing to be,

well, let's put it on the Lawyer routes because that's the worst case. But to my mind, shouldn't you work through your distribution analysis based on population on the basis that's where your local workers are like, you know, there's gonna be more higher propensity of your workers to come from Chippenham because it's a big urban center as opposed to, you know, they're not all gonna be coming from Burton or or villages because because there's nobody living there.

01:34:25:07 - 01:34:46:13

So that's just a case in point. It it's more a case. It's it doesn't just seem quite the right way to do it to me, I'd say the council's main concern on those routes are then the lorries and passage, the light vehicle traffic will increase flow, but it's not likely to cause operational problems.

01:34:46:15 - 01:34:55:12

Yeah, so it's a capacity issue. I think we've understood that. Mr Bamba, I don't know if you had anything you wanted to add on this item.

01:34:56:13 - 01:34:58:23

Briefly, Bruce Bamba, stop line down.

01:35:00:15 - 01:35:32:25

Yeah, I am finding it difficult to accept the fifty percent by shuttle bus. It is a difficult thing to get people on buses, particularly if you're thinking about bringing them in from over twenty kilometers away because you have a very dispersed area. And if a shuttle bus is going to try and pick up from all the potential places where people could be living or at least pick up points around those places, then you end up with a very complicated kind of system of shuttle bus working.

01:35:33:17 - 01:35:59:29

To that, add the complication of then having numerous sites within Limesdown because of all the different compound areas. And you can't guarantee that all the people from Bristol are going to be working at A, for example. So it is a logistically, it's a very difficult thing to organize. So to achieve this, I think this can't be a worse case in terms of, assessing the impact.

01:36:01:27 - 01:36:14:01

I'm not sure this you asked the question about, the number of workers assumed at, the large substation. I'm not sure Mr Dowell's answered that.

01:36:14:03 - 01:36:22:22

Yeah, I didn't so much ask a question as almost make a statement that it seems obvious to me that that's where most of the workers will be.

01:36:22:24 - 01:36:35:03

Yeah. I think Mr. Dowell confirmed that the workers have been distributed on a proportional area basis, and that's the base of the figures that he's presented.

01:36:37:06 - 01:37:00:21

The fact that the construction period for the four hundred KV substation has been extended from six months up to, whatever it's, twenty two months or two years. The question is, and think I Mr. Dabbled has said the numbers of construction workers is going to be increased because of that.

01:37:03:10 - 01:37:44:13

The calculation of worker numbers, I don't think have based been on individual elements within the substation. So I imagine it's based on the fact that, well, you've got a substation being built. Therefore, you will have hundred and fifty people on-site a day, something like that. Whether it's assumed to be six months or two years, I would have thought you would still have the same number of people on-site each day. You're not going to spread those because out it's not done on the kind of work a day kind of basis. So I suspect the situation we're looking at now is actually more workers than it was to begin construction period was shorter.

01:37:46:06 - 01:37:48:18

Does that make sense? Mr

01:37:57:08 - 01:38:00:18

seven, but I said the peak hasn't gone up.

01:38:01:25 - 01:38:05:15

So why would the number of workers go up for the substation?

01:38:05:29 - 01:38:10:06

So I've just proportionally increased the substation to the

01:38:10:14 - 01:38:22:14

Right, so rather than where you split them across the five sites before based on-site area, you're not saying the overall construction workers have gone up for the substation, particularly just that you've taken away that proportionality?

01:38:23:01 - 01:38:23:29

Yes, that's And

01:38:24:23 - 01:38:33:17

the only reason the numbers of construction workers overall goes up is because of the increased number of modules that you would be planting. Panels, yeah. Mr. Bravo.

01:38:33:19 - 01:38:44:10

We'll throw for the applicant. I think as a worst case, we're assuming that they would go up because there's an awful lot of flexibility and awful lot of things that could affect how fast you could physically install the panels.

01:38:46:15 - 01:39:25:05

My end, just as a sort of with a contractor head on, you would look to try and just extend the periods in which the panels were being installed using same amount the of teams. That might be the most cost effective way to do it because certain people do certain jobs. So it would be that you'd have the same

amount of people on-site. There is that flexibility. However, I think what we're trying to say here is, okay, if it was all built out at speed, yes, you would need more gangs or you would need more teams to be able to do that. And I think just to Mr. Bamba's point on the substation, for example, is assuming one hundred and fifty workers throughout that entire period is not how that would be in practice because yes, you would excavation have works and you would have the ground works for example which would require more workers.

01:39:25:07 - 01:39:47:00

Once electrical works are going in you would have less workers, more specialists working there for longer periods of time. I wouldn't even say that it's fair to provide a one hundred and fifty worker sort of peak per day in terms of its reality, but it is then feeding into this worst case scenario of the full amount of people that will be on-site for that period.

01:39:47:10 - 01:39:53:20

Yeah, thanks. I find that helpful. And, Collaborative Therapy, I was just going

01:39:53:22 - 01:39:58:14

to say there are measures in the outlined CTMP just on that earlier point about

01:39:59:29 - 01:40:36:05

workers parking on surrounding streets, and so section six point eight, in there says that, contractors will be, advised that parking on permit parking is not permitted on street, in the vicinity of the site, and that they will either therefore have to effectively make sure that they've got parking space available for them in the compound or they will have to make use of the shuttle bus service. Then there's section six point fourteen includes the control measures terms in of if, if people are being contractors, are found to not be complying with the terms of that.

01:40:36:07 - 01:40:45:10

So I think we that particular concern about, contractors not taking advantage of the shuttle bus and

01:40:47:12 - 01:41:00:06

parking up in unsuitable places in the surrounding area, we believe that there's measures in there, both in terms of a requirement not to do it and then a disciplinary measure should people be found to be not complying with those rules.

01:41:01:00 - 01:41:11:29

I think what would be helpful, because genuinely, I'm not convinced fifty percent of people will use the shuttle buses, just for distance and dispersal reasons.

01:41:14:01 - 01:41:57:08

But say we go with that, there is, I mean, there's obviously going to be a traffic operations manager who's monitoring this and trying to encourage this for lots good of reasons. And because there's no other monitoring on other schemes, which is then published, is there something within the management plan which says all that data at the end can be given to the council? So that when Wiltshire Council is facing this again and it might be another solar scheme or it could be another

similar sized project in their borough, they're able to not just rely upon figures that came before an NSIP, which nobody was able to verify ever, but at some point in the future there is a verifiable

01:41:59:00 - 01:42:24:11

study. And that's not so that there's any sort of penalty applied. It's a learning tool, which, you know, if you're working on offshore wind, you're constantly monitoring happens what to marine mammals under the water, and there's lots of sharing of that data amongst other offshore wind operators, so that the evidence just carries on helping projects, not just sitting within projects.

01:42:26:18 - 01:42:39:18

I don't know if there is wording in there to that effect, but I think it would be helpful if there could be so that at the end of the project, should it be consented and it goes ahead, that the council has something to help them in the future.

01:42:42:27 - 01:43:10:19

Claire project for the applicant. Believe that's in there. We were just trying to find the relevant paragraph, but six point fourteen point nine has a general as part of the sort of compliance procedure, require a monitoring report to be made available to the relevant local planning authority and the relevant highway authority on their request to ensure both compliance with the CTMP and also where, action has had to be taken.

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Is that specifically on shuttle bus

01:43:12:21 - 01:43:16:19

No. It's it's it's it's the general provision on monitoring.

01:43:16:21 - 01:43:42:14

Yeah. But so could we something add in there about shuttle bus patronage? So that it is it is something that you're going to be monitoring. It it would be helpful to capture that at the end. Yeah. I mean, for yourself, Mr. Dowell, you've worked on a number of these projects and you're still working on the same figures, we don't know if any of it means anything. So let's if we can find a learning outcome, take a chance to do that.

01:43:42:28 - 01:43:49:05

James Lara from the applicant. Under the TPC monitoring, the

01:43:51:22 - 01:44:03:25

travel plan coordinator will actually monitor the use as well, obviously that can be reported back to to Wiltshire and submitted, we can add in some text and see if we I can't actually see anything that actually says about the shuttle bus. So

01:44:04:10 - 01:44:29:06

Yeah. Clear project for app. And it's it's just a general monitoring requirement at the moment, but we will add in a specific reference in the relevant appendix, I think, probably is the best place to put it, on the travel plan such that there would be a requirement to provide, to monitor and then report on the,

take up of the shuttle buses, during construction. And then also that obviously will be useful information,

01:44:31:08 - 01:44:40:05

you know, to the extent that there are replacement activities and those sorts of things, then that would be useful information to be available for when the council come to look at the measures they want to be put in place.

01:44:40:07 - 01:45:16:11

Yeah. It'll be helpful. It'll be helpful all round. So just one final matter I want to come to on this agenda item, and it's more about traffic dispersal. And mister Leah may take different position to me on this in light of some of the things he's just said. But in EX Q one TT one point ten, the XA asked whether the applicant had given any consideration to the likelihood for local dispersal onto other roads creating rat runs from local people seeking to avoid construction vehicle routes.

01:45:17:00 - 01:45:50:01

The applicant's response stated that the ES assessments utilised total changes in traffic flow rather than local capacity assessments and that the scheme would not generate sufficient demand within peak hours to warrant the need for capacity assessments. That's all well and good, but the question wasn't about capacity on roads. And we've already heard capacity for light vehicles isn't an issue. My issue with the response was the question was not was coming from a fear and intimidation perspective. So it's what I said about HGVs.

01:45:50:03 - 01:45:57:13

If if if you've if you've got a relatively low base line and you've got two HGVs per day and all of a sudden it becomes four, people do fear,

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you know, potential impacts. It would be the same for light vehicle movements. So I just wondered if the applicant had given any consideration consideration to whether local people on these local country roads would be likely to avoid the construction routes and find workarounds just so that you don't have to encounter light vehicles and HGVs.

01:46:20:11 - 01:46:40:28

James Dahl for the applicant. No, that's why I answered the question like I did because the reason for avoiding a route is normally through congestion. We've done our fear and intimidation calculations for the routes and it doesn't a show step change. So I didn't think that that would cause other people to avoid using that as a route choice.

01:46:41:08 - 01:46:47:22

It's a fairly technical approach though, isn't it? The step change approach. From just a human approach,

01:46:49:15 - 01:47:09:13

when does the human common sense approach come into the assessments? We can look at ISTEP and say, It says this, it says this, it says this. It doesn't create a step change because of numbers, is

individuals feel different things to a technical document assessment. And so fear and intimidation is a reasonable,

01:47:11:25 - 01:47:19:06

you know, consideration. And so are you just looking at just it purely from a technical perspective?

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We look at it from a technical perspective, and then obviously we apply our construction traffic management plan measures to try and mitigate and reduce any delays or issues that could affect

01:47:34:27 - 01:47:37:06

the existing users of the network.

01:47:38:27 - 01:47:39:14

Thank

01:47:40:27 - 01:48:17:22

you. Bruce Bamba, stop line down. That point, fear and intimidation and the ISEP guidelines, para three point three four of the guidelines, states that there's no commonly agreed thresholds for fear and intimidation. And para three point three six states that there's a need for judgment. And I think that's what you're sort of getting at by raising this question. Paragraph three point three eight that refers to those tables in the ICEP guidelines that Mr.

01:48:17:24 - 01:48:55:24

Dowell has been referring to states, Table three point one in the guidelines provides an example of a scoring system that can be adapted to reflect local conditions. And I think it's very important to understand that what is presented there is an example, and it's based on a situation with roads carrying significant flows of traffic, and certainly roads with footways and provision for vulnerable users. Hence, when you apply that example in the ICEB guidelines, you come up in this situation with a suggestion that there's no step change.

01:48:56:04 - 01:49:07:13

But when we look at the reality of what's going to be happening on these narrow lanes, if we take, for example, the experience of a pedestrian on Bradfield Cottages,

01:49:09:08 - 01:49:47:27

that person walking that route will experience a significant change in the environment, a significant uplift, if you like, in fear and intimidation, if they are passed by a sixteen point five meter HGV or indeed a ten meter tipper. Similarly, local I mean, lots of local people have said to me, you know, I don't want to drive on these roads once construction starts because I know how narrow they are. I know at the moment how difficult it is times, perhaps, you know, in the autumn when there's more, harvest traffic using those roads, it becomes very difficult to use them.

01:49:48:11 - 01:50:22:26

Now they don't necessarily understand exactly what the figures are, but there is a perception that, well, these roads are difficult to use. If I'm confronted with a series of large HGVs along these routes,

then I may well be thinking trying to seek some other way to go to avoid it. So I think it is important when thinking about things like fear and intimidation, you do use that professional judgment to consider will what be the impact in this situation that we are thinking about in these circumstances.

01:50:23:03 - 01:50:41:06

So I fully agree. I think with the motivation for your question, and I would make the point that should not the ISET guidelines, those examples should not be held up as the be all and end all of these kinds of impacts.

01:50:41:08 - 01:51:19:01

Yeah, thank you. And that really was the point behind the question. So when I got an answer about capacity, I thought, well, that's not the basis for the question. And so the step change, I appreciate that there is guidance that is followed, but it just seemed to me it was just missing that human judgment. It was just far too technical. And the reality is, you know, a person who uses these roads every day may very well feel fear and intimidation regardless of the numbers not shooting up by a thousand percent and just because they don't doesn't match the the I set guidance doesn't mean they won't feel that and I just felt that was lacking in the answer.

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Did you have anything further to add mister? You may not

01:51:28:12 - 01:51:34:02

just that we have to assess this obviously on a technical basis. We have to follow the guidelines and that's that's all we've The

01:51:34:04 - 01:51:38:26

The guidance was about professional judgment as well and you were only applying technical judgment.

01:51:38:28 - 01:52:05:18

Well, as I say, the main reasons I think technically why people would avoid a route is because of congestion or because they can't physically drive along that route. And we've shown a car a HUB and can pass along the entire route, I follow, to be honest with you. I do agree that the ISEP guidance should be followed, and I do agree that some professional judgment needs to be applied to the methodology.

01:52:05:20 - 01:52:09:29

Appreciate it. Mr Kasalko, did want you to come back to your handwriting?

01:52:10:08 - 01:52:43:03

Stop lying down. I I think I was just going to label the point which is I I actually think what you're we would submit what you're describing is not merely, you know, common sense versus the ICEP guidance. We would say that your your what you're describing as common sense should be reflected in how the ICEP guidance is applied here. So what you're describing is consistent with it, and we would say what mister Darrow is describing is inconsistent with it. So it's not technical judgment versus common sense. The technical judgment would reflect what you're describing.

01:52:43:05 - 01:52:43:24

We would submit.

01:52:43:26 - 01:52:51:17

Okay. Thank you. Alright. I don't have anything else to add. Miss Broderick, you look like you were going to say something.

01:52:53:15 - 01:53:33:07

Claire Broderick, outcome. Yes. I was just trying to decide whether to respond or not. I think there's clearly a difference professional in judgment here, and mister Daryl say was saying that he has applied his professional judgment. Obviously, his judgment is different to mister Bamba's, judgment, but Yeah. That's That's fine. Difference from any other, yeah, EIA topic where professional judgment is is applied. And I think, obviously, when you're carrying out the assessment, you're obviously doing it on a sort of an objective basis, aren't you, rather than necessarily obviously, mister Bamba has said he's spoken lots of to people, but obviously in the context of there's a great opposition to this to this particular project.

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So I think it's just

01:53:34:15 - 01:53:53:10

a difference of professional, judgment here. Alright. Well, let's park it there rather than than carry on talking about it. We are coming on now to item six. I'm happy to press on and make a start on this unless anyone feels they need a toilet break or want to grab a drink.

01:53:54:25 - 01:54:06:01

But well, actually my fellow XA would like to. So why don't we, I always ignore them. Why don't we then come back at, four thirty five?