



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Lime Down Solar Project
Hearing:	Issue Specific Hearing 7 (ISH7) - Part 1
Date:	17 September 2026

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

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FULL TRANSCRIPT (with timecode)

00:00:07:11 - 00:00:13:28

Good morning. It's now nine thirty a. M. And time for this hearing to begin. Can I just confirm that

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I'd

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I'd like to thank for for

00:00:34:13 - 00:00:55:10

have been appointed by the Secretary of State to the panel to examine this application? And I I shall be taking us through the start of this hearing, but you'll be hearing from all of all three of us today. My colleagues Janine Laver on my left and David Love on my right are also examining inspectors who have been appointed to the panel, and they are with me in the room today.

00:00:57:02 - 00:01:25:02

There are other colleagues from the planning inspector joining us today, both here and on the line. Our case manager, Ramil Birney, is joined by Liberty Abbott at the back. It's the case team who you should contact regarding the application process in general and for today's arrangements, including any online connection issues. There's a nonpanel inspector who is shadowing panel the on this case who is also present at the venue along with,

00:01:26:23 - 00:02:09:03

our other colleagues from the case team online, who are able to help with any online issues. I'll now deal with a few housekeeping matters. There's no planned fire drills today, so if it happens, it's the real thing. Fire doors are immediately to the left of me and outside of this room to the right of me, and the muster point is the EV charging points in the car park. I don't believe any there's representatives from the media, but if there are, let me know. No. Can everyone please set all devices and phones to silent, and online participants should make sure their cameras are switched off and microphones muted unless the panel have invited you to speak.

00:02:11:03 - 00:02:20:13

We haven't had any requests for special measures or arrangements to enable participation in this hearing. If you do need assistance, speak please to the case team.

00:02:23:03 - 00:02:58:15

And if at any point you can't hear us or have something you wish to raise, please could virtual attendees use the raise hand function of Teams. We'll to try come to you as soon as we can, but there may be a delay before we can acknowledge this. A recording of this hearing will be made available on the National Infrastructure Project webpage as soon as practicable after the hearing is finished. With this in mind, could I just ask that you speak clearly, state your name, who you are, and who you are

representing every time you speak today? For in person participants, if you're not at the table, there's a roving microphone.

00:02:58:17 - 00:03:26:10

So, pop your hand up and wait for the microphone to be brought to you before you speak, please. As this event is recorded and published, it's important you don't add information to the public records that you would wish to be kept private or that is confidential. If have you any questions about this, please speak to members of the case team. We will have short comfort breaks in the proceedings, and we're likely to break for lunch around one pm.

00:03:29:21 - 00:03:36:24

This meeting will follow the agenda published on the National Infrastructure Plan website on the seventh of September,

00:03:38:14 - 00:03:49:16

which is examination library reference EV thirteen thousand and one. It would be helpful helpful if you had a copy of this in front of you, and I believe the case team have copies available too.

00:03:51:14 - 00:04:23:12

This hearing is intended to explore in more detail some of the management plans and other control documents. As set out in the published agenda, under each item, we'll be inviting comments on the contents of the control documents from Welch Council and other IPs. And for some of the agenda items, we will have specific questions of our own on the content of these documents. And as mentioned earlier, all three of us will be asking questions today. So moving on

00:04:23:14 - 00:04:23:29

to

00:04:24:01 - 00:04:44:24

introductions. I've been provided with a list of those who have expressed the wish to be heard today. So I'll come around and ask parties to introduce themselves. When I introduce yourself, please state your name, who you represent, which agenda item you wish to speak on, and how you would like to be addressed. So if we could start with

00:04:44:26 - 00:05:22:29

the applicant, please, Ms Prodrick. Good morning. My name is Claire Prodrick. I'm a partner at Pinceton Mason's LRP solicitors for the applicant Limesdown Solar Park Limited. I'm joined by a number of the applicants, team today. Obviously, the agenda item covers a wide range of topics, and we have a number of people in the room and then some virtually. We envisage that the people sat at the table speak to the first agenda item, so I'll let those introduce and then to the extent we need other other experts to to join, I'll let them introduce themselves before they speak.

00:05:23:01 - 00:05:25:26

So I'll just let those at the table introduce themselves. Thank you.

00:05:27:21 - 00:05:39:01

Good morning, everyone. My name is Will Threlfall, on behalf of the applicant. I'm a senior project development manager at Island Green Power, and project lead for Lime Down Solar Park. Mister Threlfall is fine.

00:05:41:18 - 00:05:52:00

Good morning. William Barrett, technical director at AECOM. I'm an environment lead for the project. And mister Barrett?

00:05:54:15 - 00:06:06:29

Good morning. My name is good morning. My name is Christopher Jackson. I'm the director of landscape architecture at Lambro and charter landscape architect. I can refer to as mister Jackson. Thank you.

00:06:10:02 - 00:06:20:14

Good morning, everybody. I'm Peter Tims, associate director at Clarkson Woods. I'm an ecologist, and I'm the lead on this project for ecology and biodiversity. Thanks.

00:06:23:08 - 00:06:26:01

Thank you. I'll now come to watch Council.

00:06:26:17 - 00:07:01:05

Good morning. My name is Odette Shalaby. I'm a barrister instructed on behalf of Wiltshire Council, and I could be referred to as miss Shalaby. At the table today, we have next to me people that you've met already, but I've got Kate Tate, who's an agricultural officer at the council, Mark Goodwin, who's a senior landscape officer at the council, and Rohit Singh, who's a principal drainage officer. I also have behind me for later matters on the agenda, Brett Warren, who's a public protection manager, and Russell Frith, who's the inward investment manager dealing with some of the, economic issues arising.

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And then online, there are, as I understand it,

00:07:06:23 - 00:07:39:24

further members of the arboricultural team. So we should have Lisa Price, who's also an arboricultural officer. And we have participation from ecology as well online. So there's Emma Fisher, who's a senior ecologist who you met at the last hearings and Neil Machen, who's the ecology manager. And to some extent, what we propose to do given the number of people and the number of comments is to for me to summarize some of the the issues on various topics to start with and then for the experts to come in as and when necessary to try to save a of bit time.

00:07:39:26 - 00:07:44:21

Otherwise, we're going to have about fifteen people talking on each agenda item. So we'll see how that goes.

00:07:45:08 - 00:07:50:14

Yes. That that would be helpful. Thank you for that. So I'll now come to stop line down.

00:07:54:21 - 00:08:15:26

Thank you, sir. Daniel Kuzelko, barrister from thirty nine Essex Chambers instructed by Stop Line Down. I'm joined today by a Maecilia Reynolds, also a barrister at thirty nine Essex Chambers, and then professor Sketlington, you met previously as our giving evidence on flood. Thank

00:08:17:19 - 00:08:23:03

you. And I believe we have the Environment Agency online. Would you like to introduce yourself?

00:08:24:09 - 00:08:34:01

Yes. Good morning. Laura Edwards, Planning Specialist at the Environment Agency, and I can refer to you as Ms Edwards. And I'm joined by some other colleagues. I'll pass over to Susie.

00:08:36:01 - 00:08:36:18

Hello.

00:08:36:20 - 00:08:45:26

I'm Susie Bateson. I'm talking on groundwatering contaminated land on agenda item three. I'll pass over to Lucy.

00:08:49:15 - 00:08:59:06

Morning, sir. Lucy Houghton here. You can call me missus Houghton. I am talking to surface water quality for the environment agency on a number of items today.

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Think I'll pass

00:09:02:17 - 00:09:03:23

it over to Phil if he's there.

00:09:03:25 - 00:09:04:12

Okay.

00:09:07:09 - 00:09:18:12

Good morning to Philip Sale on behalf of the Environment Agency. I'm a flood risk specialist and may talk to some of the agenda items today. I'll pass over to Josie.

00:09:21:13 - 00:09:32:04

Good morning, I can be referred to as Mrs Bourjour Humphries. I'm a biodiversity specialist and I may talk on agenda items depending as and when topics arise.

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Thank you. Is that everyone from the Environment Agency? I believe so. Yes. In which case, do we have

00:09:46:19 - 00:09:49:18

someone from National Highways here today?

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Good morning, sir. My name's Julie Russell, and I'm a solicitor at Gowling WLG, and I'm acting on behalf of National Highways.

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Thank you.

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Moving on to interested other interested parties that have registered to speak today, I have Catherine DeGrane.

00:10:16:18 - 00:10:18:25

There's a microphone coming.

00:10:24:06 - 00:10:32:29

You. Good morning. I may want to speak please, if possible, later on. Thank you very much indeed.

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Okay, thank you. And is Anne Henshaw present as well?

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No. Okay. Is there anyone else in the room or online who has registered to speak but hasn't introduced themselves yet?

00:10:52:22 - 00:11:23:17

I'm not seeing any hands, in the room or online. And anyone who hasn't registered to speak but, is would to like speak? Again, no no hands. Thank you. May I remind you that if you do wish to speak during the course of proceedings, for example, to make comments in response to representations made other by parties, you should raise your hand either physically or using the hands up function in Microsoft Teams.

00:11:23:19 - 00:11:25:26

Please don't shout out or interrupt.

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Introductions. We can now move on to Item two, the start of the substantive part of the hearing. Hopefully, you all have a copy of the agenda in front of you. Item two is the design principles and

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we

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the

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We

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good

00:11:59:04 - 00:12:33:07

discussions that took place at Issue Specific Hearing two. And the updates included some further commitments to rounded wooden fence posts, that's our agricultural in appearance, and a commitment for acoustic barriers in relation to the colour. There were other possible commitments which were discussed at issue specific hearing to, such as an informal colour assessment and the involvement in a community liaison group in emerging design decisions.

00:12:33:09 - 00:13:02:07

But the applicant has set out its position why it's not included these in its deadline for submission, which is Rep four zero eight five. So there aren't specific questions that I have in relation to this document. So I'd like to to invite Wiltshire Council to provide any comments they have and whether they consider any further amendments necessary to this document.

00:13:03:20 - 00:13:23:05

Odette Shallaby, Wiltshire Council. I believe Stockline Dam might be raising a point about the community liaison group design and issues that you've just referenced, and Wiltshire Council supports them in that. But from the council's perspective, I think there's no fundamental issues that it wants to raise. The main point,

00:13:24:23 - 00:13:57:02

from the council's perspective relates to and this may not be the appropriate place to deal with it, but in respect of essentially all of the items on the agenda, in terms of flood risk, the council's satisfied with what's in the documents, but still wants the reassurance in terms of, the management plans being appropriately implemented, monitored, verified through the detailed approval process and operational management framework. And this is the request for the hydrological verification framework.

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So at some point, the council would like an opportunity to explain why it thinks that's required. I don't know if this is the right moment, but that will be the answer on flood risk to basically every question.

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So we'll come back to that under Item eleven of the agenda, if that's right. Thank you.

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Okay. If I can now invite Stopline down.

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Thank you, sir Daniel Kuzelka for, stop line down. The primary thing to raise here would be one of the two points that you highlighted, which was the community liaison group. I don't if know now is the time to pick that up. It's a relatively high level point of principle, so it it sort of applies to a number of issues. So

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Stop Line Dam's has position been and continues to be the there is merit in having a group it's already provided for in the DCO in requirement four, but the actual utility of that group is not being fully realized because it's not being used in a way which informs decision making going forward. So as examining the authority will know prior to this DCO coming to this examination, it was put out to consultation.

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There is a consultation report which was included within the DCO on the outline. We say functionally, the position should be the same when there is detailed discharge. So community the liaison group, which the applicant accepts, needs to be established at some point should exist. The applicant should go to it and seek consultation on the issues that can be the subject of detailed design. I note the point about some things basically are secured. That's understandable. If something cannot be changed, it cannot be changed. But there are matters which are, matters of detailed design upon which the local community would be able to input.

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And we are not saying that applicant the has to accept anything the CLG says. All we're suggesting is that they would, as part of that process, consult, do the kind of, you know, you said we did if they think it appropriate, and then provide that information as of the part discharge to the local planning authority. That reflects what happens in other planning contexts. And given, as you will appreciate, the considerable local concern about this scheme, if it is going to be and if there is going to be a CLG, it would be for the best that that CLG would did not become, I don't know if it's a rude way to describe it, a bit of a talking shop.

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IE people are talked at and told what's going to happen, but there is no actual, realization actualization or of of people's ability to be involved in the decision making. And if you were to accept that or if the applicant were to accept that, we would also say there'd probably need to be changes to the timing of when the group came into existence because how the DCO currently achieves, it means that detailed design decisions can be taken prior to the CLG existing. And I can go on to that if you'd like me to.

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Well, that is sort of the headline points. If you're going have a to group which is the liaison group, it it seems towards appropriate that that group have input into decision making even if it's not accepted by the applicant and the council. I hope that sort of broadly sets out the headline.

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Yeah. Yes. That's helpful. So at issue specific hearing two,

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this this matter was aired in in the sense of could this community liaison group have involvement in emerging design decisions or some form of input?

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And so we've got the applicant's response to that, but I wonder if a Mr. Kiselko mentioned, more you said we did form of consultation, that is something that could be incorporated within

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the design principles and parameters and and and so so kind of a consultation of what is happening rather than a full involvement in the making of decisions. Does that make sense?

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Sorry, Sergei. If I could Danny, because stop I've line there. If I could just chip in a little further. I mean, the applicant itself in its own answer accepts that, for example, the council could go to the CLG and seek its input. So clearly, there is a framework in which input could be taken in. I I really don't understand why detailed in design a DCO is different to, you know, seeking local input in discharge of a local planning application or, you know, the the process of this DCO coming forwards. But I'm not suggesting that applicant the has to accept anything that it gets from the CLG.

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It is simply the process of they go to the CLG, write down what's said, respond to it if they want, make changes if they want, and then offer it to the council, and that's it. Because as I understand it, the council is concerned that I I won't speak for the council, but we we don't want a situation where all of the owners falls on them as a local planning authority under incredibly onerous time scales, which I think currently is twelve weeks for a lot of this detailed discharge. The applicant accepts that there could be some form of discussions. So I I don't quite actually understand the logic of why the applicant says what was done at suggested at ISH two is not acceptable.

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Thank you. I believe my colleague, mister Love, has a question. Yeah.

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Thank you. I'm I'm I warn everyone now. I'm full of the cold. So if I need to cough, sneeze, etcetera, I apologize now, but please bear with me. Mister Kozelko, you know, we we've we've touched on this issue before, as you say, but we also touched on it with respect to the innovation forum. And I think some of the same principles apply because the I understand what you're saying. I I I hear you. And I think there is, and I want to explore further. The XA wants to explore further with the applicant to make sure the CLG isn't just an information giving forum.

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It's like, well, this is what we're doing, so we're getting on with it, to to be quite blunt. I And and I do think it needs to be I'd like to explore with the applicant hereafter how we what scope there is to make sure there is a bit more of a an an open discussion. And I'll come on to the applicant shortly. But how do you how would you see that working? How would SLD see that consultation approach work?

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Thank you, sir. I need to put up a stop lying down. So

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this then gets into the sort of underlying structure of the COG. I mean, I we've had some discussions with the council about this as well and basically anticipate the idea of a group with representatives with an independent chair who essentially the applicant can bring things to the so for example, it might be essentially a consultation document of just, you know, we're planning this. What do you think on these issues, for example? The CLG gives a response or has a discussion with the applicant, and the applicant takes that down and takes it forwards in its own development design and then alternate well, and then offers it to the council as part that of structure.

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So that sort of the idea that we anticipate is essentially a dialogue where before each detailed I say before each detailed design decision, each application to discharge a plan, For example so, normally, there's going to be one I know, obviously, these plans can be modified multiple times, but, fundamentally, we we at least understand that there'll be one main application to discharge the CTMP sorry, discharge to approve the detailed plan for CTMP, one application to approve, you know, other plans.

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And some of them, there's gonna be nothing. I mean, the AMS, for example, is not gonna have very much for a consult for a consultation with locals cause that's really about managing the underlying mitigation of archaeology. But on the other hand, you know, there could be input within the framework set by the outline plan on construction environmental effects. So that's that's what we envisaged at least was essentially the kind of consultation that you might see when an applicant for planning permission goes to the local parish council and gets their views, which, you know, more active applicants in the local planning sphere will often do.

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Thank you. So you see it as a as a mechanism to consult the community on the discharge of management plans?

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Oh, thank you, Danny. Because I could stop lying down. I mean, it it could be used for other things as well, and I know the applicant is keen on giving information, which is obviously valuable. And so having someone who can come along and speak to the group and say, this is what we've done in the last three months. Maybe this is complaints the we've had. This is what we've acted upon. It's essentially a mechanism by which people can interact with the applicant and not feel like things are being done to them to the extent that you can't. I mean, it's planning to a certain extent things are done to you in planning, but that's essentially the intention.

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And we know that there is discussion of a terms of reference for this group, which I you've heard reference to. We've not seen it yet, but I know it's in discussion, and and it will continue. And the council will have control over the terms of reference of that. So, also, there'll be some degree which to the council could control ultimately how this CLG works. Thank you.

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Thank you. Can I ask the applicant to respond to the points made if I stop my hand, please?

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Claire project for the applicant. So, obviously, we discussed this last time, and it is very much, noted by the applicant that there is a desire for, the community to continue being involved, in the project and to have their concerns, have a forum in which both their concerns but also suggestions, etcetera, can be, taken into account, before construction starts. The applicants, obviously, therefore, committed to the community liaison group. Group.

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Group. The community liaison group needs to be in place prior to commencement of construction, so that's the appropriate, trigger. A lot of the how the actual, community liaison group will, function and the way it will be conducted, the types of issues that will be raised and how feedback will be given, the applicant envisage would be set out in those terms of reference, which will set out the functionality of the group, who will be invited to participate, how that group will then go and seek views of the wider community because, obviously, there'll be people who are part of the group itself, and then that group will out go and seek, views from from from others within the, locality.

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The applicant has sent some example, terms of reference that have been used on other DCOs to the council. As far as I'm aware, haven't we received any feedback yet on that, so that's an ongoing discussion in terms of the types of measures that the council would like to see specifically in those terms of reference. But the applicant's position is that that is the appropriate method for controlling how the community liaison group is going to work, rather than further detail being we don't consider it as a matter of going the design principles document,

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and the outline Environmental

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the Community Liaison Group and, of course, refers to back

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requirement four, which is separate.

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As we mentioned before, in terms of design, there is obviously for a project of this nature a very limited number of elements where there is a choice to be made. So I think we need to be mindful of in terms of seeking feedback on preferences, there is quite a limited opportunity for that because there are a lot of factors that go into decision making on the of part the applicant. Obviously, we've controlled in the design principles that there will be certain criteria if we're talking about color choice, for example, but actually what the applicant can choose from may well be limited to, supply chain, what's available on the market within the timeframes to meet the grid connection date.

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So

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whilst we want to make sure that everybody has the chance to participate, we don't want to necessarily

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suggest that there are, more opportunities than there there will in reality be in terms of actually giving input on design, choices. So we just wanted to be clear about that. But if to the extent that there is a choice to be made, then the community liaison group would be a a forum for allowing people to express a preference to the extent we've got, I don't know, two choices of of color for for something that are available on the marketplace, we could ask the community liaison group

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if Sorry,

00:27:30:00 - 00:28:00:10

miss miss Broderick. Sorry to interrupt. Sorry. I I I took something slightly different from mister Kozelko's point, and and that was yes. Yes. You've you've said about formation the of the CLG getting together, and that's that sort of prior to construction. That that still suggests to me an information giving forum, essentially. And I do appreciate what you said at the end there, but but it it largely smack of this is what we're doing, and telling and and saying to local people this is what we're doing.

00:28:00:17 - 00:28:34:09

I think mister Kozelko's point, and I'm happy to be corrected, that my understanding is that what he was saying was with the CLG should meet earlier earlier than just before construction, and it should be a forum for local people to raise concerns about, for argument's sake, the outline ecological protection mitigation strategy and and and the details that are within that. And then, you know, that that that may, because of the technical details, be a bit more a bit better that may turn into naturally a this is what we're doing sort of talking shop.

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as mister Kozelka picked up on what mister Kozelka made, the applicant wouldn't have to agree with the points raised, but it's certainly an opportunity for local people to feel heard as part of these management plans, an opportunity for the local people to feel involved in these management plans. And I think this probably also ties into I don't want to go I don't want to go massively off script, but might this also tie in to some of what's been discussed in writing around, human health, about the information, about keeping people informed, about keeping people involved? And, you know, we we've talked around anxiety.

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We on on Tuesday, we we will be discussing this further on Tuesday, which you won't be surprised about giving the integrated care board,

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their response to deadline six, which I know you haven't had a chance to respond to in writing. So I wonder if some of these things tie in together. So the nub of my question is, what's what would be the applicant's objection to mister Kozelko's suggestion, which is well, ultimately, the nub of it is you would have an opportunity there to sort of say, yes. heard We you, but we don't agree. You know, they wouldn't wouldn't tie you to anything. So I'd quite like a a response to what what's what's the objection, please?

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For the applicant.

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I think what we're the premise is very much understood and

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the applicant very much suggesting that this is purely an information giving exercise. One of the things we are mindful of, however, is programming and timing, and when these documents, the discussions that will be being had, with the local planning authority on draft documents, when those would then be and other consultees that we have a requirement to consult with, when those would then be ready for formal submission for approval.

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Then it's currently ten weeks, but we note that the council is requesting, twelve weeks. So we have a fairly long lead in time. What Mr Kuzelka was suggesting was almost an additional pre submission to the council formal consultation period with the community liaison group. I think what we from a programming and timing perspective, we are just trying to we need to make sure that it works in terms of when the information will be available and having prescribed consult fixed consultation periods before we can then submit that plan for formal approval to the local planning authority does have timing implications for a scheme of this nature.

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So I think that is the, I suppose, slight concern that the applicant's team has in terms of incorporating Mr Kiselko's suggestion that before any plan is submitted to the local planning authority for approval, there should be a fixed additional consultation period. Obviously, once it's submitted, the for approval,

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what happens is the council will receive that document, they will put it on their website and people are free to comment on it. But we very much understand the point being made and the feeling that that's maybe too late in the process because, obviously, that is the final plan that the applicant wants to be approved rather than a draft version. So I think there is and there is obviously a limit to some of the measures in there that can be commented on, some of them will be fixed.

00:33:02:00 - 00:33:48:02

So I think in terms of the terms of reference, when we're discussing those elements, some further consideration can be given as to what information can be made available to the community liaison group before it is formally submitted for approval. But equally, you know, there will be a period where we're submitting draft documents that then will then get the council's informal feedback on.

Those will then be updated, etcetera. So it's just trying to understand, practically speaking, how this would need to function that provides the input that the community want to give, that the council want the community to be able to give, but doesn't create, a barrier to being able to discharge.

00:33:48:04 - 00:34:07:05

I mean, there's a huge number of pre commencement conditions for this scheme. They will take a long time to do, and they have to be done, within a fixed period of time in order for construction to start on a particular date to meet the grid connection date. So the the concern is not the principle it, of it's the

00:34:08:26 - 00:34:44:25

danger of having, I guess, prescribed time scales that then mean that we end up with delays that we are outside of our potentially outside of our control. So that's, I think, where we are concerned with a requirement to give formal community consultation on all draft management plans before they're submitted to the council. But we do recognise that the community community liaison group should allow for the community to have involvement or management plans as part of the purpose of the

00:34:44:27 - 00:35:19:12

community liaison group. Ms Broderick, I have just two points on that. You've said at other hearings, really the last DCO hearing that we had when we were talking about timelines for council to turn some of these documents around, and fact that the the consultation period, you know, is the twenty one day standard for consultees such as the Environment Agency, National Highways, so on. And you you reassured the council that that wouldn't be an issue because you would already have done a whole load of pre submission consultation with those bodies.

00:35:19:14 - 00:35:59:12

So I'm just wondering how the CLG is any different to those other bodies other than the fact that they would be statutory, that you wouldn't consult with them in advance with a draft document. And my second point is that you mentioned, obviously, meeting the grid connection date, which, of course, is important. But there are a number of DCO schemes which have had their NSIPs consented who have not met their grid connection dates, and it doesn't mean their consent has fallen away. So I I appreciate what you know, the push for IGP to be able to get on the ground, but there are a whole load of other obstacles before that happens, and the grid connection date will always slip, as I'm sure it will in this project as well.

00:35:59:14 - 00:36:09:25

So I'm not sure that's a valid reason not to be consulting the community. I don't think either of the points you've made stack really up in light of what's been said previously in the hearings.

00:36:33:26 - 00:36:37:09

Just checking. Will the applicant be back coming on those points?

00:36:37:12 - 00:37:12:07

Clever, just the applicant. Yes. We're just trying to discuss what what we can commit because, obviously, there there is a difference between, the group, you know, asking questions of a group and, seeking feedback particular points and the provision of the draft final plans for a a more formal consultation, which is what I understood was being asked for that they the community liaison group

are to be provided with copy a of the draft final plan before it's submitted to the council and that they get an opportune a period of time in which to then go and get comments.

00:37:12:09 - 00:37:53:00

That's I that's what I had understood was being asked for rather than us saying, oh, you know, we're trying to decide which species of trees to plant. Would you like to do you have any suggestions? So sort of a more informal engagement, which is something the applicant is perfectly happy to commit to versus a, but you must provide a copy of your draft management plan before you submit it to kind of council and allow a period of X number of days to gather comments on it. That's what I was just trying that's what I understood had been asked for, but it may be worth just clarifying because the informal consultation on things on which there are, choices to be made, the applicant has Yeah.

00:37:53:02 - 00:38:16:26

No issue with committing to that. And that's what we understand the community liaison group to be, but I perhaps I've misunderstood, but I thought it was more of a you must publish your documents and allow a piece of a period of time, to receive comments on them and then before you then submit your final document to the, local authority. So maybe mister Kisselka could just clarify what was being asked for.

00:38:17:03 - 00:38:36:12

Yeah. That that would be helpful. If if it is a if it is a more informal consultation, then what is covered, but it how how do we how do we understand and define what is covered by that informal consultation? So that would be good to understand. But

00:38:36:22 - 00:39:14:29

Thank you, sir. Yes. Tell me because I could stop lying down. I mean, that last that point that you made there is is the difficulty with this kind of thing, which is we don't know what we a community group won't know. The CLG won't know what it doesn't know unless a degree of information is given by the applicant to the CLG. I mean, we we would be minded to say that, ultimately, a lot of the internal workings of this group can be agreed at the detailed stage or pry just prior to the detailed stage with the council once these terms of reference, which there is going to hopefully be a outlined version of at this stage, is agreed.

00:39:15:13 - 00:39:46:20

And we'd like to be involved in that, and, hopefully, we'll see what is being discussed as we've not seen it yet. But to answer your point directly, at least currently, we we think that the group would have to see something in draft what the applicant is proposing to submit because it needs to see something to know what is there. Now I'm not suggesting that it should be the final draft version of the document that's gonna go to the council, but as was already referred to, other bodies will see drafts of this at a working stage.

00:39:47:04 - 00:40:07:27

And we don't see why that couldn't be provided the group to with a twenty one day reply time or you know? It it it doesn't it it doesn't have to be the most onerous form of consultation possible for it still to be valuable consultation. And indeed, it as as already I've said, it doesn't all have to be accepted, so it doesn't have to derail the process.

00:40:09:17 - 00:40:25:01

I I hope that's helpful. I mean, in a sense, I'm saying it depends, but it it's got to be more than simply what trees would which I'm not trying to dismiss the question. It is valuable a question to ask the group. What trees would you like to see in this area? We we would say it is more than that.

00:40:26:00 - 00:40:33:06

Yes. And I think what I'd like to avoid is a vague reference to informal consultation, which then

00:40:34:24 - 00:40:48:19

be interpreted to be not much or a lot more, and then, that could leave the community liaison group unsatisfied with how much information is being provided. So but I just I come to the council.

00:40:49:05 - 00:41:24:22

And Odette Shandberg, Wiltshire council. Yeah. We echo that concern and and support what Stopline Down have been saying on this. I think part of the issue is that once these plans as final drafts are submitted to the council, there's a short turnaround time for the council to respond. But there's also sort of limited circumstances in which the council can actually refuse to discharge those plans. So it's quite hard for the council to take community feedback on board to say, oh, there might be a better design. The council can only refuse it if it doesn't meet the requirements set out, can only do it refuse it if it's reasonable to refuse it.

00:41:24:24 - 00:41:52:11

And although there might be better options the community has raised, the council may actually not be able to refuse to discharge on that basis, given the sort of limitations within which the council's working at that stage. So unless there is some early input from the CLG, it could be possible that perfectly reasonable alternative suggestions, that would improve matters are sort of left off the table because the council doesn't really have the power to to refuse because something slightly better is proposed.

00:41:55:17 - 00:42:01:21

So turning back to the applicant, does that help clarify what is being asked for?

00:42:02:20 - 00:42:40:07

Claribologic applicant, yes, think it's clarified that what is being sought is consultation on the draft plans before they get submitted, and so it comes back to the applicant's sort of concerns around timing because obviously he would be having the practical reality is, obviously, we would be having those initial discussions. We would be having discussions with the council. We'd be having discussions with, say, the environment agency, Natural England, etcetera, that you would you would generally ask the community for

00:42:41:28 - 00:43:14:24

so whether we would be sending a version that hadn't been agreed to by the stakeholders for the community to input into or whether you would typically, you'd wait to get your feedback from the statutory bodies on a particular point to make sure they were comfortable with it, then it elongates the

whole process here. And when, you know, every time you add on couple another of weeks, we're now starting to talk several months lead in time for everything. So those are the concerns.

00:43:14:26 - 00:43:42:22

Mean, I'm not aware we can go and have a check, but I on the on on the other solar projects, I'm not aware of those draft documents being available for comment before they are then submitted for approval, but we can do a check and see whether any other NSIP scale projects have agreed to that. They do typically, whether it's community liaison groups, are both the provision of information and then the feedback on specific

00:43:44:12 - 00:44:02:11

items and specific topics where feedback is sought. It's not a they don't become a consultee, as it were, on the draft documents. We will take that point we can take that point away and see if we can find any examples, but I'm just not aware of it working in that manner for projects of this scale.

00:44:02:13 - 00:44:35:03

Yeah, that would be interesting to see. I wonder if also another way of approaching this is if it was a more informal consultation, would stop lying down and the council be able to define the matters for each of the management plans that they would like to see the informal consultation done so that there is so the level of what is being brought to the community liaison group is defined. It's not that kind of vague informal consultation.

00:44:42:07 - 00:44:44:17

Thank you, sir, Dani, because I've stopped lying down.

00:44:46:09 - 00:45:34:01

I and first of all, I'm I in a sense, I'm sort of keen to get to the bottom of this point because, I mean, this this has been discussed previously and then being put off by the applicant in its response. We've come back around to it again. But if this happens again at deadline seven, we're going to get to a point where you as an examining authority make any recommendations for secretary of state on this point realistically with a wording. And so I I I do think this point is pressing if it's going to be pursued, and it has been raised from the start. On what should be consulted upon, it's difficult for people on this side to know what I said on this side because both for a consultee group like SLD, if you use as a as an example of a group or indeed council to know what discharge ultimately will be sought upon.

00:45:35:05 - 00:46:06:09

What I would say is we we're not suggesting that you need to provide the same plan that goes to, the statutory statutory consultees. We're not saying that it needs to be something that can't be caveated or, you know, it doesn't have every single piece of information that's going to be put to the council for discharge. What we're suggesting is that something substantially or significantly like might be taken forward would be would be given to the group even if it's just full of gaps so the group can give its thoughts.

00:46:06:11 - 00:46:37:22

I mean, I this all seems matters of practicality, but should be deal should be possible to deal with now given it seems like the principle is accepted in some form. I appreciate the point, sir, about how vague

this might be in the text of what you recommend to the secretary of state. On the other hand, the council will have, I think, the power to ultimately determine the detail of what this group is going to do with the applicant.

00:46:37:24 - 00:47:13:22

And so that might give you some comfort that the council can have involvement about what it thinks this group should be, talking about. And so that may be another way of managing it, but I'm I'm sort of reluctant for it to be swept, away very quickly. I should also say, sir, just on that point, obviously, this is in the DCO as well, and there's a DCO hearing next Wednesday. And I there's think wording corrections that need to be made to requirement four as well. So it may be that the applicant could go and look at this before the hearing next Wednesday on the DCO and see if there are any other examples, and we explore the point further then.

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I I I mean, it it just feels one of those things that is going to get lost in the weeds if it's not bottomed out at an ISH.

00:47:32:14 - 00:48:01:04

Okay. Yeah. Yes. Understood. And, yes, we will be picking it up again in that DCO hearing. But so taking your point on the council's input on the the terms of reference for the community liaison group. The applicant mentioned they'd shared the heads of terms with the council. Is there any comment that council can provide now?

00:48:01:21 - 00:48:32:28

Clever, just to be clear, we provided an example of some heads of terms Right. Used on another project, DCO project. I believe it was Longfield, Solar DCO, as an example of some heads of terms that have been put together to see to see what kind of what the council would like for this particular project. So we're just awaiting some feedback. And I think the intention is to try and get some outline terms reference if we of can agreed by the end of the examination.

00:48:33:00 - 00:48:42:01

But and and I think there may well be a further specific discussion to take place with the council just in terms of the the drafting of those. I think it also is

00:48:44:05 - 00:49:16:25

may also, in terms of giving a bit more specificity, it may well be that there are some specific elements of the project that perhaps the community liaison group are particularly interested in, whereas some of the other documents are highly technical, for example. And mister Kiselka mentioned about the, you know, the written schemes of investigation, for example, are a high a technical document about particular archaeological mitigations that are gonna be put in place, correct the consultees, and that might not be something that they want to necessarily see or have any input into.

00:49:16:27 - 00:49:58:29

Similarly, with something like the battery safety management plan, it's a highly technical document, and whilst obviously the community are very concerned about the con the concept of battery safety in

terms of meaningful comments on the the technical detail of that plan, which will need to be agreed with the, fire service. Again, it's some so it would be useful to know, I suppose, when we're trying to, give a bit more specificity to the types of topics that would be discussed at the community liaison group, and it's perfectly possible for the community liaison group to ensure that at every meeting there is, for example, an update given on where we are in terms of the discharge of the requirements.

00:49:59:01 - 00:50:34:19

So the applicant's happy to provide information in terms of timing, sort of what work is going on at that particular time, where it's got to in terms of the production of documents, that sort of thing. So, again, community liaison group are not kept in the dark about what's happening. There is that transparency in terms of we're currently, I don't know, on construction traffic management, for example, you know, we're in the process of finalizing the final construction figures, and the transport figures, that work's still ongoing. As soon as we've done that, we'll be giving that initial information, to the local authority.

00:50:34:21 - 00:50:57:19

You know? There may well be things that they would particular topics that they would like to be kept up to date on where we're where we're getting with things, and those and and a discussion could take place about the options that are being considered at that point in time. So we can definitely add some more specificity to what the group discusses, what information the applicant needs to come to that group with,

00:50:59:24 - 00:51:29:27

know, the ability for ability the group to have time to consider that information and come back at the next meeting with questions or feedback, etcetera. So that sort of mechanics we can definitely discuss, but at the moment, the applicant's position is treating the community liaison group as effectively a separate consultee on draft management plans before they're submitted for approval. It is not something that the applicant can commit to, the reason Okay, I

00:51:30:14 - 00:52:03:22

so I will come to you, mister Kasari. But what what I would like for deadline seven is for the applicant and Stockholm Down and the applicant and Welch Council to discuss and agree this that specificity of what what is technical detail that doesn't need to be brought to the community liaison group and what what is what would be helpful have to community liaison group input in before it comes to the council for discharge of requirements.

00:52:06:02 - 00:52:09:22

So if if that could be taken away as an action point

00:52:10:16 - 00:52:12:21

We can definitely agree to discuss it. I I

00:52:12:23 - 00:52:13:08

don't think

00:52:13:16 - 00:52:36:08

I don't think the council or stop lying down will commit to necessarily agreeing it. But So We can definitely discuss it, and it may be that deadline seven, in the event that we can't reach agreement, then you get might our preferred drafting and then some input from, the other groups on on on their preferred drafting. But, ultimately, it's it will be for the council to approve in terms of reference.

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Yes. But point taken. But if it's set out clearly from each party's view what the final position is and what can be agreed

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because hopefully, things some can can be agreed to to be to go into that.

00:53:03:02 - 00:53:15:15

Sorry. I had started asking the council for comments on the the example terms of reference, and if there was anything they would like to say in this hearing that could move the matters along.

00:53:15:27 - 00:53:21:03

Odette Shadowy Welch Council, we're still reviewing it. We've only just been sent it, so we don't have comments at the moment.

00:53:21:15 - 00:53:24:11

Okay. Sorry. Mister Kozalka. Thank you, sir. Don't

00:53:24:13 - 00:53:38:05

Don't think so. Stop lying down. Just on that point, I I know we've discussed it behind behind, behind the scenes. So if we can be sent back to look at as well, we'll we'll have a look at and crack on with it. I know the applicant is doing that, so that that's very helpful.

00:53:40:12 - 00:54:12:12

Just on my point about what we're discussing in terms of reference, the outline of what this group might do, ultimately, we have a council to set that in the future. In a sense, that actually concerns me less than securing in these documents the requirements for the app what the applicant must do in respect of the group. Because what what the contents of the pot is is something that the council is likely to want to, you know, think about and possibly come to locals as well, but that that has more time. My concern is sorry.

00:54:12:14 - 00:54:43:12

There could be more time in which that could be done, and the council can set that ultimately because they have discharging a authority. My actual primary concern is securing something in these documents that mean that the applicant does have to engage, and that's why I've raised it now without necessarily saying what precisely the the contents of the engagement needs to be. What these outline plans, it seems to me, need to secure is the mechanisms by which it is achieved, and that's the thing that I'm sort of keen not to be put off and put off and put off.

00:54:44:20 - 00:55:16:12

And so, for example because I I know it's because of the timelines, etcetera. Putting in those plans, the council shall shall consult the CLG realistically isn't gonna work because we've got ten weeks. Putting the words the the the applicant applicant shall shall consult consult the the CLG in line with the terms of reference and provide the results of that consultation to the council as part of discharge is a wording, not in those exact words, basically in those words that could be put in every single management plan now, for example.

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And that is the thing that really I want to achieve plus modifications to the timings and the DCO, but we can discuss that next week if you want to.

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I'll come to the applicant on

00:55:34:27 - 00:56:11:10

Claire Burch of the applicant. So, obviously, we're not discussing necessarily the drafting, but the requirement for makes it clear that the group must be administered by the undertaker and operated in accordance with the approved terms of reference. If the terms of reference require the applicant to engage and do certain things, then already that's secured by how the community liaison group functions. There is just not it's not necessary to add to each of the management plans a requirement to consult consult with the community liaison group, because also the

00:56:14:14 - 00:56:47:01

final plan will what we're trying to achieve here is input into what's going to the final management plan, as has just been discussed, and our view is it's the terms of reference for how the community liaison group will operate will include any obligations on the applicant to participate in accordance with those terms of reference. So we don't think it's necessary for a formal requirement to consult on every management plan for the reasons I've just said, and that the appropriate mechanism is requirement for.

00:56:49:03 - 00:56:50:12

Mr Kassad? Thank you, sir.

00:56:50:14 - 00:57:24:19

Daniel Kassad. I mean, in a sense, that's welcome. So I think what we have agreement there is that the outline terms of reference for this group can require the applicant to consult in line with the with the detailed terms of reference and present that to the council when it discharges. I mean, I I don't care how it's recorded in the DCO document, if it's in the DCO itself or in the outline plans or in the terms of reference. That the point that was being made there is the one that I want to make sure is recorded and recommended to the secretary of state, which is in somewhere in these documents, that is what the applicant needs to do.

00:57:24:23 - 00:58:03:15

The council can set in detailed consultation the terms about of reference later what might precisely be that, and that can be done possibly with this outlined terms of reference, which we will all discuss. But that is the mechanism that I think the applicant is accepting can go in that outlined terms. Just on

the DCO drafting, I'll just flag it for now. Our view is four one is services requirement for, little one is too late. So we would say that the group needs to be established probably prior to or at the same as time any preliminary permitted preliminary works because of the timing here currently could be after discharge of every single plan.

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But we can discuss that with DCO. But I just wanted to basically say we welcome that point from the applicant. I think that's what's been accepted, which is they accept the principle.

00:58:12:26 - 00:58:17:24

And and and that being set out in the outline terms, is that that acceptable to

00:58:18:23 - 00:58:27:04

Danny, because I could stop lying down. Yeah. It it will be requirement of the DCO. It'll be secured some as long as it's secured in law, we don't particularly mind how.

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And is that that's acceptable to the applicant?

00:58:32:19 - 00:58:42:16

Cleopatra for the applicant. In terms of the requirement for the applicant to engage with community liaison group, I agree that's what we've said will be in the terms of reference, so that will be secured.

00:58:44:06 - 00:58:49:01

What we're talking about is what that form of engagement looks like, which is what we're gonna hopefully

00:58:52:04 - 00:59:34:29

have that discussion on between now and deadline seven. In terms of timing, we will have a think about it. Obviously, permitted preliminary works could include a very minor survey, so I don't I necessarily think the full community liaison group being established at the timing that the first, you know, walk over survey or survey might need to be done is necessarily correct. We do have some wording in the that's not a good start, is it? PPW plan, that, requires the, community liaison officer to be in place from any permitted preliminary works.

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But in terms of the fully community liaison group being up and running prior to anybody doing a very minor survey. I'm not necessarily sure that's the correct trigger, but we will definitely have take some further consideration and note that that's going to come up next week in terms I of think the concern being raised here is that we could have discharged every single other requirement, and then the very last requirement we do is the community liaison group, by which point, and then talking in the extremes, in theory, we could discharge absolutely every other pre commencement requirement, and the very last one we do is the establishment of the community liaison group, by which time it's too late for the community liaison group to have any input in their requirements.

01:00:20:23 - 01:00:39:23

We definitely take on board that particular point, but I'm not sure prior to any permitted preliminary work is the appropriate trigger, but we will give some give some thought to some thought to that. And there's also various other to references community liaison in some of the other management plans as well.

01:00:41:15 - 01:00:50:22

Okay. Thank you. Can I check if there's any other comments that anyone wants to make on design principles and parameters? Yes, mister Singh.

01:00:54:24 - 01:01:35:21

Yeah. I would I think design principles and parameters are very important for the project to be established earlier on, and the LLFA's remaining focus is on ensuring that the assumptions relied upon within risk the assessment drainage strategy and associated management plans are appropriately implemented, monitored, reviewed and managed through the detailed plans secured by the draft DCO, including construction, environmental management plan, soil resources management plan, landscape and ecological management plan, operational and environmental management plan.

01:01:35:23 - 01:01:53:08

So although the applicant have provided these, it needs to be integrated in nature so that the impact, you know, is impact on the site is managed in a more holistic way in a more synchronized way. And the council consider

01:01:53:10 - 01:02:24:24

Mr Singh, I'm sorry to cut cut you off. I think what you're getting at there is a hydrological verification framework. I'm going to come on to I do recognize and the AXA recognizes that the LLFA has a number of interests across a number of management plans. So I am to going pull that together and that's going to be a discussion later in the agenda. So we do recognize the importance of that. And like I say, it's on the agenda for later on. The applicant's obviously aware of it.

01:02:24:26 - 01:03:01:07

DXA has read the the submissions, where this has been raised. So let's we we do like I say, we do recognize that what you're saying, and we are going to come on to that. Although I do appreciate you are in response to a question from my colleague, but the points you're raising, we are going to come on to later on. So if you don't mind, I do want to park the bus on that, but I do want to revisit it in detail. So please stay the course. I know it's possibly going be a long day, but when we get down to item eleven, I think it is, then we will discuss that in detail.

01:03:01:09 - 01:03:18:09

So if you don't mind, if anyone else has anything they want discuss to under item two, we'll move on from mister Singh's comment. But miss mister miss miss Salvi, we will come back to that. Promise. Yes. Thank you. Does anyone else have anything they want to raise under item two design principles?

01:03:18:11 - 01:03:18:26

Yes. Yes.

01:03:18:28 - 01:03:19:13

I do.

01:03:19:15 - 01:03:20:00

Please.

01:03:21:18 - 01:03:48:13

K. It's just a flag from our hearing yesterday to the applicant, where there was an action for the, design principles parameters and to obviously be revisited in light of the solar planting area. And they're three hundred and eighty five point three hectares or something along those lines to be included as the maximum parameters in that plan. So it's just a cross over from yesterday. I'm just planting the marker again.

01:03:49:09 - 01:04:04:09

Klebucher Capcom, yes, have a note on my version of it, so we will incorporate that next time. We also have the note from the previous, ones just in relation to, referencing cross in relation to blood zones, which was on the Tuesday.

01:04:06:07 - 01:04:06:22

Yes.

01:04:10:00 - 01:04:21:29

Okay. Thank you. And in that case, we'll move on to agenda item three, Permitted Preliminary Works Environmental Management Plan, PPW Plan.

01:04:23:17 - 01:04:26:29

So that's Rep five-one hundred and six.

01:04:29:04 - 01:05:07:08

So the PPW plan is not an outlined plan, so it wouldn't be subject to an approval process. I do have a number of questions on the detail of this management plan, before I then invite comments. So firstly, in relation to consents, the plan states at paragraph 2.1.6 that the contractor is responsible for identifying and securing all relevant and necessary consents for the PPW prior to to the work's beginning.

01:05:07:24 - 01:05:22:17

So my question is, are these anticipated consents, those already included in the Consents and Agreements position statement? Or is this paragraph referring to as yet unidentified consents for PDPW?

01:05:36:01 - 01:06:07:19

Tabajo of the applicant. So at the moment the only one that we're aware of that could potentially be required is a protected species license. We don't envisage it being needed but obviously circumstances could change between now and when any PPW works are carried out. So it was just really to clarify that it doesn't remove the fact that the plan has been approved and works are taking place in accordance with the plan doesn't remove the need get to any other consents should they be required for those particular works.

01:06:08:06 - 01:06:25:14

Okay, understood. Thank you. So in relation to site clearance, Table two-one states that the site clearance will be limited to the areas reasonably required for the relevant activity.

01:06:27:02 - 01:06:49:22

So my question whether it is would be appropriate to include defined parameters and offsets, for example, no greater than x meters from proposed compound area or working area. Because I guess my concern is, otherwise, how is it for someone to challenge whether the site clearance that has taken place is reasonable?

01:07:20:05 - 01:07:34:03

Claire, project for the applicant. So obviously, think what we were trying to say is that any site clearance would be whatever is relevant for particular that activity. If there's a particular intrusive survey going on, we would only remove the

01:07:36:20 - 01:08:00:16

any vegetation that was required in order to carry out that survey. Obviously, surveys are different, and so a different type of survey might require a larger area than another type of survey. So, don't have the specific areas necessarily for each of the surveys that could be included at this point in time, if that's what you're looking for in terms of

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

the area for surveys. I wonder about compound areas, for example, where that's a more kind of defined, understood area.

01:08:13:11 - 01:08:47:13

No project, for the applicant, so the reference to the compounds is generally relation to the works that are being done. So you if you were doing certain number of intrusive surveys, you might establish a small compound in order to store your equipment and things like that whilst you were doing those series of surveys. So it would be the the size of the compound would be proportionate to the works that were actually being carried out at that point in time, and could be relatively small or if there's larger surveys going on, then there could be a larger one.

01:08:47:15 - 01:08:50:21

So I think we were the view was there that wasn't

01:08:52:19 - 01:09:03:08

it wouldn't be and obviously these these works can generally take place anyway in terms of surveys, but it was just to try and give some

01:09:06:02 - 01:09:14:29

parameters, I suppose, but we couldn't list everything that needed to be done at this stage and the relevant compound size that would be required for that particular activity. It's not information that we have.

01:09:15:01 - 01:09:53:15

Yeah, so it's a principle principle of minimizing site clearance rather than a parameter that controls the amount of site clearance that can connect Okay. That's it. So coming on to artificial light and core working hours. So paragraph two point three point three states that a period of up to one hour before and after core working hours may be used for mobilization and close down of activities, which do not do not involve materially noise inducing operations. And my question is whether a similar limitation that whether there should be a similar limitation on activities involving significant artificial lighting.

01:10:07:23 - 01:10:11:12

William Barrett for the applicant. Yes. We can do that for lighting. That's not a problem.

01:10:11:14 - 01:10:12:03

Thank you.

01:10:14:03 - 01:10:25:00

Moving on, Table three-six in relation to heritage assets states that where the PPW will be undertaken in the relative proximity of designated

01:10:27:26 - 01:10:48:27

works, including the storage of materials, will be undertaken as far away from the assets as reasonably practicable. I'm wondering it's if possible at this stage to identify where it's anticipated there would be PPW in the proximity of heritage assets.

01:11:11:14 - 01:11:25:29

So I guess whether it's a general principle keeping about away from heritage assets or if you're aware that there will need to be permitted preliminary works close to a heritage asset. And if so, I'd like to

01:11:27:14 - 01:11:29:05

know which assets.

01:11:30:25 - 01:11:54:01

Claire, I'm actually getting the point. We're just trying to liaise with Sure. Heritage aspect. Obviously, in terms of so, obviously, the the the the differential between works related to heritage assets, so things that might be done as part of the written scheme of investigations and those sorts of things. But I think what you're talking about is nonheritage related PPWs being undertaken.

01:11:54:17 - 01:11:57:02

So whether there's whether there's site clearance,

01:11:58:25 - 01:12:09:12

noise, artificial light inducing works, that would affect a heritage asset and its setting but aren't to do with that heritage asset. Asset?

01:12:11:02 - 01:12:18:01

William Barrett, for the applicant. Yes, that's right. Because in the table that describes the preliminary works, a number of them are site wide.

01:12:19:24 - 01:13:04:17

I guess what I would point to is the, appointment of an archaeological interface with, Wiltshire Council. That's one of the mechanisms that was discussed in drafting this plan, in that where some of the preliminary works, such as clearance, for example, or setting up a temporary compound for the preliminary works takes place. Once and we don't know those exact locations. So once those locations are identified the by contractor, there would be discussion with, the archaeological technical officer at Wiltshire, and that takes us into the work, with the outlined archaeological mitigation strategy. Strategy.

01:13:04:19 - 01:13:06:24

Strategy. So it's kind of interrelated with that interface.

01:13:06:26 - 01:13:14:24

Understood in relation to archaeology, but I'm I'm also asking about the setting of built heritage assets as well.

01:13:20:14 - 01:13:38:18

Klebodzik, the applicant. I think the my understanding is that we can add in something in terms of a general principle, but for the reasons Mr. Sprout said we don't have we weren't necessarily gonna propose a specific list list of where a particular reason. Because, obviously,

01:13:38:20 - 01:13:39:05

we're just

01:13:39:07 - 01:13:56:13

trying to, I don't know, do some sort of ground in you know, in a a survey that's particular a ecological survey, for example, that might need to take place in an area, but that that that survey in of itself isn't a problem for the archaeological, aspect. So I think the principle that

01:13:56:23 - 01:13:57:08

trying to

01:13:57:10 - 01:14:18:18

do is great. Miss James is available virtually if you if you wanted to have a bit more of a discussion, but I think the, the principle is established. But in terms of a a prohibition, it would obviously it would depend on what permitted the preliminary work was as to whether it would obviously have an impact on the asset or not.

01:14:18:20 - 01:14:25:00

Sure. So I guess what I'm looking for is a controlling principle that

01:14:26:25 - 01:14:33:24

will prevent works that would impact the setting of built heritage

01:14:36:25 - 01:14:41:21

and for that to be clearly stated in this plan.

01:14:44:26 - 01:14:54:26

I'll let, miss James come in. I think what we're just trying to make sure is that we can do the surveys we need to do. So it may well be that a survey has to be undertaken in the setting

01:14:56:29 - 01:15:16:18

a heritage asset. Right. But we need to do the survey to work out the ground conditions for the drainage, for example. So a complete prohibition, I think, obviously, we couldn't necessarily agree to, but I think in terms of having a principle that they wouldn't do anything on that's not necessary. Yeah. Definitely. Yeah. But I'll let miss James come in just in case she's got anything further to add.

01:15:16:28 - 01:15:25:17

Well, before miss James comes in, the the relative part of the PPW, which mister Northover was referring to, is the first

01:15:27:18 - 01:15:50:22

row of table three point six, which was to do with, obviously, undertaking works, obviously, in accordance with, in proximity to designated assets, but says it including the storage of materials. And I don't think that really is an issue for surveys so much. Storage of materials, yes, you will have some materials, but I think it's more

01:15:52:17 - 01:16:01:01

the storage of big materials, could be there for quite some time. I think possibly that's the bigger issue than things like surveys.

01:16:04:12 - 01:16:39:10

Alice Jameson, behalf of the applicant. I think is this intended to be a general principle. Ultimately, we don't want to be too prescriptive, especially regarding designated assets, mostly because if we give a list, no doubt, we we wouldn't want to be in a situation where, however, we end up listing everything or we we don't list something that that should have been listed. So this is very much meant to be a general principle. I think in terms of the the reference to storage of materials, I mean, we we can play with the wording if if that's giving the wrong,

01:16:40:26 - 01:16:57:02

implication, but, essentially, that could relate to anything that would happen during permitted preliminary work. So for example, if, for example, you needed a site cabin or something like that, just considering the location so that we're not kind of placing site within the setting of,

01:16:57:04 - 01:16:57:19

let's

01:16:57:21 - 01:17:19:04

say, a designated asset. So it's it's it is very much meant to be a a principle and maybe a bit of a capsule just to ensure consideration has been given to the the the activity and then any storage of

anything associated with the activity within, let's say, the setting or, you know, adjacent to any designated assets.

01:17:23:21 - 01:17:26:13

Okay. So potentially

01:17:30:27 - 01:17:36:21

so potentially a principal setting out what would be done to minimize

01:17:39:07 - 01:17:44:23

impacts on the setting of heritage assets in here would Yes.

01:17:45:00 - 01:18:14:06

I think we can add to that wording and make it clear that if it in the circumstances where it is necessary, those things would be, kept there for the minimum amount of time necessary so that you anything that was placed there was only for the duration of the specific activity that needed to take place there. And as Labour was saying, it's we're not choosing that as a location just for storage of materials for the duration of of works unnecessarily, so we can definitely bolster, that wording.

01:18:14:26 - 01:18:23:19

Yeah. That that would be that would be helpful. Thank you. Okay. Let's move on to, say, table three seven,

01:18:25:24 - 01:18:42:15

in relation to vehicle tracks and public right of way. So Table three point seven sets out the measures that would be implemented where a vehicle track crosses a public right of way. Does this also apply where a vehicle track is shared with a public right of way.

01:18:46:01 - 01:18:47:23

Possibilities are,

01:18:49:26 - 01:18:59:26

for example, between the A four twenty nine and field E one, or field E twelve and the track between Harefields Farm and Broadsbourn.

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Now, the answer may be that those are vehicle access routes for the main construction and operation, so it's not an issue. But I I

01:19:19:08 - 01:19:31:07

just wanna check whether additional measures need to be put in for place the instance where a vehicle track is is being is shared with a public right of way rather than simply crossing it.

01:19:46:28 - 01:20:00:03

Claire Borje of the applicant. Yes, I think we can make that clear that it would apply in the event that we were traveling along a public right of way that's not already a form of track,

01:20:00:05 - 01:20:00:20

for example.

01:20:00:22 - 01:20:05:16

But you don't envisage that there would be need to be further measures applied in that instance?

01:20:05:28 - 01:20:29:29

No. I don't believe so. But we will take the point. We don't have our public rights of way management plan with us today, but we will double check that there's nothing extra that needs to go in. I don't believe there is, but we will make it clear that it's not just if it's a crossing. It would also be if it was the usage of buy vehicles of it.

01:20:30:01 - 01:20:31:27

Thank you. Thank you. Miss Sharley?

01:20:31:29 - 01:20:39:22

Adesh Adeby, military council. The council's highways team has some specific comments about table three seven. Should should I raise that now or wait until you

01:20:39:24 - 01:20:41:00

come first? Yes.

01:20:41:02 - 01:21:18:06

Okay. So, I think the the concern about table three seven is that it essentially states that, existing access will be used and the off-site also, the off-site highway improvement areas won't be implemented as part of the PPW. So the inference is that all the existing Fieldgate accesses to be used for PPW are wholly suitable for accommodating HGB trafficking without any improvements. But at the same time, this PPW doesn't specify which existing accesses will be used, and so it could be any of them.

01:21:18:08 - 01:21:51:22

And the the highways team is concerned that there could be, for example, buried services under these existing field access gates, underlying piped culverts. And so it it might be the case that these accesses are used by occasional agricultural vehicles, but the intensified HGV use might require the depth of those services to be reviewed or culverts to be strengthened strengthened, at PPW stage. And it's also noted that the as as I said, the PPW HGV trafficking will proceed any highway improvement work.

01:21:51:24 - 01:22:25:05

So passing bay mitigation deemed necessary to accommodate two way HGVs won't be in place at this time. And it's not sort of stipulated anywhere what level of HGV trafficking linked to PPW is forecast and for how long. And some of the operations falling under PPW could result in HGV movements of significance. Some of these are listed in paragraph two point one point two. So above ground site preparation for temporary facilities, remedial respect work of contamination and ground conditions, and site clearance.

01:22:25:15 - 01:22:50:17

So essentially, the council wants a bit more reassurance about the level of h g b HGV traffic anticipated, which accesses are proposed to be used, and confirmation there that isn't a need to improve those accesses and confirmation that any of the highway improvement works are not going to be required before PPW. It just doesn't have confidence at the moment that those are, that information is there.

01:22:52:29 - 01:22:56:12

Is that information that the applicant can provide?

01:22:57:23 - 01:22:58:08

Yeah.

01:23:00:22 - 01:23:08:18

Yeah. Would echo Ms. Shalaby's comments about the sort of lack of information on HTV traffic for PPW.

01:23:13:00 - 01:23:59:02

Klaboj for the applicant. Yes, miss Shalaby is right that the current drafting doesn't provide that level of information, but we will definitely take that away and see if we can add some further information. We're envisaging the works to minor. This is what this is intended to cover, but we can provide details on we provide some further details on numbers of movements that are anticipated to be associated with these works, and we can also provide more detail in terms of the particular accesses that would require an HGV to go through it as opposed to a much smaller vehicle which is suitable for obviously at the moment.

01:23:59:04 - 01:24:02:02

I think the point other that was mentioned was in terms of

01:24:03:22 - 01:24:14:04

making sure that access was suitable for if an access was going to be used by an HCV, that the applicant had checked that there weren't any

01:24:16:09 - 01:24:43:27

services that would have required protection before utilising that access. So I think that's again something that we can add in to do. Obviously, the preliminary works do include the ability to protect utilities and because that is considered to be an activity that might need to be done in advance of construction, protection of existing utilities drains and those sorts of things. We can

01:24:45:27 - 01:24:52:21

add in a measure that makes it clear that we will have checked the suitability access of from that perspective as well.

01:24:53:25 - 01:25:02:21

Ms Projekt, can I just ask when you think you when you anticipate being able to provide those HCV numbers? I appreciate Mr Darrell isn't here,

01:25:04:21 - 01:25:40:19

but in light of yesterday, of some the information that's that's coming this way, it might be helpful to provide that information to stop lying down as well in advance of deadline seven so that well, I appreciate that you will look at bolstering three up table three dash seven, which is excellent. But it is something which I said I echoed of miss Shalaby's comments about the fact there isn't information in the documentation about HGV movements, for the PPW, and I just think it would be helpful if mister Bamba for stop lying down was also had sight of that before deadline seven so that we can get closed positions.

01:25:42:07 - 01:25:55:22

You know, we don't want to be receiving rebuttals at deadline eight because our timetable specifically says that a is deadline which is reserved for the XAs for the XA only. So we really want to get as much within the next couple of weeks bottomed out.

01:25:56:16 - 01:26:12:19

Global City applicant. Yes. Mister Darryl has confirmed. So we'll we'll submit obviously, the updated version for deadline seven, but he is able to provide information on the numbers in advance to both, Wiltshire Council and mister Bamba. So there can be a discussion on on that, in advance of deadline seven.

01:26:12:21 - 01:26:20:25

Thank you. Hopefully, it won't be a, you know, a discussion which derails, you know, this process, but, I just think it would be good just to close it out.

01:26:22:13 - 01:27:01:14

Death Oh, Death Shallby, Wilshire Council. Just two other very minor comments about table three seven. So the first is that at paragraph two point eight point one of this plan, there's a reference to table seven. The council has assumed that should read table three seven and is a reference there because there isn't a table seven. But just to check that, I think I'm seeing nods, so that that's good. And then the other sort of very minor point is that, I understand that the referencing in table three point seven to the preconditioned highway survey extent is outdated, because it's not consistent with that set out in the outline latest construction traffic management plan.

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So the council would want that to be updated and amended to be in line with the latest OCTMP if possible.

01:27:11:19 - 01:27:14:00

I think I saw a nod to that.

01:27:14:15 - 01:27:18:00

William, that's the applicant. Yes, that's correct. And the updates will be made.

01:27:20:00 - 01:27:48:17

Thank you. I will move on to Table three eleven, soil management. So this table states that soil management method statements will be produced by the contractor. Could you just clarify, are these what's done with these method statements? Are they just held internally by the contractor or provided to the council for any form of approval?

01:27:52:22 - 01:27:58:03

Claire Project, applicant, the they're not provided for approval. The the purpose of this is that the

01:27:59:19 - 01:28:42:04

the the this plan secures everything that's required. My understanding is is that the the statement will be prepared so that then the relevant contractor undertaking the works is then complying with that method statement. So it will depend on the nature of the activity that's being undertaken. But for any given PPW work, there would be an appropriate method statement and that that would need to be followed by whoever was carrying out. So, obviously, the person who's prepared the method statement will be would have input from their soils expert, and then the contractor would need to make sure the the people on the ground carrying out those works complied with that method statement.

01:28:42:23 - 01:28:49:15

Okay. Thank you. I will move on again to table three twelve,

01:28:52:23 - 01:29:15:19

which states that a community liaison manager will be appointed to whom any comments, concerns or complaints about the development can be raised. Can you explain what happens to comments, concerns or complaints? Is there a procedure that will need to be followed and that can be evidenced to ensure that complaints are responded to rather than just received by the contractor?

01:29:25:23 - 01:29:38:24

Claire project for the applicant. Yes, we can add to that wording just to in in line with what's in the outline Kemp in terms of what's then done with a a complaint should one be received so we can add some more,

01:29:40:29 - 01:29:45:28

similar wording to what's in the outline Kemp in terms of, what's been done with that Okay.

01:29:46:00 - 01:29:51:24

Information. Yes. It would essentially be same the procedure that's that's followed for the main construction work? Yes.

01:30:08:10 - 01:30:30:15

Okay. So moving on to more general comments. At deadline five, the council stated that the PPW plan should be submitted to the local authority for approval prior to work's commencing with a requirement in the DCO to secure this, which

01:30:32:25 - 01:30:50:22

was highlighted again in its response at deadline six. So could can the council briefly set its out main concerns on the PPW and why it's seeking a requirement for to be able to approve the PPW?

01:30:51:02 - 01:31:20:07

Odette Shanaby, Wiltshire Council. I'll I'll try start. And if either miss Fisher or mister Singh want to come in, on their issues because they're two good examples, that would be, fine if they've got other other points to add. So I think the point is that, essentially, there may be more information. We might be much further along the line by the time we get to this stage, such that the PPW, which is pretty high level at the moment,

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will need to be effectively updated. So

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example, in terms of ecology, the

01:31:33:13 - 01:32:13:02

PPW says that pre commencement ecological surveys will be undertaken in accordance with the outline method statements. So it cross refers to other outline plans and then those are going to be submitted and detailed in future. So that doesn't quite work. And then another sort of issue with ecology is that the PPW is going to entail works, and this is what I said about sort of further we'll have further information at that stage, which could necessitate surveys, which haven't been undertaken to date to inform the DCO application.

01:32:13:05 - 01:32:52:28

And as you discussed earlier in relation to, two point, I think 2.1.6, that could even require licenses. It could include surveys of trees with potential to support roosting bats, that are proposed for removal and modification during the PPW. And that's not been supported by any surveys to date. So the council's view is that a detailed version, including sort of full details of the ecological surveys plan to facilitate the PPW, including where the survey will be undertaken denoting trees subject to survey and so on really needs to be submitted and approved.

01:32:53:13 - 01:33:25:03

And I think sort of similar comments arise in terms of flood risk. So, you know, the monitoring locations, the trigger levels, the management responses, that's going to evolve as preliminary investigation surveys and the detailed design progresses. So again, the flood authorities pretty concerned that a final detailed document should be approved prior to to implementation in that regard. I don't know if either miss Fisher or mister Singh want to add to that.

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If not, then Yeah.

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I'd like to add. I think it's very important that ecology is considered along with flood risk because that's what actually happens in practice.

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Established vegetation

01:33:47:25 - 01:34:28:11

works in harmony with flood management. So there's a need to have that kind of a coordinated approach so that the detailed LEMP should be integrated with the Kemper SRMP and OMP and water management plan to a support coordinated approach to monitoring risk management and adaptive intervention where vegetation condition, soil condition and land management practices have the potential to adversely affect runoff performance, infiltration capacity, water cost function, and wider hydrological resilience.

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And there's a handout from Ms. Fisher online as well.

01:34:38:10 - 01:34:52:14

Emma Fisher, for Watch Council. Yeah, Ms. Shelby has covered all the key points, but I just thought if it's helpful for me to add just a little bit more, sort of in terms of the examples that she's set out.

01:34:54:12 - 01:35:31:16

Obviously, Ms. Shalabee has mentioned an example of the types of surveys that might need to be done prior to the PPW commencing, which haven't yet been undertaken, and I think, you know, the point there that I was sort of wanting just to put to you is that some of those services, obviously because they haven't been undertaken to date, and obviously had been sort of postponed pending detailed design, and you know, just to be undertaken as and where necessary.

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We haven't of course had the opportunity yet to comment

01:35:38:07 - 01:36:00:13

on any resultant avoidance or mitigation measures that then might be necessitated. So I think that's sort of again the point that it would be helpful if this could also be requested as a detailed version in answer to the examining authority's question at the start of this item,

01:36:02:11 - 01:36:21:07

so that there is a suitable opportunity for us to comment on any proposed mitigation and compensation measures that might be required the back of off any of those surveys, and so that we have that opportunity to do that before works take place and before those measures are actually implemented.

01:36:23:03 - 01:36:53:14

And obviously the other management plans such as the EPMS, as Michelle Abbey has mentioned, sets out method statements which are cross referenced in this document. So it just seems sensible and consistent for this document to likewise come in as a detailed version, so that we can ensure that we are satisfied with the measures therein, and any measures that are required off the back of surveys.

01:36:54:06 - 01:37:17:26

And also the methods of the surveys that are due to be undertaken. With regards to sort of, bats in trees, for example, I know that there has been ground level tree assessments of trees in the solar PV sites, but there obviously hasn't been that level of survey or any subsequent further surveys that might be needed if tree removal or modification works are going to form part of the PPW,

01:37:19:12 - 01:37:34:20

that haven't yet been undertaken. So, you know, if that goes ahead without us having seen the methods for that, where that work is going to take place, we won't have had any opportunity to actually comment on that element of the scheme.

01:37:36:13 - 01:37:37:07

Thank you.

01:37:45:02 - 01:37:46:28

Thank you.

01:37:48:20 - 01:38:02:10

So just to clarify, do you consider that it wouldn't be possible to just include further detail within the PPW plan at this stage

01:38:05:04 - 01:38:16:10

because of the issue of the surveys not being done. So it's not something that could be resolved by just adding further measures into the PPW. Is that correct?

01:38:22:06 - 01:38:26:23

Emma Fisher, for the council. Apologies, I'm assuming that was directed at me.

01:38:30:03 - 01:38:41:25

I think that is correct. I think it would be helpful if it were to be secured as the need for a detailed version to be secured, because obviously even if we are provided with

01:38:43:23 - 01:38:45:04

survey methods,

01:38:47:04 - 01:38:55:11

it won't allow us to have sight of results or any proposals in respect of any mitigation that might be needed.

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Sorry, just to cover, in terms

01:39:00:15 - 01:39:05:26

aspect of the permitted preliminary works that is of most concern, is it the site clearance

01:39:07:14 - 01:39:10:08

works that would be of concern to you?

01:39:10:10 - 01:40:02:02

Yeah, and the fact that the document does stipulate that the works could entail sort of removal of trees, and so those trees, will not necessarily have been subject to the requisite amounts of ecological survey work at present, and obviously that is clearly stipulated in the document itself, that there could be a need for that level of survey. And so I think the point I was trying to make is that if that PPW goes ahead and trees are removed, that will have happened without us having any sight of that information in regards of which trees will be subject to removal and what survey will you be doing, are we satisfied that is the appropriate level of survey of for those particular trees? And that sort of line of thought, really.

01:40:02:16 - 01:40:07:05

Okay. So taking that example, would you be

01:40:09:03 - 01:40:15:16

satisfied with further limitations that prevented tree removal, for example, without

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prior approval from the Council? So is there a way that the PPW plan could be a final detailed plan but excludes certain activities within it that are of greatest concern having without to have the whole plan approved prior to the permitted preliminary works commencing.

01:40:46:27 - 01:41:06:27

Emma Fisher, Welch Council. Yes, I understand the point you're making. I think the point I would make just in response is that obviously at present it's not clear from the documents that the plan in its current form how many trees, for example, if we're talking about tree removal or modification, how many that could actually

01:41:08:18 - 01:41:39:25

involve. And so I think the concern is that it could be quite broad in scope, and actually then that could just start to form sort of almost again a gap in the baseline information that we've actually got before us now, in terms of understanding the actual sort of whether there is any significance in respect of boosting bats and the scale of impact and the actual to ecological risk receptors.

01:41:41:28 - 01:42:27:24

I think just for consistency, given that it does cross refer to method statements, will be subject to further approval from us at the DCA requirements discharge stage. It just seems prudent that if this document is seeking to rely on method statements within what is currently an outline document, and which will need to come to us for approval, to me perhaps I'm wrong, but it seems sensible that we likewise have sight of this again as a detailed version alongside the other detailed plans, given that they effectively cross reference and rely on each other in respect of the PPWE environmental management plan and the EPMS.

01:42:29:22 - 01:42:37:12

But I don't know if any of my colleagues have a different view in respect of hydrology or what have you.

01:42:40:06 - 01:42:45:14

Cadet Shalomie, Welch Council. No, I think Fisher is the lead person on this point.

01:42:46:29 - 01:42:47:16

I agree with

01:42:47:26 - 01:42:49:14

Ms. Singh, put your microphone on.

01:42:49:16 - 01:43:33:26

Yeah. Yeah, I agree with the ecological team that, you know, we need appropriate, you know, like cross referencing between the different documents, because the issues are interlinked. And we have to look at, you know, the various aspects in harmony with each other. And the surveys done by ecological team can also help hydrological aspects as well terms in of flood management and helping to maintain the watercourse geomorphology, which helps different habitats as well.

01:43:36:01 - 01:44:07:23

Okay. Thank you. I'd like to come to the applicant now having heard the various points that the Wiltshire Council have made. So just and yeah. If you could set out if you're willing to for for the PPW to be subject to approval, and if not, what the resistance is, especially given that there's precedent on other projects such as Springwell Solar for permitted preliminary works planned to be approved?

01:44:09:11 - 01:44:41:05

Claire Bojack the applicant. So the applicant's position is, obviously, we've spoken about some updates that are going be made to it, but the applicant's position is that this is the level of detail that is available for undertaking the anticipated permitted preliminary works and that there isn't a more detailed version that will be available because a lot of the activities are those initial activities that will then inform the detail that will go in those other management plans. So undertaking of surveys, those sorts of very initial works.

01:44:41:22 - 01:44:45:27

However, we do take on board the point and the concern about

01:44:47:13 - 01:44:59:00

some of the permitted preliminary works being, an avenue for, tree removal, and that's definitely not the intention. We had included some wording in table three point four in relation to

01:45:01:06 - 01:45:45:17

saying that we thought it was very unlikely that, any trees would need to be removed as part of the PPW, and then then what would happen. And having just discussed it, I think it's likely, albeit we will double check internally, that there aren't any unintended consequences, or any identified trees that would need to be removed as prior to specific permitted preliminary works. But I think at the moment,

it's looking that we could make that commitment. We don't envisage having to remove any trees so we could say, add in, that the no tree would be removed without consent of the local planning authority in in terms of addressing that specific concern that that there would a be need for tree removal as part of as part of these works.

01:45:45:29 - 01:46:20:00

What I would say is, obviously, we are the applicant can carry out its its its going to carry out the surveys, and it's the act of carrying out the surveys, that's obviously what's permitted here. I think a lot of what was being discussed was about agreeing the detail of the final plans rather than actually what's required to do the specific works that we're talking about here, and essentially why the applicant doesn't consider it necessary for the Permitted Preliminary Works to include a further approval mechanism.

01:46:20:02 - 01:46:39:02

We understand that on the Springwell DCO, the scope of what was included within permitted preliminary works was much broader than is here and included a number of highway improvement works, therefore it was necessary, new accesses and things like that. So they

01:46:41:00 - 01:47:08:23

there was much more of a need for an approval mechanism because of the nature of the works they'd sought to include within their definition of permitted preliminary work. So we don't think it's comparable here, and we think the current management plan contains all of the commitments that are necessary and there wouldn't be further information available. So there's nothing further that we can provide for, Wiltshire Council to approve before we need to start undertaking some of these activities.

01:47:11:19 - 01:47:25:16

Yeah. I I I think strengthening the wording around tree removal is is positive. But miss Fisher also referred to site clearance, some ground clearance works. Can you try to comment on that, please, as well?

01:47:49:01 - 01:47:51:05

William Barrett for the applicant. Yes.

01:47:52:21 - 01:48:26:01

Position is that the method statements that we referred to earlier, that they are comprehensive and robust and they're listed in paragraph two forty one there of the preliminary works management plan. So, I mean, can either take those method statements, those more than half a dozen of them, and bring them into the management plan, or we can include them as cross a reference. I'm happy to bring them in, but those are the method statements that would be, adhered to and applicable for those site clearance, activities.

01:48:26:23 - 01:48:46:21

I will come to miss Tate shortly, but excuse me. Apologies. Just to follow my train of thought. So I'm just having a look through two forty one, a number of pre commencement ecological surveys undertaken including species, including badger, water vol, and otter.

01:48:48:29 - 01:49:01:11

And I I will come back to miss Fisher, but what about birds? Avian species, ground nesting birds and, wintering birds. Specific surveys presumably that. for

01:49:03:00 - 01:49:05:05

I'm I'm seeing you nod, mister Barrett. I assume that's

01:49:05:17 - 01:49:38:25

Yeah. That it's, yeah. It's not it's not the full list. It's just including and then it gives some examples. So that's correct. Depending on where the activities are for the preliminary works, for this and this is a standard pre commencement. That's the other important point, guess, land is that these are standard before any form of construction activity to do the pre commencement survey work. So, yes, that's not the full list. That's some examples. And then the other method statements that are listed are the ones that we believe appropriate.

01:49:39:02 - 01:50:06:15

Thank you. I'll come back to miss Fisher, and then I will come back to miss Tate. So, miss Fisher, given what you've heard with respect to the applicants pre preconstruct pre commencement pre work surveys, and their commitments there, is there anything within the wording of the permitted preliminary works environmental management plan as it stands that would give you comfort, or could you suggest a

01:50:08:08 - 01:50:13:08

way forward? I'll just be keen to hear further your thoughts on this matter, please.

01:50:13:10 - 01:50:21:03

Odette Shadowey, Wiltshire Council. If if miss Fisher could also refer to the point she wanted to make about table three three, that would be helpful, I think.

01:50:30:15 - 01:50:37:14

Emma Fisher, Wiltshire Council. Apologies, I was just having a quick look at my notes.

01:50:40:02 - 01:50:58:14

I think in respect of Mr Barrett's point with regard to pulling across the method statements from the EPMS into the PPE, environmental management plan, I think that would be quite helpful, it just sets it out then a little bit more clearly.

01:51:00:12 - 01:52:08:01

So I think that is helpful, that wording also as well, is suggested regarding the kind of tightening up of the wording around sort of tree removal and modification, because there certainly is at present that wording within the document as it currently stands. And I think that was one of my main concerns really, because obviously at the moment it's unclear how many trees this would be effectively required to have PP works undertaken to, and it obviously does specifically mention modification or removal of trees, so I think, I note the point made that there is a further sort of caveat and restriction further down and the trees wouldn't be removed, you know, as far as reasonably possible, but equally there is

also within the document quite clear reference to habitat removal, tree removal and modification, and necessary ecological surveys, and possibly even species licenses being needed to facilitate that work.

01:52:08:18 - 01:52:56:05

So I think that was where my concern was arising really, that obviously that then presents a potential sort of suite of survey information actually, that we won't have had sight of at any point during the determination process, and whilst I appreciate that it's preliminary works and it could be fairly small in scale and might not entail a great deal of that level of work equally, it is obviously a large scheme and so, you know, without knowing the actual extent of how much habitat removal, true removal, modification might be needed, and therefore the level of survey that might be needed, it's quite difficult to say categorically that we wouldn't want sight of any of that sort of further information beforehand.

01:52:57:11 - 01:53:01:13

Sorry, I'm not entirely answering your question very clearly, so my apologies.

01:53:04:07 - 01:53:11:08

So in terms of the point Michelle have you made about tables three, within the document, I'm

01:53:11:10 - 01:53:13:10

just having a look quick through my

01:53:13:12 - 01:53:15:13

my notes. Sorry. Apologies.

01:53:15:15 - 01:54:00:06

I don't have have your watch council. I mean, I can I can summarize the point, and then if miss Fisher wants to add anything, that would that would help? So, I mean, part of this sort of related point is that it says in table three three that further surveys for protected protected species may be required, and those would be completed as appropriate to confirm the status of protected species, including any requirement for an ecological clerk of work supervision during the PPW. So it would be helpful to the council if there could be some mechanism included within this PPW plan to require the provision of the results of those further surveys to the council together with the provision of any proposed mitigation strategy necessary.

01:54:00:08 - 01:54:30:24

So part of the consent is that further survey work is going to be undertaken, and the council has no way of sort of approving any of that. And that would give the council an opportunity to sort of comment on the proposed mitigation and compensation before those measures are implemented and before any mitigation license applications are submitted to Natural England. And that sort of goes back to the point I made earlier that there's gonna be some surveys which just simply haven't been done to date, despite the sort of council having requested that they be done.

01:54:30:27 - 01:54:36:28

So that would add, some further comfort, I think, as well. I'm seeing a nod from miss Fisher.

01:54:41:22 - 01:54:52:04

Yes. I think you took the words out of my mouth there. I was gonna come back to the applicant to say, well, what happens to these surveys and who determines the scope of them?

01:54:52:16 - 01:55:26:26

Clare Projects the applicant. So obviously there's a difference between any other licenses that might be required because there's obviously a specific process that needs to be gone through in the unlikely event that we need apply to for a protected species license. I'm going to this as we've said, the ability to do permitted preliminary works under the DCO doesn't remove the need for other any licenses that might be required, and those would be applied for in the appropriate way, and they would need to be accompanied with an application containing the appropriate level of information.

01:55:27:13 - 01:56:08:20

In terms of where we have obviously, there's there's different surveys here. There's the surveys to inform the permitted preliminary works, and there are surveys that are being undertaken to inform the detailed design and the other management plans. Obviously, where the surveys are being done to inform the other management plans, they will be as provided part of the, you know, trying to obtain approval for those final management plans to the extent that they're required. If what is being asked for here is can we provide copies of survey results that we have undertaken as part of any of these permitted preliminary works, then the applicant's happy to provide that information.

01:56:09:11 - 01:56:45:12

What we're saying here is that there isn't any further approval required because these works are very limited and we've already agreed to set parameters within which we are working. But we're more than happy to provide information so that there is transparency in terms of what's going on. You know, there are certain works that could just be carried out anyway without the need, you know, formal approval from the council, for example. So we're just trying to be clear that if we're doing sort of certain works, then they are, gonna be done in compliance with a certain set of criteria.

01:56:45:14 - 01:57:13:29

But if if Wiltshire what conscious that Wiltshire Council's already getting a lot of information in respect to this project, but if they would like to be provided with it, we can either provide it, the results of surveys. There's not an issue on the applicant's perspective to adding a particular provision that where we have done those surveys, we would provide the results. But what we're saying is that there isn't any need for any further approval mechanism, for the works that we're seeking to undertake. Thank you. Michelle will be.

01:57:14:04 - 01:57:44:09

Odette Shallerby, Welsh Council. I mean, it is it requesting more than just to be provided with the information. It's to be consulted on the mitigation, and the protection that will be put in place for those species once the surveys are carried out. And I think that it's that that is part of the concern that surveys for a number of these species haven't been done yet, and the council would want some way of having some input into the proposed mitigation for things site clearance and and so on.

01:57:44:11 - 01:57:47:11

And I don't know. Miss Tate, do you want to add the point?

01:57:48:12 - 01:58:03:02

Kate Tate, launch council. Yeah. So part of, British Standard five eight three seven two thousand and twelve is that, prior to site clearance, the approved tree protection within detailed

01:58:04:20 - 01:58:28:22

camp would be installed and in place and approved by the Agricultural Clerk of Works prior to any site clearance, any machinery coming on-site, so that any trees that are to be retained are protected. So this would probably be included within the PPW, certainly in the environmental management plans

01:58:30:12 - 01:58:39:26

initially, which may also influence the ecology plans that Ms. Fisher is talking about as well.

01:58:42:10 - 01:59:14:06

Okay, thank you. I wonder if what we need is a greater definition of the extent of permitted preliminary works. Because these are listed paragraph in two one two, and and they're not extensive, potentially not extensive rather. So I I wonder if if we need a bit more information to give the council comfort of the extent of the works that's required. I mean, equally, I'll touch on miss Tate's point.

01:59:14:23 - 01:59:27:00

I may have I may have picked you up wrong earlier, miss Broderick, but I I thought you were going to strengthen the wording regarding the trees and the PPW. Think mister Barrett perhaps commented on.

01:59:27:02 - 02:00:07:17

Yeah, Broderick. Just just to say, yes, we are strengthening. We've made that commitment in terms of removal of trees. The as we've we're said gonna comply with the measures in the method statements. We've just said the ease, we're gonna annex those method statements. So if there is so that sets out already what we're gonna do and any mitigation we're gonna put in place. there So is no further information to give the commitments already in those method statements. So we don't feel that there is any need for the information. The list of permitted preliminary works is very standard across DCO projects and is designed to enable minor activities to take place before commencement.

02:00:07:19 - 02:00:52:12

If there are further things that the council would like added to those method statements for clarity in respect to permitted preliminary works, and we're happy to consider that. But as a fundamental principle, we have to be able to carry out these works, and that's standard across DCOs, and the protection should all be in this plan without the need to go and get further approval, from the council, on it. So that's that's our position. If we if if, as miss Tate said, in terms of making sure if it wants more information being added to make it explicit if she doesn't feel it's already in there in terms of things like tree protection before doing a relevant permitted preliminary work, then that's fine.

02:00:52:14 - 02:01:05:01

But this is things everything is associated with the permitted preliminary works, not actual the main construction of the scheme. I just want to make that clear. I know Singh made some comments, but that that's not the purpose of this document. It is purely to

02:01:06:28 - 02:01:40:07

cover it done. My understanding is that if we if what we want in here is it very clearly saying that, arboricultural clerk of works would be appointed, and any and the installation of tree protection measures were required explicitly stating in the relevant agricultural table, then my understanding from our our agriculturalists is that we don't have any issues with adding that in. So it's our point is if if they want something else, then we put it in this plan rather than it being a further approval that's required.

02:01:40:09 - 02:01:59:14

I I think that's that's certain. I think perhaps a a discussion, an offline discussion with respect to to further explanation of paragraph two one two, I think, would help, with some perhaps further detail within that to give the council some comfort. And what excuse me. Sorry.

02:02:00:29 - 02:02:07:26

And I think the as miss Tate has said, perhaps just some further detailing around the trees as as we've discussed, that would be handy.

02:02:10:18 - 02:02:29:15

I'm I'm going to come back. I'm not losing sight of the fact of the of the pre of the, survey works that miss Fisher has commented on, but there is a hand up on line. So I'm going to come to Ms. Edwards who's online and I am aware that my colleague, Mrs. Labour, would like to come in as well. So I'll come on to Ms. Edwards, please.

02:02:31:24 - 02:02:38:25

Laura Edwards from the Environment Agency. Yeah, it's to just say that we'd like to speak on this agenda item. Do you want us to go ahead now?

02:02:40:21 - 02:02:53:19

If it's relating to what we're the matters we're discussing, otherwise, we'll wrap up the matter, the the trees and and survey work, and then we'll open a new matter, if you like, with with the environment agency.

02:02:54:20 - 02:02:55:24

Okay. That's fine

02:02:55:29 - 02:03:02:10

relating to to the the the trees and and survey work, yes. If not, we'll come back to you.

02:03:02:17 - 02:03:06:05

Okay. I'll come back to us then. Thank you. Just to note that we would like to speak.

02:03:06:10 - 02:03:09:11

Thank you for letting us know. I'll come to missus Labour, please.

02:03:09:26 - 02:03:17:29

It's not a specific issue around trees and the item we're talking with, wheelchair. It was just back coming on the Springwell point.

02:03:19:17 - 02:03:50:17

I've got the Springwell DCO up on my screen, and the only difference in permitted preliminary work that I can see in the DCO definition is the fact that it included work number eight, which was to facilitate access. So it was creating of the access to to be able to get into the, you know, the the main works areas. So that is the only difference. So so you said it was a bit more expansive, which in some regards it is, but everything else in your PPW definition is exactly the same as Springwell.

02:03:50:19 - 02:04:20:25

Yes. And that's my understanding is that because it's the creation of new accesses, which we've specifically said we are not doing, would need approval because otherwise they could go and do works. New works to create new accesses to the highway which otherwise wouldn't be something that could be done without local authority approval. So that was our understanding why it was agreed to on Springwell because of creation the of new accesses, which would normally you would need to provide the designs of your new accesses and have those all approved, etcetera.

02:04:21:09 - 02:04:32:19

Whereas, it's not considered necessary. You're using existing accesses albeit that we've noted the comment that was made in terms of the suitability of the existing accesses.

02:04:33:18 - 02:04:35:27

Thank you. Miss miss Allev you can.

02:04:36:19 - 02:04:41:06

Thank you. I see miss Fisher has hand a up online. Ms. Fisher, could you come in please?

02:04:43:11 - 02:05:20:20

Emma Fisher, what's your counsel? Yeah, thank you. Just a couple of very quick points, I may. Was just to say that, you know, I note what Ms. Broderick says there about it being fairly restrictive in terms of the type of works, but I think, just to come onto the point that you made, I think it was more around the extent of the works and what the extent could actually be, rather than the types as well. So I think that was the first point. I think it would be helpful to, if there is the potential for any more information on that, that would be helpful if that is permissible.

02:05:21:07 - 02:06:35:26

And then the other point I was just going to very briefly make is also I know that obviously Ms. Project said that the whole point of this is that there doesn't need to be another approval mechanism because it's PPW and you should be able to go on ahead because the information is already before us. But what I would just say obviously is the point I touched on previously, as did Ms. Shalaby, in that actually there are going to be ecological surveys undertaken that have not been undertaken before. So ordinarily, of course, yes, if we have had that survey information before us and we can see what the baseline is and what needs to happen in terms of mitigation and compensation and those kind of measures, then that would be fine, but obviously there will be instances where, as of course there always can be in construction, but you know, there could be potentially quite a number of instances

where things are identified during survey that ideally we would have known about before, but due to the sort of scope of the survey work, particularly within the Cabo route corridor where there has, to date, as I understand it, and I stand corrected if I am wrong, but I understand there has been no ground level tree assessment at all to date.

02:06:36:28 - 02:07:05:18

And where there has been ground level tree assessment within the solar PV sites, that's not been followed up by any subsequent more detailed survey. So I think it was just to touch on the point that actually, you know, ordinarily, yes, it might be that these works could carry on, on the premise that the baseline has already been suitably established, but we feel there is some gaps within that, as we've sort of stipulated before. So I would just make that point again, but thank you.

02:07:06:22 - 02:07:19:06

Thank you. The applicant's welcome to come into this point and then I'm going to suggest how we might move matters on. So if you want to come in on this project you're welcome to, if not you don't have to.

02:07:19:11 - 02:07:49:17

Chair Budgett, we talked about at the previous ecology hearing, we believe we've done enough survey work to inform the mitigation measures and that principle applies in terms of permitted preliminary works. We've done a level of survey work. We think the mitigation we have put forward for the permitted preliminary work specifically, not for the wider, scheme, is sufficient to inform the mitigation that we've set out here.

02:07:49:20 - 02:08:25:27

So we don't believe there is a gap here or that there would be, that information would lead to different mitigation measures. Obviously, we have already set out in here that there would be further survey work taken before doing specific permitted preliminary works to make sure that the mitigation was still appropriate. So we don't think there is any gap here. I think we just obviously need to separate the overriding in principle concerns we note that Wiltshire Council have, which have obviously been aired and what we're seeking to achieve in this particular document, and we think the mitigation that we've set out in this document is sufficient.

02:08:26:14 - 02:08:29:25

I think you've potentially hit the nail in the head there, miss Broderick. It's it's

02:08:31:10 - 02:08:49:04

sorry. I think it's a question of just setting out in more detail what's in paragraph two point one point two about what this document is aimed at achieving. I mean, let's not also forget. I mean, there's there's proportionality with respect to the works you'll want to achieve with this document.

02:08:50:27 - 02:09:16:15

I think there probably are matters which which may remain unresolved come close of examination, and that's fine. We you know, part and parcel of what we do. Can I suggest as a way of moving this forward before we come to the environment agency, please, we add this issue to the statement of

common ground? Because I think there needs to be an acknowledgment of updating those matters that we've discussed with respect to trees with respect to

02:09:18:24 - 02:09:29:09

explanation of the nature of the works, and it's also an opportunity for Wilshire Council to set out exactly thereafter what remains outstanding of their concerns.

02:09:30:08 - 02:09:57:16

Double to the applicant. Yes. We can do that. What we can also do, I've just checked, is make those updates that we've discussed today, as soon as we can so that we can send them to the council in advance of deadline seven such that the any issues that are outstanding at deadline seven have already in and incorporated the points that we've discussed today, so it may end up just being an in principle point about whether it should be approved or not rather than, the specifics of each of the topics in there.

02:09:57:18 - 02:10:11:17

No. I understand. Thank you for that. I'm content to go to the Environment Agency. I think we've probably discussed this issue as far as we can today. So I'm going to come to Ms. Edwards, please.

02:10:12:06 - 02:10:17:23

Thank you very much. Laura Edwards from the Environment Agency. I'll pass over to my colleague Lucy on this matter.

02:10:21:07 - 02:10:53:22

Good morning, Lucy Houghton from the Environment Agency. So I'm the first couple of colleagues from the Environment Agency who's just going to speak regarding the permitted preliminary works environmental management plan. So I'm speaking on the topic of water quality. So my first point to make is that we understand that the environmental surveys that is listed in two point one two is actually also not just the ecological surveys, but it's also the hydrology baseline water quality monitoring as per table two point one.

02:10:54:28 - 02:11:47:22

However, we were seeking some path of clarity from the applicant with regard to this because as we understand it, in kind of section two five two, they say that the detailed water management plan, which is going to define the locations and parameters and methods, etcetera. It was our understanding that that water management plan is going to form part of the detailed SEMP. And whilst we understand that we're going to be formally consulted as part of the discharge of the CEMP, whilst the permitted preliminary works is not going to be discharged, this is the final one, we feel that we need more information on that water quality monitoring with regard to where they're going to those start locations, what methodologies and parameters they're suggesting locating to ensure that it is an adequate water quality baseline.

02:11:48:06 - 02:12:39:17

As we understand it from what we've heard from the applicant this morning, further detail isn't proposed to be added into this document, but we feel that we do need more information on that water quality baseline. And in line with that, we just want to make it clear to the applicant that the water

quality baseline needs to be a true baseline. So ideally before we've plant and got kind of disturbance of the ground on-site. So that was my first point I wish to make. And then the rest is just to kind of highlight that we also notice there's a couple of perhaps, albeit perhaps minor, but some discrepancies between table three point five of this PPW and the three point five of currently the outline SEMP, which we do feel there needs to be some consistencies there, particularly with regard to, like, kind of if there's spillage or emergency response plans and clarifying some of the buffers.

02:12:39:19 - 02:13:03:04

Because I know one says ten meters and one says eight meters. And we just feel that it's important whilst we do understand that the scale of the works, as I think this phrase was already used by the council, the scale of the works might be small, but over a large scale, there could be some impacts. So we want to kind of control particularly those sediment risks. So those are my water quality issues. I don't know if you want to touch on those now or if I should bring in my other colleague to talk about groundwater and flood.

02:13:04:19 - 02:13:09:04

Let's let's address them one at time. Let's do water quality I'll come to the applicant on that. Thank you.

02:13:35:20 - 02:13:43:27

Cleveridge the Upkin, just for the benefit of, those online, we are just, discussing internally because I appreciate they can't see what's going on. Bear with us one moment.

02:13:51:10 - 02:14:13:10

Miss Broderick, we have been going for we've been going for two over two hours now. Might I suggest because I could do with some more ibuprofen, I'll be honest. Might I suggest that, we give the applicant's team a chance to have their discussions and and get the answers that that to to what miss Edwards has has raised, and we just take ten minutes comfort break.

02:14:14:04 - 02:14:16:06

Cover for the applicant. Yes. That would be appreciated. Thank you.

02:14:16:08 - 02:14:17:27

Great. Let's come back at five five two.