



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Lime Down Solar Project
Hearing:	Issue Specific Hearing 7 (ISH7) – Part 3
Date:	17 September 2026

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FULL TRANSCRIPT (with timecode)

00:00:08:24 - 00:00:31:00

Good afternoon, everybody. I make that five past two. We'll recommence this hearing. I'm going to move on and ask about ordinary watercourse buffers. Now I note that the buffers for sensitive watercourses has been agreed with the environment agency. So I'm just looking for an update with respect to the ordinary watercourse buffers. Perhaps if we come council to first, please.

00:00:38:25 - 00:00:41:24

Mister Singh, council,

00:00:43:14 - 00:01:20:17

The maintenance of buffer is required for hydrological performance and for flood management as well. And, you know, the Environment Agency guidance should be followed in terms of how buffers are managed and maintained. And applicant should provide appropriate methodology for maintenance of maintenance of buffers, and how they ensure to use it for flood risk management and water quality management as well.

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Thank you, Mr. Singh. I mean, as I understand it, so is this this item still isn't agreed with the applicant in terms of the the watercourse buffers throughout the auto limits? Is am I correct in saying that saying that?

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I mean, in terms of I mean, they have provided,

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you know, some methods of the aim to maintain it, but there are still some gaps. And especially, you know, they need to have

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methodology which ensures the strategic management of watercourse buffers to mitigate flood risk and to mitigate water quality issues. Okay,

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thank you. That's clear for me. I'll come to the applicant, please. And can I just ask for your position on the ordinary watercourse buffers?

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William Barrett, for the applicant, just to confirm that, yes, we're agreed on the eight meter, buffer from ordinary watercourses, and specified that's in the outline camp. In terms of the management of the buffers, I'll hand over to

00:02:45:28 - 00:02:47:14

Just one second. We'll just confirm.

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Josh Riqui on behalf of the applicant. So we were under the impression that this was agreed through Statement the of Common Ground process that we've been through. The standard eight meter buffer has been applied to all ordinary water courses in line with the environment agency guidance, and there was a bit conversation about that, throughout the State Road Common Grant process about whether or not we should apply a higher one, but we've ultimately fallen back onto the, the policy, which is the

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requirement for permitting is that eight meter buffer. If we stick to outside of that, further permitting isn't required and therefore that's how that distance was agreed.

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Depending on the sensitivity of the watercourse an ecological point from of view, further increases to those buffers have also been agreed. So the eight meter is the backstop to that and like I said,

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was under the impression that this had been agreed through the statement of common ground process.

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Thank you for that. Yes. I mean, I'll just bounce back to the council now because, I mean, I I have to I was I I knew it had been agreed sensitive water courses with the environment agency, so I was I was very clear with that. I'm just looking for confirmation from the council that this matter has been agreed with respect to the eight meter buffer distance. I was just it's just to confirm my own understanding that that's that's all because I wasn't clear with recent submissions where we were. That was all.

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Yeah. We agree. Like, it has been agreed eight meter buffer. My point was mainly in relation to, you know, another aspect, which was related to assessment methodology of how, like, what kind of effort or what kind of management plan was applicant provided in terms of, you know, using the watercourse buffer in of flood terms management, you know, like flood risks issues, as well as, maintaining the water quality aspect within the ordinary water courses.

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Okay. Thank you. So the eight meter buffer agreed. Thank you for confirming that. That's helpful. But Mr Singh, are you telling me there's still an outstanding matter with respect to the management of those buffer areas?

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Yeah, I mean, also we would like to point out that, I mean, eight meter buffer is a like general rule, but there is a need to have

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an approach which also considers flood risk, like floodplains, because there might be areas which might be floodplains. So it's not like, we should only have a strict, you know, just eight meter, it could be ten twelve meter meter in certain, you know, stretches. And this is a fact which applicant needs to keep in mind in in the mental statements that they create.

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The applicant want to come back a minute.

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Josh Rikby on behalf of the applicant. So as part of the embedded mitigations that are set out in the flood risk assessment and drainage strategies, we have protections and mitigations within there for development within flood zones, which we went through on Tuesday as well, I believe. So the buffers are a hard stop, so no development within those eight meter buffers. And then if they are more sensitive, then further back.

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But development within flood zones is a separate issue, but that is dealt with through the embedded mitigations embedded that are embedded within the design as a whole.

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So are we I mean, I'm I'm looking at the I wonder if there might be some cross purposes. It's a good discussion, actually, on this point. So, I mean, I suppose I'll also going be back to my my quest original question was the eight meter buffers. That's what I was looking for, and, ultimately, I've got my answer on that. So thank you to to parties on that point.

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But I think mister Singh sort of was taking into I'll come to you in a second. Mister Singh was taking us into management, flood management of those areas, which I think I'm happy to be correct if I'm wrong, but three point seven point seventeen of the statement of common ground with Wiltshire Council, titled draft DCO OLEMP buffers and SUDs. So that marks it as being under discussion. So there has there been further discussion on that point?

00:08:13:07 - 00:08:27:18

There is ongoing discussion on that particular point. I believe that's with regard to outfalls that could potentially encroach within buffer zone which would require further management through the permitting process.

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K. Thank you. I'll come to miss Reynolds now, please.

00:08:32:03 - 00:08:57:23

Silly Reynolds. Stop lying down. This is just a really quick point, just, to pick up on what what I believe mister Singh was getting at. Within the outline camp, there's reference to the the detailed water management plan, including further detail in respect of riparian buffers, which as I understand it, aren't currently set out. I mean, I'm happy to be corrected on that. But I I believe that might be the ongoing point.

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No. Thank you, mister Reynolds. Yes. That's yes. I thought I'd pick that up from mister Singh as well about sort of management of those areas. Does the applicant want to come in that on point actually? See if we can staple this jelly.

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Chris Jackson, behalf of the applicant. Just to come back to Mr. Rigby's points regarding buffers, we've got a series of embedded buffers within the design principles and parameters as as well within to the

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ecology and the lamps that we use to design the scheme. There is an existing buffer applied to all the hedgerows, woodlands and individual trees, central woodlands, for example, that's not

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doesn't negatively apply. So if it's a tree within a a riparian zone or a tree that's not, it's still an applied buffer at that point of design. So the design has responded to any woodland or individual trees from the outset. So it's already been taken to

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it's already been incorporated into layout as it's been brought forward. Mister Singh, in terms

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of moving this issue forward, what what what further do you need to see from the applicant? Is it just some furthering further strengthening within the camp, or is it something more detailed than that?

00:10:33:04 - 00:10:34:00

Yeah.

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Mister Singh, Wiltshire Council. I acknowledge the I mean, the methods which applicant have provided and also the eight meter buffer. I mean, that we agree in principle as a general rule also recommended by environment council environment agency. But it is also important for the applicant to note that, you know, floodplains also needs to be considered as recommended by environment agency.

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And floodplains are part of flood zone three b, where the risk of flooding is is acknowledged by, you know, institutional framework of England. So the applicant should provide, you know, like, although that point is agreed within the Statement of Common Ground as well, as a principle, but in terms of developing a meta statement, which also incorporates flood risk, I think, I mean, those things which are still open, you know, within the statement of common ground, then applicant needs to provide an assurance to the Wiltshire Council that I mean, let me give you an example, like if they are having, let's say, storage of materials, it should not be done in floodplain as it will cause risk of flooding.

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So although they have said that they will not do it within eight meters, but let's say at a point where there's a floodplain, so they should not store anything, you know, even if it is, let's say, ten meter or twelve meter, if that area is identified within the boundary of a floodplain.

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Okay. No. That that's that's pretty clear to me. I thought we may have

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covered this point on Tuesday. I mean, as I understand it, it's a it's a minimum buffer. My understanding is that there was those commitment being added to the documents to say that you wouldn't be doing any of storage materials, etcetera, and you'd be keeping buildings and these sort of things out of the functional floodplain. Did I I picked that up correctly, didn't I?

00:12:51:20 - 00:13:23:29

I was just gonna say, yes. So I think, obviously, we've explained yesterday some further amendments we're gonna make to the design principles. And, obviously, earlier today, we talked about any plant and material that was associated with permitted preliminary works, we referred to the specific measures that were in the outline camp that already are in table five about placing the storage of equipment outside those areas. So I believe Mr Singh's concerns are addressed in there. It's not solely a reference to an eight metre buffer.

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That's one element of a whole list of measures that are in that document. And there are other obviously, it is an eight minuteimum buffer, but there are lots of occasions around the sites where a much greater buffer is being provided for various different reasons in terms of proximity other to features. So it may well it's the case that it's not it could be a fifteen meter buffer because there's both a watercourse and another feature that requires a greater distance. So if there is a specific

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issue that mister Singh thinks hasn't already been included within there, then we're happy to consider some specific drafting. But I think our our view is that protection he's looking for is already in those documents.

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Yes. I mean, I think that's that's understanding the I took from our discussions on on Tuesday and earlier today. I mean, I I think to move this matter forward, it probably just needs an an update of the statement of common ground, the coming together of parties to iron out these points. Perhaps some of mister Singh's concerns have been addressed on Tuesday, and it just needs a a discussion between parties. Quite happy with that, mister Singh?

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Yeah. I'm quite happy with that. We can have, you know, a discuss in maybe in the next week or something once we have find like, once we find additional gaps in their their meta statements.

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Okay. No. That that's fine. I'm I'm happy for parties to to continue this this point offline. But, like I say, my original question has has been answered, so thank you very much for that.

00:15:00:21 - 00:15:14:19

I'll come around and stop lying down. Do you have anything further you want you would like to add to the ordinary watercourse buffers before we move on? No. Okay. I will just ask online and in the room. No one online. I don't see any hands coming up virtually, so I'll move on.

00:15:17:01 - 00:15:38:11

I'm just I'm just thinking there, actually. Before we do move on, it might be helpful for the applicant to issue a a direct guided document. So a guide a bit of a just a guide of where things are within the camp and the and then the management other documents to mister Singh just to help direct them to perhaps that could form part of the discussions.

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Whether that's a formal document separate to the examination or whether it's just coming together with parties just to point out where things are, maybe just help make a bit things clearer.

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Claire Bodje for the applicant. We obviously do want to be as helpful as we can. There have been a number of meetings with mister Singh in this particular point, and we believe we have pointed him in direction of where these points Understood. Are there. And and, obviously, the mitigation route map does try and bring them all together. If there are specific points that mister Singh would like us to clarify, then we're more than happy to provide the correct reference, number to them. Yeah. No. I'm done this activity, before.

00:16:19:22 - 00:16:55:17

Okay. No. I'm I'm happy just to to move on to the next agenda item. Thank you. Right. I'd like to just have a green just to have a discussion on greenhouse gas emissions now. Now in the applicant's deadline six submission, Rep six zero sixty responding to Wiltshire councils XQ two response DCO two point one suggesting including greenhouse gas emissions and carbon reduction plans into the specification and contracts. The applicant confirms that a sustainable procurement process which includes consideration to minimize carbon emissions where feasible will be sought.

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So can the applicant provide the XA with more details on what mechanisms in in the procurement process will they have? Sorry. Can the applicant provide more detail on what mechanisms in the procurement process will ensure that they've considered the options for minimum greenhouse gas emissions are selected? For example, using low carbon concrete even though perhaps cheaper alternatives could be available.

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Think we're just trying to find the relevant reference to the information that we'd provided before. Mr Thorefel can explain a bit more in terms of practicalities associated with it, but in terms of what we can commit to, the applicant's position is it can't provide anything more than it's it's Yeah.

00:18:01:08 - 00:18:06:27

Think I think so. Think just in the realms of practicalities of it would help would help me. Thank you.

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Will Throwful for the applicant.

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As a developer and obviously transitioning to IPP, we have various ESG and compliance

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due diligence and internal governance.

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Whilst we haven't published exactly what this is as a kind of, Island Green Power Group, at the moment, there's a number not enforcement, but frameworks that we provide potential contractors under which they would have to report essentially on their own supply chains and their own procurement processes in terms of greenhouse gases, for example, as one thing, but under a lot of other things, including kind of ethical supply chains and things like that.

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If we've got any potential risks that obviously are identified, we go through those with suppliers and obviously that forms part of our formal tendering process. The internal governance and how that works is essentially each special purchase vehicle SPV or Lime Down Solar Park Limited would have its own internal reporting, which would feed into essentially our corporate reporting on emissions and such like that. There's a control mechanism within this.

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In addition, there's the solar stewardship initiative, which we've signed up to, which is again ensures ethical the procurement and supply chain. As part of that, we understand that there's going to be, sort of formal reporting as well as part of that stewardship scheme, which obviously, this this group level, reporting would feed into.

00:20:04:03 - 00:20:32:12

Thank you. I mean, would, I'll ask the question, but I think I think I I suspect I know what the answer will be. I'm gonna ask this question. Would given what you've said, would you consider the appointment of a an independent expert periodically review and report that this is the case? I mean, it's an issue that the council raised, so I'll come back to them. But is that something you would consider doing or providing an independent verification report in some shape or form?

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We'll throw off of the applicant. You mean on a project level rather than corporate group level? Yeah. No. We we noted, Wilfelter's concerns. I think I think the, the simplified interpretation of what they'd asked was how do how do we know you'll do what you'll say you'll do within the realms realms of what you set out, and and we took that on board. Think because take, for example, plant machinery, electric using electrical plant machinery or or low emission machinery. The intention is to use that as

much as possible because that forms of our part internal government governance and those internal targets that we have.

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Obviously, a full supply chain of plant machinery operated by EV is impossible. Smaller vehicles are. There's a lot of considerations, but we would be seeking things like that from potential suppliers to be able to provide us with those levels of things.

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Forgive me, I can't quite recall where we got to with conversations with the council particularly about how it would be reported, but because we would be presenting internal reporting and corporate level reporting publicly, there is already a mechanism in place. To to which would detail emissions at that level.

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Thank you. I'll come to miss Chaloby please.

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Debt Chaloby, Wilshire Council. So the discussion on this matter is ongoing. I understand applicant the has made some further suggestions following our recent submission, and the council's trying to arrange a meeting with the applicant next week. So progress is being made, but we don't have a final agreed position yet.

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Okay. So can the XA expect an updated deadline seven, do we think?

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Okay. So yes, essentially.

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Okay. I'm I'm happy to to leave that there. Stop lying down. Do you want do you have any comments on this point? No. Okay. And I don't see anything online and nothing in the room.

00:22:33:26 - 00:23:02:27

I do have another question actually about greenhouse gases, and it's actually more of an it's more of an action point for the applicant. Now it's around sulfur hexafluoride, which is, as as we know it, is a greenhouse gas. Now the applicant's response to x q two c c two point one, that's rep five zero nine seven. You've referred to measures that will be taken to avoid the use of SF6 or sulfa hexafluoride in certain components. First thing I'm gonna ask is where in the management plans can I find these, please?

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Claire Bodge of the applicant. I think our understanding is I don't think there is anything at the moment in there, but we can as you said, it was an action.

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So, we can Yeah. So I'm I'm I'm happy I'm happy to lead on to my second part of the the overall question, which is then, I think, the sort of action point. So, I mean, I think NPS EN five is quite clear. I referenced the paragraphs, etcetera, in my in my question to you, which was CC two point one. And without going over those, what I would quite like is a response from the applicant,

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a bit of a stronger response on s f six with respect to those paragraphs in e n five and two point nine point sixty to two point nine sixty four, two ten point fourteen, two point ten to fifteen, and two point eleven to, point seventeen. So as an action point, if I can have a stronger response to my question about s f six, because I think the wording of e n five is very clear on this. And I think we just need a bit more comfort about the measures that the applicant will take to avoid the use of s f six.

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I'm not just I'm not necessarily disputing what you're saying, but I think I need a bit more comfort from you. And I think we perhaps we I think we do need to see a bit a bit of detail relating to SF six in the management plans. Actually, I don't want to repeat the question I asked to execute to.

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William Barrett for the applicant. Yes. I'm looking at the Outland Camp now, and I can see it's more general in terms of greenhouse gases. So understood. We'll take that one away, provide response the to the XE's questions, and, I would expect there'll be some wording that can be added into the outline camp

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as well. Appreciate it. Thank you, mister Barrett. Does anyone have any matters they want to raise on SF six or greenhouse gases generally? Shalaby.

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Dirk Shalaby, Wiltshire Council. Sort of climate matters generally or just greenhouse gases specifically?

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Just greenhouse gases.

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Thank you. Yeah. I think, I don't know if this relates to greenhouse gases specifically, but, our climate expert who isn't here does have some specific

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wording I think that she wants to be tightened up in table one of the camp, but she's going to put those comments in writing. I think it's quite minor minor things about the the wording just to I

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I mean, there's there's nothing stopping Yeah. Direct discussion between parties on that point.

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Calabrio, applicant. Yes. And if we'd if you'd they'd like it included in the deadline seven version, then if we can have that Yes. In advance of deadline seven.

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Time is marching marching on. Thank you.

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So

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just bear with me, please. Read my notes next section. Yes. I think I I need some clarification from the applicant, please. I think this should be a fairly straightforward, famous last words, discussion. Can the applicant please explain to me how the documents in behind the Kemp, so those documents that need to be submitted as part of the overall Kemp approval, how do those individual documents get updated if needs be? Is it a question of having to submit an application to discharge requirement thirteen again, or is there another mechanism? I'm just I just want to get my head around how those management documents that sit within the overall umbrella of Kemp get sort of discharged.

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And then if you find you need update one to for whatever reason or make changes to it because of something you find on-site or products or whatever it is, how do they then get updated?

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I was just trying to find the relevant paragraph. So in terms so obviously the outline, Kemp, includes section six measures in relation to

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monitoring and corrective action, and then it obviously says that it will be kept under review during the entirety of the construction period, and that's six point two point two. So in terms of once construction has started, there is that mechanism mechanism within there. The intention is that the detailed camp will include those other management plans. It will be a suite of suite of documents that will be submitted for approval under requirement thirteen. I think your question was to the extent that any of those individual plans, like waste management, for example, those sorts of things needed to be

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updated, how would that happen?

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The requirement three is the process in the DCO that allows the applicant to submit any amendments to any approved documents, and is the that approved that includes all element of that approved document, so both the Kemp and then any of the, specialist plans that sit within the Kemp. So, if we needed to change the

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agricultural method statement, for example, then we would do have to use requirement three to go about doing that process, but it wouldn't necessarily we would be able to change just that part of it. You wouldn't need to necessarily

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change the the entirety of the of the camp, but

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you can No. That that that that's that's clear for me. Thank you. No. That that's helpful.

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Sorry. And bear with me one second, please. Right. That brings me

00:29:36:15 - 00:29:44:22

to the end of the Kemp discussion. Does anyone have anything else they want to raise, miss Chaloby?

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Two points. So one is a sort of further climate point, and we don't have the expert here, so there's only so far I can go today. But our climate expert, Vicky Burville, has been thinking about how the the hemp and the OEMP work. And in light sort of recent information and thinking about this project, her view is that there should be included some sort of business continuity plan, to to have a mitigation in place for the impact of severe weather on the operations of Linedown Solar Farm.

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So for heat waves, flooding, and storms. And the Kemp and the OEMP, they start to mention the impact of severe weather on operations. But

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the concern is what what really happens in terms of staff, travel, all of this, and is there some sort of contingency in place for the types of weather event we're increasingly experiencing? And I understand this is something that most businesses have in place already, so there may be, it may well be something that I'm thinking about, but, I think the council would would like to see some commitment to to having that.

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Miss Broderick, do you want to come in on that?

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Claire Broderick, for the applicant, I mean, there there is already,

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a commitment in there in terms of an emergency response plan, is designed to deal with emergency events. So things like a flood event or something along those lines, and how the procedure so there would be a set procedure for responding to incidences and those sorts of things, and yeah, that's paragraph two point three. There's also other things in relation to flood risk management plans and

those sorts of things. I think I'm not quite sure obviously, there's a difference between personnel that I don't know if this was a personnel related matter or are the actual

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components on the site because, obviously, during operation, there are minimal, people required. And so the the,

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I guess it's trying to understand what's what's request here in terms of is it during construction if there is a

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do are they looking obviously, each contractor would have their own ways of working in terms of what acceptable conditions for their staff to Yes. Continue to work, and that may well depend on the activity they're being expected to to carry out. So somebody doing large groundworks may have a different rule in terms of the types of whether they can work in compared to somebody who's inside the substation, for for example. So I think there's quite a lot of

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differential in terms of what the contractors would have in place in terms of how they look after their workers during construction. And then operationally, obviously, there's what happens to the apparatus, I suppose, and or whether we're talking about, again, people. And I I guess maybe it'd be useful useful if that could be added to our discussions. I appreciate the person who's asked made the request isn't here to elaborate any further, but it may well be that it's it's just for us to explain how it would work in in practice. Practice.

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Practice. But I think business continuity here in the circumstances of this particular development may be different than another type of business where you have a lot more personnel during operation, for example.

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Thank you. I'll bring in Ms. Shah.

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So that's very helpful in terms of explanation, and we hear what what the applicant's saying, and we'll take that away. And, I think there are still discussions on climate happening next week, so perhaps that could be taken up if that's not enough for miss Perth.

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I'm I'm happy for that. That does sound like we need to get the right people talking, so I'm happy to but when you said there was a second point

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Second point. And this might not be the right place, but we do have, mister Frith here who's dealing with economic matters. And the main point he wants to make today, relates to the inclusion of a

comprehensive business compensation scheme, and there are a number of places in these plans that that could go in. One could be this plan. So I I don't know if you want him to sort explain of a bit more about that.

00:33:56:22 - 00:34:10:13

I've actually got, an agenda item for Tuesday to discuss that in more detail because I note the applicant's position on that suggestion, and, obviously, I note the council's position. So I would like to explore it in more detail come Tuesday, socioeconomics.

00:34:10:15 - 00:34:15:20

Okay. Shabby, British Council. So deferring that whole issue from today, essentially. Okay. Thank you.

00:34:15:22 - 00:34:16:07

Yes.

00:34:19:03 - 00:34:24:09

Are there any further comments on this item? Mister Singh?

00:34:26:14 - 00:34:31:08

On the outlying camp, Rohit Singh, council,

00:34:33:05 - 00:35:12:19

I would like to focus on the identification. I mean, what has been missed or or there's a gap in the outline camp is identification of hydrologically sensitive location, management of cumulative runoff risk across multiple concurrent construction areas, clear trigger levels for additional runoff control, temporary attenuation, and temporary such verification that drainage reinstatement and mitigation measures are actually working, a strategic rather than purely reactive approach to runoff erosion and sediment management.

00:35:12:21 - 00:35:13:08

Thank you.

00:35:14:09 - 00:35:21:00

Thank you. We we discussed water and runoff. We discussed a lot of these issues in a lot of depth on Tuesday there.

00:35:22:21 - 00:35:31:19

I mean, I'm I I will allow the applicant to come back, but, I mean, I'm rather hoping that these are things which in in the drainage strategies

00:35:34:03 - 00:35:38:10

yeah, I'm just going let the applicant come in because I thought we'd discussed this.

00:35:38:20 - 00:36:12:19

Claire Project, the applicant, yes, just in table five in the section that relates to discharge disposal of site runoff, there are a number of bullet points and on page thirty one it does say that the water management plan will set out details of temporary drainage arrangements, quality monitoring requirements, and then also sort of how that how it will be met monitored and controlled during during construction specifically as opposed to, let's say, operational requirements which we discussed in more detail on Tuesday.

00:36:12:28 - 00:36:38:19

So I think applicant's the position is, that's all in there. There's also another separate section on page thirty four relating to temporary drainage, has a number of bullet points in relation to the types of works that will be put in place during the construction period. Obviously, if there is a specific thing mister Singh would added like to that list, then, obviously happy to consider it. But in terms of the principles he's just mentioned, we believe those are all covered in the in the list. They're already in table four.

00:36:39:13 - 00:36:52:14

Okay, mister Singh. You've you've heard miss response. I mean, I think if there's anything you think there is missing from there, think that's a discussion probably to take offline. Okay. Anything further on the camp bearing in mind

00:36:54:03 - 00:36:59:04

we are going to be discussing matters of socioeconomics on Tuesday. Mister Kozelka.

00:36:59:26 - 00:37:34:21

Thank you, sir. Dani Kasab, stop line down. I think we have two matters. One is tiny. It's on is it PDF? PDF page seventy. We just wondered if what possibly might be just a copying error from a different camp. There's a reference to a golf hole, and we weren't across what that might be. Is there a golf course that is being managed? It's one about embedded safety measures about golf hole two slash eleven.

00:37:35:24 - 00:37:37:08

Oh, yes. On page sixty one.

00:37:37:10 - 00:37:44:26

Yeah. Sorry. Yeah. Internal sixty one PDF page seventy. I suspect it's just because these are quite often copied as a starting point. Yeah.

00:37:45:05 - 00:37:58:05

Claire Projects. Yep. No. This is specific. There is a golf course as as you come into Melksham substation. I'm not sure. Free tabloCAD. But, yes, that's been added because it does the cable route corridor does go through the edge of golf.

00:37:58:07 - 00:38:52:03

And then the second point was goes back the first point to right at the start, which I'm not gonna rerun about the CLG. There are various places hit in this document, most notably, we think in the human health section where, engagement the community is built around the CLM, so the manager. And we

think, maybe just to put a pin in it now, while this terms of references is discussed between council applicants, and we will be involved in that as well, that it may be appropriate that the applicant carry through changes into the chem and other documents to reflect engagement with the CLG rather than or in addition to the CLM.

00:38:52:27 - 00:39:06:13

Because for the moment, this document makes some use of the CLM, very, very little use of the CLG. I don't wanna go over every example, but we think that needs to be a mix for the general discussions that are going on around the CLG.

00:39:08:13 - 00:39:10:25

K. You know, I'm I'm happy with the applicant to come back on that point.

00:39:37:17 - 00:39:44:04

If it helps as an example, it's the middle of page sixty five is one of them for human health, internal page sixty five.

00:39:44:20 - 00:40:21:16

Claire Bojic, the applicant. Thank you for that reference. We'll take that way to look at and see whether it's there needs to be a obviously, there will be a community liaison manager appointed. That's a commitment for the scheme. I think what's being asked for is should there be reference to that community liaison manager liaising with the community liaison group which I I think is the request being made here but let's just go through the whole document and and check what's where whether it's appropriate to do it where we talk about the CLG at the beginning of the document rather than in each table.

00:40:21:18 - 00:40:28:10

Yeah. Exactly. So we'll take the action away to have a look where's best placed to put that particular in liaison.

00:40:28:12 - 00:40:31:18

Brilliant. Thank thank you. We'll we'll that mark down as an action for the applicant.

00:40:33:23 - 00:40:40:14

Anything further on this agenda item? Not seeing anyone in the room. I'll just check online to make sure there's no hands.

00:40:42:17 - 00:41:20:26

No. Okay. That's fine. I'm happy to move on to agenda item five, the outline operative sorry. Outline operational environmental management plan. I did have a question about arboriculture, but bearing in mind our discussions earlier, I'm going to park that. So I would to like have a discussion around this the the term significant. This comes out of stop line downs deadline six mission under GCT two point six. That's document reference rep six zero eight one. Now it queried replacement activities and the definition of the term significant in order to differentiate between different types of replacement and maintenance works.

00:41:21:18 - 00:41:36:14

So can I come to the council first, please, to add some clarification to their response to XQ two GCT two point eight document reference rep five one one two? I'm really looking for some clarification around the term significance here.

00:41:53:15 - 00:41:54:06

It's g c

00:41:55:24 - 00:41:57:17

GCT two point eight.

00:42:00:21 - 00:42:06:18

Objection. I think Wiltshire Council, we we might need a few minutes to respond because we're not sure who's been dealing with that internally. So

00:42:08:19 - 00:42:13:25

I'll try and work that out with miss Jones now, but perhaps if someone else comments first because

00:42:14:03 - 00:42:20:05

Okay. Mean, I will I'd I'd come to the applicant then. How do we differentiate between different types of replacement maintenance works?

00:42:53:01 - 00:42:55:17

Alternatively I'm happy to bring in StopLimbDown.

00:43:03:17 - 00:43:09:24

I'm still here on StopLimbDown. Just to clarify, I believe it's GCT two point six as opposed to two point eight if you're looking for it.

00:43:09:26 - 00:43:10:11

Yes. Thank you.

00:43:10:13 - 00:43:27:02

Claire Bodesley Appin. Thank you. Yes. So I was getting very confused as to why I couldn't find it. Yes. Thank you. So I think in our response there, we obviously had included within our environmental impact assessment consideration that there would be

00:43:28:25 - 00:43:59:07

sort of more routine activities that would involve replacement of individual broken components, etcetera, like that, as distinct from this, programmed replacement of all of the panels or all of the best, as a sort of, a distinct exercise. We don't think that there we don't anticipate that there's a scenario where it would necessarily fall between those two, sort of ad hoc replacement versus complete replacement, but taken we've on board

00:44:00:23 - 00:44:35:25

the point, and I think we'd said in our response that we would notify the local authority of any replacement of ten percent or more of the BES units or the solar PV panels if that happened to be required. If, for example, I suppose there was an extreme weather event that affected one only one part of the site, for example, I I guess that's potentially could happen, although it's not envisaged to happen. We envisage routine maintenance to be a particular panel in a run has a malfunctions and needs to be replaced.

00:44:37:25 - 00:44:41:02

Thank you. Does Council want to back come on that.

00:45:01:07 - 00:45:09:26

Madette Shallowby, Wiltshire Council. We we don't have the person who's dealing with this point here today. I'm sorry we haven't anticipated it coming but can up we take that away and and come back?

00:45:09:28 - 00:45:14:04

Yes. We've had had the reply from from the applicant, so I'm happy for that to be taken already.

00:45:14:06 - 00:45:15:12

Very much. Thank you.

00:45:15:17 - 00:45:17:19

Stop lying down. Do you have anything you wish to add?

00:45:19:19 - 00:45:25:18

Thank you, sir. No. No. I think the ten percent probably captures the point that we were concerned about.

00:45:25:20 - 00:45:33:20

No. That that's fine. Yes. I think it's it's the answer was quite clear. Terrific. I'm going to pass over to my colleague, missus Lever. Thank Thank you.

00:45:38:16 - 00:45:40:28

My query is in relation to noise

00:45:42:14 - 00:46:20:18

in the outline operational environmental management plan. So in response to the XA's question NV2.3, the applicant's response was REC5-ninety seven. The applicant stated in their response that five receptors, and they were R12, R22, R25, R31 and R34, are predicted to experience noise levels that marginally exceed the LOL, and applicant's the willing to commit to these levels being reduced to below the LOL through the detailed design process.

00:46:21:09 - 00:46:21:24

And then

00:46:21:26 - 00:46:23:14

it went on to say the applicant

00:46:25:04 - 00:46:49:06

also noted four other receptors that would experience noise levels between the lower and sole during the daytime, which were R24, R41, R42, and R43, silences would make a material reduction in noise, and such, as the applicant is willing to commit to lower levels in these locations. And I just wonder if the applicant could take me to where these commitments are secured.

00:47:01:05 - 00:47:18:10

Specifically, I'm looking at table eight of the OMP, and I can see it does say, you know, we commit to noise being no higher, but you've made specific statement to certain receptors in your response to NV two point three, and there doesn't seem that commitment doesn't appear to have been transposed into the management plan.

00:47:20:05 - 00:47:46:20

William Barrett for the applicant. Yes, if you give one us moment, mister Muirhead, the noise our noise consultant is dialing in, online. I'm just looking at the outline, OEMP now. And, yes, I take the question. I remember the response, but the question is, has that made its way into the outline this version of the outline OEMP? And, we can just check that. And Matthew is checking it.

00:47:46:22 - 00:47:47:07

Yeah. Thanks.

00:47:54:23 - 00:48:00:25

Sorry, Matthew, you had for the applicant online, if you would allow me to answer that one.

00:48:05:17 - 00:48:06:02

Yes,

00:48:11:23 - 00:48:41:21

we updated the environmental statements accordingly. As noted in the response, we updated the Chapter fourteen and we updated the appendix of results. And so we went for that approach so that then the Table eight did not need to be updated because it commits to the levels being below those reported in the ES, and those reported in the updated version of the ES included those commitments.

00:48:42:01 - 00:49:12:21

Yeah, I think it would be satisfactory if it were to make its way into the OAMP. It's an explicit position around certain receptors. Your commitment is overall, but you've made a specific about statement certain receptors and the commitments to those receptors specifically, irrespective of the wider, you know, attempts to keep everything sort of no greater than the ES, has predicted. And I just think it would be better for the local authority as well to have that commitment transposed into the OWMP.

00:49:13:20 - 00:49:14:11

So I'm just going

00:49:14:13 - 00:49:15:12

leave that with the applicant.

00:49:15:14 - 00:49:29:07

Yes, William Barrett, the applicant. Yeah, understood. We can take that one away. What I'm hearing the is actual numbers of the receptors to be captured within the OOM so we can, look at that version and update it.

00:49:29:09 - 00:50:01:16

Well, yeah. Because, I mean, you've made the the overall commitment to not being worse than what you've assessed, which is, you know, perfectly fine. It sits in ES. That the is commanding document, but you have made even more specific commitments to particular receptors. And I think that that should be captured in the OWEMP, notwithstanding the fact that the OWEMP does capture the wider thing. But I think for those particular receptors, there would be some comfort and it would be comfort for the council particularly because those are likely to be the receptors that may make complaints down the line.

00:50:02:27 - 00:50:07:14

William Barratt for the applicant. Understood. Thank you. Yes. We'll get those updates to the document.

00:50:07:16 - 00:50:10:06

Mister Lav, you can have the floor back. Thanks.

00:50:12:15 - 00:50:18:03

Thank you. Sorry. I'll just go back to my notes. Right.

00:50:24:21 - 00:50:32:01

Okay. So on that point, is there anything further on the OM that our parties wish to raise? Miss Shallowby.

00:50:32:16 - 00:51:07:19

Jack Shallowby, Wilshire Council. Like you, sir, we had some agricultural points, but we're happy to leave them over till next week after the meeting on Monday. The only other point is an ecology one. And, essentially, there's a number of comments that miss Fisher made, in response to x q two at deadline five in relation to the OAMP that haven't had any sort of change to the updated OAMP at deadline six, that she's still concerned about. And I'll try to to briefly summarize them, and then miss Fisher can come in if if she she wants to as well.

00:51:08:03 - 00:51:16:11

The the first issue relates to sensitive lighting, in particular, in relation to bats. And the deadline five comment

00:51:18:21 - 00:51:25:03

essentially raised a point against this. So in

00:51:25:05 - 00:51:25:20

the

00:51:27:15 - 00:52:01:08

outline OAMP against the heading impacts on biodiversity features during operation, there was reference to a sensitive lighting strategy to be conditioned within the detailed OAMP. And the council specified that at that juncture, it assumed the sensitive lighting strategy would be set out in section two point seven of the OAMP, which is titled control of light. And the council also stated that while it's recognized the OMP currently comprises the outlined version, it's obviously clear that there is sufficient detail about the proposed sensitive lighting strategy even for an outlined version.

00:52:02:02 - 00:52:17:19

And rather than the council's point being addressed, the latest version of the OAMP at rep six no longer includes reference to a sensitive lighting strategy, within paragraph two point seven at all. So that one that's of the concerns.

00:52:19:12 - 00:52:23:00

Second concern relates to badges.

00:52:24:18 - 00:53:12:23

And in table three of the OM, which relates to impacts on biodiversity features during operation, it essentially says that should new badger sets have to be excavated, when they come into conflict with management activities, a license would be sought from Natural England. And, of course, the council acknowledges that there may be some circumstances where the only viable option is to apply for a mitigation license. But what the council would like to see is that the table in the in the OAM should include some text that says, in the first instance, it should be established whether any other avoidance or mitigation measures could be implemented to avoid the need to exclude the set, applying the sort of standard version of of the litigation hierarchy.

00:53:13:03 - 00:53:22:01

And that that, again, hasn't been included in the latest iteration, as far as we're aware. And the final point relates to to Skylarks.

00:53:24:28 - 00:53:56:23

And a further point that was made in the submissions by Ms. Fisher is that the inclusion of an adaptive Skylark mitigation section in table three is noted, but it's even at this stage sufficient lacks detail, in particular as to what would comprise the trigger points for the instigation of adaptive management. So such as the number of breeding pairs. So there's not much for the council to go on when considering whether those principles have been complied with at this stage. I think those were the sort of three main points.

00:53:56:25 - 00:53:59:26

I don't know if Ms Fischer wants to add anything or is happy with that summary.

00:54:11:20 - 00:54:15:03

Emma Fisher, for which counsellor if I'm allowed to speak?

00:54:16:19 - 00:54:24:21

Yeah, I could add a little bit to a couple of points if that's helpful. Although Michelle has covered all the points.

00:54:25:29 - 00:54:27:02

Yes, go ahead, Bethany.

00:54:27:04 - 00:54:27:19

So with

00:54:30:01 - 00:54:31:02

respect of

00:54:32:25 - 00:55:28:01

the first point that was mentioned regarding the sensitive lighting strategy, it is a fairly minor point, I recognize, but effectively the previous iteration of the o m p did make reference in table three to a sensitive lighting strategy, and indicate that the assumption was that would be covered in section two point seven, and it still remains referred to in the current table three, in the current version of the plan, and it stipulates that a sensitive lighting strategy is part of the detailed OAMP will specify how this artificial lighting will be installed and used, which will serve to mitigate adverse impacts on the ecological receptors, which are adversely impacted by lighting such as bats.

00:55:28:06 - 00:56:23:19

So it's really just a minor point that obviously it is still in table three anyway, rather than paragraph two point seven of the current version, there is still reference to this sensitive lighting strategy. I know that's just sort of a term that's used to sort of cover the approach that will be used to minimize obtrusive light and light spill, but given that it's sort of stipulating that all of that would actually really entail is just details regarding the sort of proposals with respect to the installation and uses of such artificial lighting, it just feels that there shouldn't be too much of a problem to actually provide that at this stage, because it's not actually stipulating even that it would detail the specific locations where such artificial lighting might need to be used, it just purely says that it would detail how the lighting will be installed and used.

00:56:23:21 - 00:56:35:22

So again, it is just a minor point, but it was just really to sort of highlight that we don't really see any reason why that couldn't be provided in this version at this stage.

00:56:37:12 - 00:56:46:12

So that was that point. Are you happy for me to just touch on the other point that I could just elaborate on a little bit with regards to Skylark?

00:56:47:11 - 00:56:50:20

Yes, as it relates to Skylark, yes, let's do that.

00:56:52:00 - 00:57:16:08

Okay. So we do recognise that the operational environmental management plan has been adapted and revised actually at a previous deadline as well, so we know that we can see that revision five was revised to provide a little bit more information in the section pertaining to Skylark.

00:57:19:02 - 00:57:55:11

Those changes that were made in revision five have of course been carried into the current version seven, so obviously that is welcomed and we do recognise that, and it does stipulate in table three, in respect of the monitoring requirements, that the findings of the ongoing monitoring will be used to assess the effectiveness of the ground nesting bird mitigation areas and to identify whether any remedial or adaptive measures, etc, etc, are required if monitoring demonstrates that ground nesting birds are not using the mitigation areas to the extent anticipated.

00:57:56:08 - 00:58:13:09

It then refers the reader to the outline LEMP in respect of the monitoring requirements. Obviously, appreciate that's separate a item, but I will just touch on it quickly, if I may. So there's two points just following off of what I've just sort of referenced there. Firstly,

00:58:15:21 - 00:58:19:22

it doesn't actually quantify or qualify

00:58:21:24 - 00:59:26:07

what is meant by the term 'extent anticipated'. So in terms of the extent to which the mitigation areas for ground nesting birds will be used, and the efficacy of those areas, this is in any way quantified, so there's nothing in here still that, as we've mentioned in previous representations, there's nothing that stipulates what the trigger points would be that would necessitate the instigation of adaptive management or mitigation, such as the number of breeding pairs, it just merely says to the extent anticipated, and I feel that that's perhaps a little non prescriptive or not sufficiently prescriptive, and that perhaps that could be pinned down a little bit further, just so it is a little bit clearer what actually that means, so that we have a little bit more certainty about at what point would there be a need for some further mitigation or adaptive management to take place.

00:59:26:12 - 01:00:08:22

And then the other point that I would just make is, it effectively just references, it just refers the reader to the outline LEMP, thereby inferring that there will be more detail in that document with respect to the monitoring requirements, but when you go to the outline LEMP, including the latest version, actually it becomes apparent, unless I've missed something, that there doesn't appear to be a great deal further detail within that document either, to elaborate on the Skylark monitoring sort of requirements and the adaptive management and the triggers for any further mitigation.

01:00:09:16 - 01:00:40:10

And in fact, section one point four of the outline LEMP doesn't really give you a lot more to go on regarding the monitoring of the efficacy of those mitigation areas, it merely states that there will be bird surveys and that monitoring of the bird populations across the solar PV sites, both within the array and potential mitigation areas will be undertaken and compared to baseline bird survey data collected for the scheme, and then it stipulates that those surveys will likely be undertaken every five years.

01:00:40:22 - 01:00:55:13

And that seems to be it, So again, we would just say that you sort of sense around in a bit of a loop is how it feels between one document and another, and yet it still appears that both lack the detail that we would like to see.

01:00:56:00 - 01:01:03:11

Yeah. No. Understood. Okay. Mean, I'm going to come to the applicant now and the first point about sensitive lighting around bats.

01:01:04:05 - 01:01:38:02

William Barrett for the applicant. Yes. I'll respond to the lighting point, and then I'll hand over to my colleague who will deal with the Badger and the Skylark point. So on the sensitive lighting, yes, I see that point in the table in the OAMP. We make this reference to sensitive lighting strategy. There's not a great deal more that we would have to say about the control of light during the operational phase other than what is set out in section two point seven of the outline OEMP.

01:01:39:08 - 01:02:08:16

That that said, we can align the wording. I think this is an alignment of the wording that's in the ecology table into that section two point seven. So we'll take that that away, and add a number of words in, around this sensitive lighting strategy. That's fine. Just to help with that, there actually is a sensitive lighting strategy provided for the construction phase already in the as submitted documents.

01:02:10:04 - 01:02:22:28

Rep six thousand and thirty nine, it's within that document the outline ecological protection and mitigation, forgive me, the landscape and ecological management plan. So that,

01:02:24:28 - 01:02:29:26

provides an idea of, the sort of scale of what we might also include for the operational phase.

01:02:29:28 - 01:02:43:28

No. That's helpful. Thank you. I think on this point, I'm happy to pass over now to you. Can I have a on response badges first of all, please? Because I think that's a good point Ms. Fisch has made. And, I also would like a discussion around the Skylarks. Thank you.

01:02:46:20 - 01:03:17:18

Peter Tims on behalf of the applicant. Just with respect to badges first of all, yes, absolutely. The the first protocol, if we do is so this this measure in the in the OMP is to be able to deal with any, any new Badger sets that badgers create during the operation of the scheme. But, yes, the first in the first instance, it would be to decision we made whether, you you know, we can leave badgers set as it is.

01:03:18:27 - 01:03:44:00

If it's having an impact for it, they like to bury under under footing. So if they're, you know, burying under buildings or structures at the site, we would, you know, need to be able to exclude the sets. But, yes, in the first instance, we would consider whether we can leave the sets as they is, and perhaps we can add some wording in to the event on that matter.

01:03:44:02 - 01:04:05:02

No. That'd be useful. Thank you. If we could just just clarify the wording, we'd then just review it. And and I think just the point miss Fisher made about that mitigation hierarchy and licensing being really, it should be the last resort. That would I think that would that should resolve that. I will ask you for a comment on Skylarks next, and then we'll come back to miss Fisher to comment on all three points.

01:04:07:06 - 01:04:20:05

Thanks. Yes. So Skylarks, we have, you know, we have set several areas which will be used to provide Skylark mitigation habitat.

01:04:21:21 - 01:04:26:10

In terms of monitoring their sort of function and effectiveness,

01:04:27:26 - 01:04:33:05

it it primarily will be based on the habitat that's present,

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and the habitat that is delivered. The reason being is that,

01:04:42:19 - 01:05:11:19

Skylark's use of a particular area is dependent on a variety of factors, many of which are completely outside of applicant's the control. You know, how many Skylark you get using a field in any one year is dependent on, the weather conditions during the breeding season, you know, whether there's been a harsh winter before and the numbers are reduced, And also the sort of,

01:05:13:26 - 01:05:47:00

the management and farming, rotational farming practices of surrounding lands as well. So that's why in terms of, I think Ms. Fisher was asking, inquiring about whether we would whether there are sort of, trigger points in terms of number of breeding pairs, we would avoid that because you can get into a situation where you you're you've provided, ideal conditions and ideal habitats in your in your mitigation areas.

01:05:47:02 - 01:06:09:20

But for those reasons, for those, addition, you know, other factors which which which, which influence, the number of breeding pairs in any any area, in any one year. You might get a situation where you don't have you aren't meeting that those number of of breeding pairs, and you then

01:06:11:24 - 01:06:22:03

but you've we've committed to, you know, not being a trigger for changing the management even though the the habitat is ideal. So the

01:06:24:01 - 01:06:28:27

sort of habitat requirements of Skylark are fairly well established through the literature.

01:06:31:19 - 01:06:42:18

So that's why we would stop we would stop short of identifying the number of breeding pairs in those areas as a trigger point for considering

01:06:44:06 - 01:07:29:08

changing the management. There are situations where, you know, if the survey surveys, if it identifies that the habitat is not not, suitable for is is or could be better, that would trigger a possible change in management there. And also, you also might find if doing bird surveys that you find perhaps there's Sky lacs are using those those fields, but perhaps just for the the, you know, there's excellent foraging opportunities, but you might find they don't tend to be breeding in them.

01:07:29:10 - 01:07:42:09

So even though there's lots of lots of sky lac around, they might not be nesting, which at that point, that you would you may consider that, you know, it's there's the sort of the vegetation structure isn't isn't quite right or something, and you might have to,

01:07:43:29 - 01:08:04:18

know, potentially do an additional cut to the start of the year, start of the breeding season. So that's what we sort of mean with adaptive management. But as I say, it's primarily the idea is to provide habitat the rather than focus on how many breeding pairs

01:08:04:20 - 01:08:25:17

of skylocks there are. Yes. I can I can understand that you can't force skylocks to breed in your in your pet area? But missus Fisher missus Fisher does does point out what then are the and perhaps you can just point me to them. What are the triggers then? I mean, you mentioned some there. Are they outlined in the LIMP?

01:08:27:15 - 01:08:45:00

Because if we're relying on the habitat areas and you're saying, well, we're not going to do breeding pairs because of the points you've made, we're going to make sure we have best habitat we can, what triggers are and where are they? Thank you. It's fair to

01:08:45:02 - 01:09:09:01

say that those triggers aren't detailed in the outline of the management plans. Think the intention was for the whole outlined monitoring strategy. I think the intention was that detailed monitoring requirements and detailed monitoring strategies would be in the detailed management plans, particularly once all of the once the at the detailed design stage,

01:09:10:21 - 01:09:13:06

areas of particular habitats are

01:09:15:06 - 01:09:19:01

confirmed at that point. So it's not not in there at the minute.

01:09:19:04 - 01:09:26:19

So do we need any changes to the wording in the outline documents just to be a bit more explicit on that front?

01:09:32:26 - 01:10:08:23

Clairvox, the applicant. I mean, I think that in terms of the two how documents talk together, we could perhaps make it more explicit that we take on board the point that at the moment you refer to one for the detail, but the detail isn't in there because that is also an outline document. So we could perhaps make it clear that the rather than referring to the outline LEMP, we can make it clear that the detailed LEMP will contain the measures for ensuring that the particular habitat, is both established to be suitable and then maintained to be suitable, which was the point that mister Tims was making in terms of then doing it.

01:10:08:25 - 01:10:34:18

So I think maybe it's at the moment because it refers because the measure refers to the outline plan, it it you're then invited to look at a a document that doesn't contain that detail but maybe we'll we'll update that to make it clear that the detailed length will include the relevant measures but as mister Tim says that we don't we aren't able to set that out yet because the specific locations and the specific planting types haven't all been decided at this point in time.

01:10:35:21 - 01:10:37:16

Okay. Let

01:10:40:15 - 01:10:51:00

me come back to miss Fisher then. Miss Fisher, you've obviously heard what the applicant said on that, and they'll make adjustments to documentation so you're not sent sent in a endless loop of checking between the two.

01:10:53:00 - 01:11:14:05

I mean, you obviously heard there what had about we badgers and the change to the wording there to be that more explicit that licensing will be the last, last resort, which positive, and they changed the lighting just to align the approach between different documents, and there's obviously a lighting strategy that applicants submitted. But if we keep on the subject of skylarks, please,

01:11:17:09 - 01:11:50:07

are you quite content with what you've heard? Would you want to see something different? Because mister Tim said, the understanding of Skylark habitat seems to be quite well matured now. Mhmm. So do we need some examples? Not not an exhaustive list, obviously, because that would go into detail, but do we need something do we need some examples in there of the types of of triggers? I mean, I I do understand what you're saying about you can't force Skylox to to breathe there, of course. But in terms of providing the best habitat, that that seems reasonable to me.

01:11:50:14 - 01:12:01:23

And about some example triggers about if the if the habitat is doing this, then we'll do that. So is it is it that some of those sorts of things, would they would they help?

01:12:03:06 - 01:12:19:08

Emma Fisher for Watch Council. Yes, think it would fully understand the points that mister Tims has made and also obviously fully recognize that it is about the habitat that is created and maintained and whether that's actually suitable for the species,

01:12:21:00 - 01:13:37:27

and that that's the key thing, so obviously if it's not then it won't be suitable for Skylark, but I think, so I do understand the difficulty with setting a number, was obviously giving that as an example, because I think the concern from our point of view is that obviously the number of territories has been estimated based on the baseline survey data, so appreciate that's an approximation of rough numbers of territories that will be lost and displaced as a result of the scheme, and so I think whilst I fully appreciate you can't necessarily set a quantitative target per se in respect of numbers, it's just about having some sort of certainty or assurance that there will be an appropriate juncture at which, if the habitat's looking suitable, but we're still seeing a real sort of lack of uptake, well then at what point will something additional be done, and as you say, what would that comprise? Because otherwise the current plans don't give us any certainty or confidence as to firstly, at what point may something be done, and what might that constitute.

01:13:37:29 - 01:13:56:02

So yes, think if the wording could be revised to basically elaborate on what Mr. Timms has actually said about the fact that, you know, if all of the habitat is maintained and suitable, but we still aren't seeing the numbers that we would like, what would be the next step?

01:13:58:24 - 01:14:02:25

I'll come to Mr Reynolds first, then I'll come back to the applicant.

01:14:03:07 - 01:14:27:21

Celia Reynolds, stop lying down. It's just to agree with with some of the points with which miss Fesher have outlined. And I'm listening to the applicant. Of course, there are inherent difficulties with creating a habitat and ensuring that Scarlacc you can't ensure, basically, that they would, actually uptake it. Right? But but that seems to be precisely a reason for monitoring it, particularly given the extent of the impact, which

01:14:27:23 - 01:14:28:08

is

01:14:28:10 - 01:14:59:26

anticipated, by the applicant on the local Skylark population. And even if it isn't something as straightforward as saying, oh, we need, you know, x number of breeding pairs, it's also just about, having an eye to the trend. And we note that within the LEMP, and I I realize we're we're getting on to that later, there is specific monitoring in place. In respect of habitat, I note there's reference to bird surveys, but I think what SLD is really looking for at least is something which is specific to that particular population, which is going to be so affected by this scheme.

01:15:01:09 - 01:15:03:05

And and on that point, actually,

01:15:05:19 - 01:15:13:17

the applicant's obviously relying on foraging as well. Now we discussed the grass ward on Tuesday to a great extent,

01:15:15:07 - 01:15:30:18

and I just wonder if perhaps we come back to the applicant if because I I've I've actually moved Skylark monitoring from later in the agenda to this point cause we're discussing it. It just seemed appropriate, given it's on everybody's mind. But

01:15:32:27 - 01:16:08:23

but as we're discussing Skylarcs and adaptive management, and the applicant is relying on the foraging as well here. So it's not the just habitat areas. You know, there's there's a bigger picture there. So do we do we need something in the lamp covering the foraging areas with not just the grass wards function as suds, but actually in addition to that, making sure there's an appropriate monitoring of it of its other function, which is for skylark foraging.

01:16:09:12 - 01:16:16:00

I use Skylark as the example in all these other birds. So I'll I'll come back to the I'll come to the applicant now, please, on that point.

01:16:19:03 - 01:16:38:25

Peter Tims on behalf of the applicant. Yes. I I take I take the point exactly, but, I just, maintain that you the it's the habitat that you're creating is what is sort of what you need to aim for.

01:16:40:13 - 01:16:41:19

And so monitoring

01:16:43:14 - 01:16:46:15

needs to focus on on the habitat that's that's provided.

01:16:48:25 - 01:17:01:14

You know, as I say, the habitat requirements of Skarluck are are fairly well well established. And, if you're providing if you if you're providing the habitat, which

01:17:04:10 - 01:17:24:10

then the foraging resources that come along with that, the invertebrates and small spiders and things which are vital for skylarks, that will that will follow on. If if you're not if the monitoring if you're not providing if you the habitat is not being provided, it is that point which would trigger the need for,

01:17:25:26 - 01:17:39:26

potentially, you know, adaptive measures, rather than, you know, your numbers of Skylarks that are using the habitats or foraging within grassland. Yes, I just wanted to

01:17:42:13 - 01:17:50:21

confirm that point. Not necessarily it wouldn't be the your monitoring your of of Skylax is it it's not,

01:17:52:29 - 01:18:13:07

it it can help, you know, add some add some, additional, you know, additional observations. But, yeah, the monitoring has to focus on on the habitat that you're providing. Providing. If you are if you're providing good habitat and Skylark's aren't using it, then it's almost certainly due to other factors that are beyond the applicant's control.

01:18:14:06 - 01:18:29:20

Sorry. But on that, out with applicant's the control, if you have very low Skylark numbers using the habitat or none, could that be a result that the foraging area isn't doing what it's supposed to be doing with respect to Skylark?

01:18:31:19 - 01:18:33:14

Sims on behalf of the applicant. It

01:18:35:02 - 01:18:46:18

it would indicate that the the habitat's not not how how you, you know, the habitat you're you're intended to buy, it hasn't hasn't established.

01:18:52:14 - 01:19:04:02

It's not necessary that Skylarks aren't using it for some other reason. They are known to forage in in,

01:19:04:16 - 01:19:05:01

you know,

01:19:05:03 - 01:19:13:15

in and around panels, where the habitat is suitable. So in this instance, if if you are not finding skylux foraging,

01:19:15:24 - 01:19:25:29

but to get that the habitat is is suitable, which you would and that your habitat would be monitored through habitat survey habitat survey monitoring.

01:19:29:06 - 01:19:42:11

Yes. And so if you have attack that's suitable but Scarlet's not using it, then I'd, again, suggest it's this is because it's not it's because of other factors that are, you know, outside of the site conditions or something like that.

01:19:44:03 - 01:19:45:19

No. I understand.

01:19:46:08 - 01:20:24:05

I I wonder if it's just helpful. I think the between the LEMP and the the the measures are contained within there. So both within in the LEMP itself, itself, there are other requirements to establish the habitats both in the habitat mitigation areas and below the panels. So there's the requirement to establish the habitats, but then there is ongoing ecological monitoring, which what is mister, Tims was saying in terms of making sure that the habitats are functioning in the way that they, are are required

to do so, both in terms of the specific measures for the habitat management areas and also the grassland underneath the panels.

01:20:24:07 - 01:21:03:07

And I think what we're essentially trying to say is that the management plans do contain both the obligation to put it in place to monitor it and to remediate the habitats within the order limits. And we have a requirement to make sure that the habitats are suitable, and if they're not, then to remedy that. I think what was being suggested, by Wiltshire Council was a wider point, which is what mister Tims is saying that actually if your habitat is absolutely suitable, but still the skylarks are not coming, then that is not a matter that the applicant can remedy because it is a wider issue in relation to, as he said.

01:21:03:09 - 01:21:04:01

No. No. I understand.

01:21:04:03 - 01:21:05:24

So it's I we just want to be very clear.

01:21:05:26 - 01:21:39:23

No. No. I I yeah. I got that point. Yeah. I mean, ultimately, trying to try to draw the three parties together here on this point, and I I do see miss Vicious hand up on mine, but to try and draw the parties together here, I mean, do we need a review of the reporting mechanisms, mechanisms at various points, triggers at various points because, you know, there there does need to be, I think, some industry learning on this point. And I think what we could be having here is throughout the operational period, if we have triggers and and it might be that, yes, we have no Skylarks there, but actually the habitat we're providing is absolutely perfect.

01:21:40:03 - 01:22:16:20

And that's if that's what it is, that's what it is. As you say, there are there could be climatic factors out outside your control. And, you know, I totally understand that. So and then that monitoring information, once we once we have it, can that then be shared with the council to say, well, look. We're doing what we say we're doing. This is, you know, this is what we've done. This is this this was the trigger to review our habitat because we noted it wasn't for whatever reason. You know, miss mister Tims, mister Jackson, you'll both know far better than I, the sort of habitat, the exact specific type of habitat, the conditions required.

01:22:17:02 - 01:22:31:12

Yeah. It wasn't doing what we were we thought it would do, so we did this instead. Still get the end result. But there are monitoring reports that go to the council, and this in itself would provide wider benefits across across the industry. As

01:22:31:14 - 01:22:31:29

late Yeah.

01:22:32:01 - 01:23:02:09

It's similar to it's similar to the sort of monitoring we were talking about over shuttle busing, which is a very different topic, of course. But it was about that industry learning experience. If all that happens here is we've got measures to monitor Skylark uptake of these areas, and you say, Well, you know, we've done all we can you know, we're putting in the habitat for it, but actually there's an industry wide lessons that could be learned if the skylarks don't choose to respond to that. You know, I think the industry to needs understand that.

01:23:02:11 - 01:23:11:27

The council needs to understand that. And at the moment, that's not got that's not captured, not in any of the documents that I've just flicked through, you know, where it might have been

01:23:11:29 - 01:23:12:16

captured.

01:23:14:02 - 01:23:22:01

No. Thank you. That's some good points. I'm gonna bring in Fisher miss now, and then we'll come back around the table. I I want to I want to get this issue resolved.

01:23:23:22 - 01:23:24:28

Miss Fisher, please.

01:23:25:19 - 01:24:21:12

Emma Fisher, for watch council. Yeah. I'll keep it brief. I do understand what Mr Tims is saying, obviously we do fully understand that it is about the habitat creation and maintenance of it, as I said earlier, hence our repeated requests for actually the hedgerows aligning the ecological mitigation areas which are targeting usage by ground nesting birds, that they be maintained at a lower level. So we do understand that there are other factors at play, and that you may provide an area but it may not be used to the degree that you would wish, or be used by the numbers that will be displaced by the scheme, so we do understand that, but I think what I was trying to get at, and stop lying down and did also make this point well, is that we appreciate that and that there has been a commitment to provide that mitigation, and we welcome that,

01:24:23:13 - 01:25:47:29

and obviously, you know, it won't become apparent until a bit further down the line whether it is effective and whether those areas are being used, but I think just touching on and following on from the point you made about industry wide learning, think what I would say is there is clearly a significant residual adverse impact in respect of breeding birds, particularly ground nesting birds, and so I guess what I'm asking, you know, really just sort of posing the question really, is this there the option or is it feasible that the plans do sort of give examples of what could be done if indeed the areas that are being provided are not effective? Could it be that something else has to be done, because whilst we appreciate it's outside outside the applicant's control, whether skylark or other species choose to use those areas, it is the applicant's project that is resulting in this significant adverse effect, and so it still feels like there is a responsibility to try and suitably offset those impacts if the mitigation that is being put forward is not effective, otherwise it makes the whole reference to adaptive management futile, if indeed there will not actually be

01:25:51:03 - 01:25:56:28

any steps to do any such management or further mitigation, if indeed it does become apparent that that is required.

01:25:58:16 - 01:25:59:10

Thank you.

01:25:59:12 - 01:26:02:28

Thank you. I'll come to the applicant then to respond to that point.

01:26:04:23 - 01:26:07:00

Just in respect of the

01:26:09:05 - 01:26:41:13

earlier points that were raised in terms of the provision of the information as a result, point is noted that this particular, whilst in respect to some of the other matters referred to in the OAMP where the provision of information is provided, it doesn't explicitly state that. So we can add in reference to, the results of that monitoring being provided to the relevant planning authority. That, I believe, is something that we can add into the, OAMP.

01:26:41:15 - 01:27:18:07

And also, you know, we were saying about the cross referencing between the two. Obviously, the OAMP specifically mentions, the monitoring in respect of Skylark mitigation. The provisions in the Olimp obviously go through various different habitats, and then there's a more general ecological monitoring section, which doesn't make specific reference to Skylark monitoring. just It refers more generally to sort of birds. So we can also look at making sure that there's a specific reference so it's not if you're looking between the two documents, then you're clear in terms of the monitoring that's, being done, on there.

01:27:18:12 - 01:27:40:17

I think in terms of the second point, Mr Timms, we've obviously set out our position, we're not going to agree on this point. The applicant's commitment is to make sure the habitat is suitable and any adaptive management measures are to ensure that the habitat is suitable going forward and whatever changes we might need to make to that particular habitat, it doesn't go wider than that.

01:27:41:14 - 01:28:07:27

And then to follow that further, clarify my understanding, those measures will be in the detailed documents. Yeah. And that will be signed off by the council. Okay. I'm I'm happy to to come back to the council and SLD on this, but I think the applicants made their point very clear, made their position, set that out quite clearly. So miss Shalabee, if the council want to come back on any part of what miss Broderick has said.

01:28:08:14 - 01:28:13:12

Odette Shalabee, Welsh Council, only if miss Fisher wants to. Nothing nothing from me.

01:28:18:24 - 01:28:38:27

Emma Fisher, Georgia Council, just to say that I understand their position and, yeah, we may just not be in complete agreement here, because it may be argued then why monitor it if in fact nothing further could be done, but we understand the position, so, yeah, I'll leave it at that, and thank you.

01:28:39:19 - 01:28:43:09

No. Thank you, miss Fisher. And mister Singh?

01:28:46:08 - 01:29:13:02

Rohit Singh, Wiltshire Council. I think it's very important that ecological aspects and hydrological performance are considered, you know, together. It is also part of NPPF agenda, of the government, which, you know, talk about the multifunctional aspect of, landscape management and

01:29:13:18 - 01:29:35:10

I'm sorry, mister Singh. I don't to wish be rude, but, we're talking about Skylark, adaptive management for Skylark. We've we've talked about badgers. We were talking about very specific ecological matters. And, yes, I do understand hydrology and ecology do meet. One doesn't operate independently of the other in a lot of circumstances, but in this instance, we're pursuing a very specific species.

01:29:35:12 - 01:30:01:26

Yeah. So LAMP identifies skylark mitigation areas and ecological monitoring requirements, but does not explicitly explain how the hydrological performance of these high habitats will be assessed or how hydrological risk associated with widespread vegetation deterioration, bare ground formation, or unsuccessful habitat establishment would be managed? Thank you.

01:30:02:15 - 01:30:04:06

K. Thank you. Stop down.

01:30:06:08 - 01:30:49:16

Celia Reynolds, stop lying down. It's I don't wanna repeat any points already made. My note that the applicant isn't going to agree with us on this, But just for the examining authority's ref reference when it comes to determining this decision, we do just really wanna emphasize the point that given the applicant recognizes the inherent risk in producing this habitat and the likely benefits for the skylark population, that does that make monitoring even more necessary. Esselitt doesn't think it's a complete answer to say just because they wouldn't be able to do anything in respect of the habitat that it's still not worth monitoring species specifically because clearly, at least for Wiltshire Council, for example, if they're considering other schemes in the area and this local population has not rebounded, that is incredibly important.

01:30:49:18 - 01:30:55:17

And it's for the applicant to continue monitoring because it is, as miss Fisher pointed out, effect the caused by their scheme.

01:30:56:06 - 01:30:59:19

Thank you. And I'll come to the applicant for final word on this point.

01:30:59:21 - 01:31:32:27

The applicant, just to be clear, I I wasn't saying we weren't doing any monitoring. The LEMP does provide for monitoring of bird species. It was the point about the limitations as to what the applicant can do in terms of the activities it can undertake. If it is identified that specifically skylarks aren't using that mitigation, then what applicant the is committing to do is to review the the habitat and to make amendments to the habitat to try and improve that, and that is the extent of the the obligation.

01:31:32:29 - 01:31:34:23

But I think that point's been understood.

01:31:34:27 - 01:31:42:17

Just clarify for me without me having to go through all the documents and so on. Would you would you be monitoring Skylark numbers?

01:31:47:28 - 01:32:05:27

Hey, Tim. I'm the. Yes. We would just you know, it's it does provide helpful information, and it's also useful if a sort of positive confirmation if, you know, if we are in this case, if, you know, if things are working, then we would carry on. It would confirm to carry

01:32:05:29 - 01:32:21:14

on as we are. No. Thank you. That's just again, it just saves me scrolling through when I'm got a cold. No. That's fine. I'm I'm gonna propose we we move on, and you'll be grateful to know I'm passing on to my colleague Mr Northover.

01:32:22:17 - 01:32:56:28

Thank you. So we'll continue on with other matters in the outline LEMP and I've got some questions on the management of proposed planting. So concern has been raised by IPs, in particular, Rep six thousand and ninety from Vivian Jane Clark at the most recent deadline, and Ms. Henshaw raised the the matter at, issue specific hearing five on Tuesday about whether there are sufficient measures, set out to ensure the survival

01:32:59:15 - 01:33:47:11

especially as, summer droughts can lead to water restrictions. So the outline LAMP sets out that new hedgerow and tree plants will be watered regularly in the summer of year one and thereafter as required. So my question for the applicant is, is it possible to provide more information in the outline length in relation to the water treatment regime, such as can more detail be provided on what 'regularly' means in year one, so how regularly new plants would be watered in year one, the source of that water, and then how the regularity of watering would be determined for the following years if there is only an annual check of the survival of plants?

01:33:51:23 - 01:33:56:00

If you need me to repeat any of those points, then let me know.

01:34:13:01 - 01:34:42:14

Claire Brogie, for the benefit of those attending virtually, the, landscape expert and the ecologists are just having a discussion in terms of who's best placed to answer the particular question and extent to

the which we can provide generic information given I understand it will be, you know, everything will be different depending on the particular species of plant that we're talking about. So I'll, can hand over, to let Mr Jackson Jackson answer answer, that that particular particular question. question.

01:34:44:07 - 01:35:06:28

Mr Jackson, on behalf of the applicant, I'm just going to start with the first point in regards to your question on what does what does regularly mean? So, obviously, we've got the the watering year one and then and that's required and then the the regularity of that. And so what's what's difficult to give

01:35:08:14 - 01:35:43:10

definition to at this point in time is what would be required given that, as Ms. Puddock alluded to, different species have different watering rates and watering requirements. It's also then dependent on the climatic conditions of the time. So if we have a particularly wet period, we don't wanna have a prescription that forces us to go out and water because there's a risk of over watering, for example. And equally, if you then have a particularly dry period, as we've this summer, if we've got a prescription that is sent for watering once a week or once a month, you might need to be more regular than that.

01:35:43:29 - 01:35:50:02

A lot of it depends on as response to the environment at the at the time.

01:35:50:12 - 01:35:56:07

So rather than a prescription on watering when you don't know the climactic conditions, what

01:35:58:09 - 01:36:14:08

about the the reviewing in order to determine whether so you could set how frequently you need to review the if watering's required or review the regularity of watering, I guess.

01:36:45:13 - 01:36:46:00

As

01:36:48:12 - 01:37:09:27

part of the establishment of the plant species within the detailed length of requirements that were set out, how that would be undertaken, there's gonna be periodic review of weed, what requires weed suppression, for example, to allow the mutual advance for establishing and doing what they're supposed to be doing.

01:37:11:17 - 01:37:19:28

I think it'd be difficult at this point in time to be specific around what you're essentially suggesting is auditing.

01:37:22:08 - 01:37:34:17

It would be difficult at this point in time without a detailed scheme to set out what level of auditing would be required post implementation of the planting scheme for the level of detail.

01:37:36:00 - 01:37:57:16

Okay. And then, so in the years following year one, so my understanding is that there's an annual of the check survival of plants, but presumably that will need to be a much more frequent check to know how much water they need. That's correct. I'm half of

01:37:57:18 - 01:38:05:01

the applicant. So the annual check-in regards to, is in regards to establishment, so you're looking at failure rates. So obviously

01:38:06:24 - 01:38:37:05

drying out, lack of watering could be one reason for failure, but it could be something else, it could be a pest or a disease or the plants are simply not taken. And so that annual audit is to look at that lack of establishment and then there's a requirement within the EO Lembin and the detailed Lembin that would trigger replacement of those plants in line with the detailed scheme. That's what that twelve month one is looking at, but along with the

01:38:38:23 - 01:38:46:20

first my colleague, mister Tims, on detail, but the establishment is also covered within the Lent.

01:38:48:12 - 01:39:02:21

Okay, thank you. I saw hands from both the council and staff now, but just one more question. Question. The concern that has been raised is the source of the water as well, and this is relevant to,

01:39:04:29 - 01:39:11:17

drought conditions in summer and any restrictions restrictions that might be on water use.

01:39:12:21 - 01:39:20:11

Mr. Yeah, Christian, it's Martin. I'm just going to refer to my colleague Mr. Tims on that, unless got the reference for it.

01:39:22:04 - 01:39:23:28

Sorry, Ben, source of water.

01:39:27:04 - 01:39:30:29

Sorry, have some slight confusion for myself. Mr. Timm just told me what I was gonna be talking about.

01:39:42:26 - 01:39:59:20

Claire Bossh of the Upkin, should I perhaps might be helpful. We did provide an outline water resources strategy, did include some detail in relation to the ability to provide a connection

01:40:02:05 - 01:40:38:19

into the mains at Bristol Water in terms of there's a point close to the field A1 and that there would be water available for that during, obviously, construction phase, and that would include the establishment of some of the plants. The applicant's position is that there is sufficient water available locally, but then there would also be other options available to it in terms of things like water tankering, utilizing water that's, you know, already

01:40:40:27 - 01:40:59:19

available to be abstracted, etcetera. So the applicant considers there is a sufficient source of water available for a range different options to ensure that there's sufficient water to carry out the watering that's been mentioned here and that would be required.

01:41:00:08 - 01:41:09:27

And does that anticipated cover quantities as well, granted that's a matter of detail you might have at this stage?

01:41:09:29 - 01:41:39:07

Yeah. Clairvoy, for the applicant, I think we've considered that we believe that there's sufficient water available. My understanding is obviously as mister Jackson said the actual specific amounts would be in the final plans once the actual planting regime is known and the species so that the it would be understood. How much is actually required the for planting regime that is designed there. The applicant's view is that the water would be available, the watering requirements for the scheme. Okay.

01:41:40:15 - 01:41:42:06

Stop lying down, Ms Reynolds.

01:41:42:28 - 01:41:58:29

Cecile Reynolds, stop lying down. So, SLD have had a look at the water resources strategy, and as far as we can tell, the water required for habitat management isn't included. There's a list of bullet points at the start of the document which focuses on water use, I believe, during the construction

01:42:00:18 - 01:42:40:06

operational phase. So that includes, immunity water, vehicle washing water, equipment cleaning water, directional drilling, dust suppression, and then again during the operational phase, water used, say, for cleaning the panels. But there is no estimate provided, and, obviously, SLD remains concerned that the reasonable worst case in terms of the amount of water required for the scheme, particularly for managing the hedgerow and the various habitats hasn't been assessed. And we also note the importance of this for the, various water bodies because there been an estimate provided in terms of construction water demand and also operational water demand, but none of that has been taken into account in terms of the habitat management.

01:42:40:15 - 01:43:11:13

But these figures have been, I believe, provided to, say, Wessex Water when consulting Consulting them. them. So in in somewhere we have concern both in terms of whether this actually can be provided from, say, that water mains at field day one, if not, if it will be tankered. And then, obviously, correspondingly, there are corresponding impacts in terms of vehicle movements. We haven't spoken to our transport expert in respect of that, but we just wonder also whether or not that's being taken into account here as well.

01:43:11:25 - 01:43:13:15

Okay. Thank you. And the council? Council?

01:43:15:06 - 01:43:29:01

Adet Shabby, Wilshire Council. It's a sort of related but slightly different point about adaptive management and monitoring of the planting. I don't know if you want, miss Reynolds' point to go first or if should I

01:43:31:14 - 01:43:36:27

Yeah, I've got an item to come on to adaptive management and monitoring and planting, if that's okay.

01:43:36:29 - 01:43:37:21

Leave that.

01:43:38:15 - 01:43:47:06

So, nothing on the watering of that? Okay, thank you. So if the applicant could respond to

01:43:48:24 - 01:44:10:01

the matter stop line down raise, particularly there not being the water required to habitat management included in the water resource strategy, and whether it's possible without the detail of the planting to provide a reasonable worst case estimate?

01:44:10:16 - 01:44:23:24

I think just before you answer, I think rainwater harvesting is something which is also not noted in the strategy, so it might be helpful if the applicant could give some consideration to that in its answer as well.

01:44:59:28 - 01:45:32:15

Claire Bodge of the applicant, I think we're going have to take that point away because it requires a bit more of a detailed discussion between the applicant's team. The points noted and obviously have looked through it and, yeah, obviously it's correct that there's no explicit reference to that, so we'll take that away as an action, please, rather than conferring ring between ourselves for a a detailed amount of time, both in terms of, the, water itself and, where it would where it'd come from.

01:45:32:17 - 01:45:41:09

So, we've said I think we've responded to it variously, but it's we note that it's not explicitly mentioned in the outline management plan, so we'll have a look at that.

01:45:42:27 - 01:45:52:20

Okay. Thank you. And not just where it might come from, but having a look at whether you can provide a reasonable worst case of quantity as well. Thank you.

01:45:53:16 - 01:46:29:15

K. Mister Kozlke. Thank you, sir. Don't get yourself a stop line down. I think that's helpful. Given how short of a period is before the deadline for for the end of this examination, it it seems, to us that if if the figure is wrong or the figure does not include this, it may be prudent for the applicant to immediately go to the water boards and actually update the figures that they've provided just so you could have answer an as to how the water boards would consider the figure that might be a reasonable

worst case for watering, because otherwise, we'll get to the examination, and you won't have any information about the true figure.

01:46:31:29 - 01:46:35:23

Is that something that the applicant can go to the water board with?

01:46:38:14 - 01:46:43:13

Come back at deadline seven. Is that realistic timescale to do so?

01:46:48:24 - 01:47:02:28

Clever, just the applicant. I think just need we to check because we obviously have had discussions, with the water companies, and it's it's a point relating to whether the figures are that we've quoted are sufficient. So, we will take that point away and check.

01:47:03:18 - 01:47:19:26

It would be helpful to have an explicit position on that in your submission, not just leave it in the ether that the water boards, you know, the numbers are fine and therefore the water board didn't need to be consulted. If they did need to be consulted, we would hope that you could give us explicit some statement.

01:47:23:12 - 01:47:35:11

Caboj of the applicant. Yes, we'll provide our our statement on the position whether we can I don't think we can get a response from the water companies as it were, but we explain will what our position is and how we propose to take the point forward?

01:47:37:01 - 01:47:57:00

Okay. Thank you. So given so coming on to the the point now about adaptive, management of planting, given that planting is essential to mitigate adverse effects on landscape, visual, ecological and heritage receptors,

01:47:59:15 - 01:48:12:08

should there be a more regular planting performance review set out relative to and this is important that relative to the mitigation objectives of that planting,

01:48:14:28 - 01:48:21:15

and then subsequent adaptation of the management measures that are set out in the ALM. So I

01:48:23:05 - 01:48:32:29

note the applicant's applicant's response to in relation to heritage assets CH two point one two, that

01:48:35:16 - 01:48:49:22

the applicant doesn't consider this necessary. But certainly in relation to landscape and visual, for example, the performance of the planting dire directly relates to the level of residual effect that they'll be at year fifteen onwards.

01:48:57:20 - 01:48:59:15

Question out from behalf of the applicant.

01:49:01:29 - 01:49:09:10

The OLEMP and ultimately the Detailed LEMP will control the establishment requirements for the vegetation. There's a

01:49:10:26 - 01:49:20:00

commitment for the lifetime of the scheme to ensure that vegetation is looked after and maintained and managed and therefore is given the best chance of being successful.

01:49:21:15 - 01:49:41:13

So we feel that the OLEMP and ultimately the detailed LEMP would be sufficient to ensure the planting scheme as designed would establish and therefore would, for the purposes landscape and visual for example, would meet the aims of that mitigation.

01:49:42:05 - 01:49:59:23

Okay. And so there's assumptions on growth Is that something that could be checked at key receptors at defined times as well? Is that something that could be set out in the details LEMP?

01:50:00:17 - 01:50:32:27

Chris Chaston, Hathaway applicant. We've a got series of assumed growth rates, zero point four meters a year, so forty centimeters. And that's been established through ongoing consultation discussions with nurseries and growers and other items. But obviously even that is an estimate, some years it will grow more than that, some years it will grow less than that. It's a natural product obviously that takes time to establish and will maybe be slower in the couple first of years and quicker towards the end.

01:50:32:29 - 01:50:54:13

All I would say though is that we're not If you think about a tree, for example, we need a tree to get up to a certain height to provide screening and mitigation, but it doesn't need to reach twelve, fifteen meters tall in that period. It just needs to get tall enough to be able to provide that visual screening and depending on the

01:50:56:01 - 01:51:17:17

extent of the parameters of the Rochdale envelope, if it's a four point five meter panel at the end that is installed, we need our mitigation to get to four point five meters. So we should be able to achieve that given the size of the WIPs or standards that are planted within that ten to fifteen year period. So again,

01:51:19:22 - 01:51:29:12

mechanisms within the O LEMP and ultimately be required by the detailed LEMP for establishment and implementation of the planting scheme are sufficient to reach that point, sir.

01:51:29:24 - 01:52:03:23

And height is one thing that's measurable, and you can test that density is another matter, whether the planting's actually achieving this a a sufficient density to screen effects and how and so I I guess what

I'm trying to get at is not just looking at the performance of the plant standing alone, but if it's if the planting is serving the purpose of screening a view from a particular receptor, then assessing

01:52:05:09 - 01:52:11:06

how well it is performing at screening that view.

01:52:14:22 - 01:52:23:08

Is that something that you envisage in what you intend to include in the detailed LEMPs, is that something that could be put in there?

01:52:28:11 - 01:52:49:08

Cleveridge of the applicant. So what the LEMP obviously will do in terms of the, specific species that have been identified, we'll put up the the the maintenance and monitoring regime for those, species to make sure that they are growing in the way that we want to grow them, but that is effectively what we're monitoring and managing, the actual planting on the site.

01:52:50:29 - 01:53:10:25

That that's the commitment that's being made, in the management plan and to establish the planting and make sure that it's you know, any gaps are infilled and those sorts of things. It doesn't go back to look at it from receptors. It's the management of the LEMP is the management of the planting itself.

01:53:11:19 - 01:53:19:23

Okay, understood. I'll come to the applicant now to oh, sorry. Wiltshire council to raise the points that you had.

01:53:19:25 - 01:53:50:12

I doubt it shall be Wiltshire council. I don't know if mister Goodwin might have something to add, but I do have a note from the heritage team, the council who has reviewed the applicant's deadline six submissions and remains, concerned and convinced that the this OLEM should should incorporate more in terms of monitoring adaptive management for where the planting is proposed to provide a specific screening function to achieve lower residual adverse effects for specific heritage receptors.

01:53:51:23 - 01:54:09:17

And that would ensure that those lower effects are achieved or at least would go further in in so assuring. And the the applicant did in in their deadline six response agree to provide a list of heritage assets where the reinforcement of landscape features has been proposed as mitigation.

01:54:11:05 - 01:54:25:27

That list, the council suggests, needs to be added to the LEM to inform this new provision that's being requested for monitoring and adaptive management. And it's really important to the conclusions the heritage officers have reached in terms of the levels of harm that this is included. that this

01:54:27:18 - 01:54:28:21

I don't know, did you

01:54:28:23 - 01:54:29:13

want to add

01:54:31:03 - 01:54:32:04
a comment?

01:54:33:20 - 01:54:34:14
Yeah, thank

01:54:34:16 - 01:54:37:18
you, Udit. I would like to add, know,

01:54:39:03 - 01:55:18:13
OLM, you know, there are gaps, especially in relation to the following. How vegetation condition will be assessed from a hydrological perspective, how drought related vegetation decline will be managed, how hydrological implications of widespread wide vegetation deterioration will be assessed, when vegetation related issues should trigger hydrological intervention, what adaptive responses would be implemented if vegetation performance begin to affect enough behavior infiltration performance, erosion control and drainage function.

01:55:18:27 - 01:55:46:17
And just five ten minutes back, we're talking about the ordering. I mean, with regards to that, I would like to say that our approach should be outcome focused. You know, because successful vegetation establishment is an outcome we would like to achieve. And that is linked to hydrological performance and resilience to drought and climatic variations.

01:55:47:28 - 01:55:49:11
Thank you. Just

01:55:52:10 - 01:55:53:18
yes, mister Goodwin.

01:55:53:20 - 01:55:57:02
Yeah. Mark Goodwin, Welsher Council.

01:56:00:10 - 01:57:00:11
From the council's perspective, I think as well as ensuring the the successful growth of these plants, I think it is important to understand whether or not they are functioning as designed and as as intended. Because many certainly within the within the visual assessment, within the ES, the LVIA, many significant effects are being, know, residually assessed at year fifteen as being nonsignificant. So I think it's quite important that, for instance I know mister Jackson made reference to four meters, four point five meter hedge rows as doing the job, but there are many, other components, the various substations, the BESS, where there are interactions interactions with important visual receptors, whether that be footway, you know, footpath users and public right other other public rights of way users, but also along the edge of the CNL.

01:57:00:16 - 01:57:36:27

So for instance, you know, the substation that's that's planned within or some of these substations which are planned within the setting of the of the Cotswold National landscape, I really do believe that at year fifteen, there should be a an overarching sort of, like, assessment of whether or not those anticipated residual effects that have been significantly reduced should be reevaluated, and whether or not interim assessments leading up to that at a five yearly or a ten yearly interval might be helpful to see whether or not adaptive management could play a part in

01:57:38:27 - 01:57:48:05

ensuring that at year fifteen, that's the time we realize that the planting hasn't hasn't achieved required its outcomes. Thank you.

01:57:48:27 - 01:58:10:09

And Mr Giswyn, then, in terms of the applicant saying that the measures are set that out in the detailed lens of how the planting will be managed is what would secure the screening function of the planting. Planting.

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

Do you consider the so if that's not good enough, then what more is required in terms of we

01:58:29:02 - 01:58:34:08

control this and ensure that the planting does do its job?

01:58:35:19 - 01:58:37:02

Mark Goodwin, Wiltshire Council.

01:58:41:27 - 01:59:22:11

One one of the possible measures, would would be, for instance, if if if a certain species, it may well reach the height parameters that that that the naught point four naught point four per annum growth rate. But it might be particularly and and the the plant might be alive, but it might might not have adapted particularly well to the growing conditions on-site. So it may well be, for instance, that adaptive management might either seek to replace those those species of trees that relied on for the higher the higher mitigation screening or supplemented with additional planting at a certain period of time.

01:59:22:13 - 01:59:43:05

That's what I would envisage adaptive management to include is supplementary or even swapping or replacing certain species or thickening up, maybe even thickening the areas. There could be a few design responses which help could deliver the required outcome to actually deliver that that reduced residual effect.

01:59:44:03 - 02:00:07:25

Sorry, miss Northover. I I would almost I'm a I'm a bit cautious of suggesting replacement of a species year of fifteen, because then you've got nothing on the ground and you're waiting on another fifteen year period of growth, thickening and almost, as you said, additional screening whether you know? I mean, see, it depends how much room there is within the site to do that, but I can see that being an appropriate type

02:00:07:27 - 02:00:08:12

of

02:00:08:14 - 02:00:16:07

mechanism, as opposed to just let's it might be alive, but let's remove it and start again. That that doesn't seem responsible.

02:00:17:01 - 02:00:28:28

Yeah. Yeah, mom. I wasn't talking about clear felling the whole, the whole the whole shebang. I I I was talking about replacing maybe one species that was struggling, you know, if it was present.

02:00:33:27 - 02:00:36:14

Could I come to the

02:00:38:04 - 02:00:42:09

Chris Tatz on behalf of the applicant. I think one of the things

02:00:43:25 - 02:01:32:00

that Mr Goodwin and myself have spoken about in the past is looking at where we do have significant failures within the landscape scheme, should that arise, and then what form of, for one to the least, an adaptive management we can look at at that point. Easy example of that is, and this is to take it to the extreme, but obviously at the moment we're using a mix of native species, one of which includes oak. Oak is in itself coming under threat from various means and measures, and it might be that in forty five years' time we have a failure of oak across the landscape, but if we've got a detailed lamp that sets out that when we have failures we will plant oak, we're essentially just going to come back with the same plant species and try and plant it back in the same hole and it's going to go.

02:01:32:02 - 02:01:54:28

And it might be that we've got a more Mediterranean climate at that point and there is an alternative species that would be suitable to plug in that space. And so I think there's ensuring that when the comes forward that we've got the flexibility to ensure that the climatic changes Detailed that we may be facing over that next sixty year period are, the Detailed LEM can respond appropriately to those scenarios.

02:01:55:00 - 02:01:59:08

And I think the point is that ensuring that us,

02:02:00:24 - 02:02:14:04

the AXA being content that there's going to be enough detail in the detailed LEMPs to ensure that that review and adaptive response is going to take place.

02:02:15:05 - 02:02:47:20

Chris Jansen, Martha the applicant. The general management prescriptions are contained within the OLEMP, as currently worded, that will be carried forward into the detailed LEMP, which includes, I'll just read the data many, any plants and trees which found to be dying, damaged, diseased, foreign

planting will be replaced with the same species and specification for years one to five of the scheme. But then we've got the requirement within there that any substantial losses and substantial failures will be looked at in the round.

02:02:47:29 - 02:02:53:28

So I think we've got enough wording as it's currently written to kind of let through to the details.

02:02:54:00 - 02:03:18:18

So, okay, let's look at that wording, paragraph one point three point one five. So dead damaged or diseased plants will be replaced following planting season in years. It will be replaced the following planting season in years one to five, and large extents or high proportions of death plants would be replaced thereafter.

02:03:22:01 - 02:03:39:18

Can you clarify, replacement hedge rows and trees, would they be planted as bare root whips regardless of when they fail? Or would the if replacement plants are necessary, would that be would they be replaced at the target growth as if they had succeeded from year one?

02:04:03:19 - 02:04:05:16

Chris Jackson, behalf of the applicant.

02:04:07:14 - 02:04:51:22

Just speaking with my colleague, Mr. Timbs, one thing I need to be cautious of there is your if I've understood your question correctly, what you're asking is a like for like replacement, which can be appropriate on maybe a short section of hedgerow where you've had something that failed and need to replace it and gap it up almost immediately, like a ready hedge or an instant hedgerow or something, can get in some taller plants. And the issue with that is obviously bare root stock takes better, establishes better, is more successful in the long term, so it requires less initial maintenance to ensure successful growth.

02:04:53:03 - 02:05:29:26

Then come back to that like to like position, if we had a failure of a tree that we planted into, at this point it's forty, forty five years old, it's nearly impossible to do a like for like replacement at that point, and so to have something in that would commit a size, spread, replacement can be very difficult. Also, if we had an existing tree go that's already one hundred years old and we've got to replace that, that's again, whilst the intention can be to replace an existing notable tree with a semi mature standard.

02:05:30:01 - 02:05:34:27

But again, it's going to be a comparatively young replacement.

02:05:36:15 - 02:05:49:11

Sure. Okay. So I'm hearing it wouldn't bare root be WIPS being replaced at year fifteen, but it wouldn't be a fifteen year old hedgerow being input at year fifteen?

02:05:49:20 - 02:05:54:29

Correct. But it also so it depends on the specific scenario. So for example,

02:05:56:18 - 02:05:59:21

if we had an entire length of hedgerow for whatever reason that

02:05:59:23 - 02:06:00:08

was

02:06:00:10 - 02:06:36:20

lost, one hundred meters, just playing silly numbers, and if that was lost and was dead and you wanted to come in and replace that, the best means for establishment of that would be to come in with bare root stock, a double staggered native hedgerow with a good mix of plants in it as we've got within the OLEMP and allowing that through good establishment and maintenance. That's going to give that the best chance regardless of if it's fifteen, twenty or five years old, the one that was lost, that's going give that the best chance to get up and grow.

02:06:38:11 - 02:06:58:21

Regards to hedgerows, it might take a couple more years, but it will still relatively quickly get up and get tall and start providing that screening mitigation that's needed. It's not going to take fifteen years to reach the height that we need. Will get there quicker. It's just that we've allowed fifteen years in the grounds of EIA for that assessment.

02:06:58:23 - 02:07:06:14

And how do you see the balance of priority in making that decision where, for example, you've got planting which

02:07:09:21 - 02:07:39:05

performing well is resulting in a non significant visual effect. But if it were to fail, then there is another significant effect that wouldn't otherwise be there beyond year fifteen. What's the balance of priority in ensuring that it's something that will provide the screening and the likelihood of taking well?

02:07:39:17 - 02:07:41:21

Mr. Kastner, behalf of the applicant.

02:07:43:24 - 02:08:02:15

Think when you're coming back to specific example that you're giving us, think we'd have to see a very substantial failure for that to have caused an issue at the level that you're suggesting. Now, the reason I say that because is if it's

02:08:04:10 - 02:08:35:26

a few hedgerow trees that haven't taken for whatever reason or if it's a short section of hedgerow that's failed, then that can be caught within the management prescriptions of the LEMP and replaced and dealt with for the ongoing management and maintenance of the scheme. Whereas I think if we were and that would be quite an isolated or limited field of view or location where we've lost something, generally noting that where we do have new planting for screening of

02:08:37:14 - 02:09:01:22

the array and associated infrastructure, we've typically used woodland belts, you've got a fifteen meter or twenty meter wide belt of woodland going in, where you're talking about a catastrophic failure in that instance, that would be an extreme event that would have caused that, something would have happened that hasn't allowed that, particularly if we're talking beyond establishment here. We've got through that establishment, we've got through

02:09:03:08 - 02:09:36:01

the, the roots and the grounds that weren't, and they're getting up and they've now started to do their thing and then they've been lost. Something would have happened, something would have changed, pest disease or climatic change that's come in and changed that, and that's when I was coming back to that point about adaptive species selection is something else better in that location that we haven't predicted at this stage. But obviously the intention behind the general management prescriptions is that we can support the establishment for the early years of the new planting.

02:09:36:13 - 02:09:54:12

Okay, so then going on to years following year five, that large extent, so high proportions, how is that defined? And should replacement of planting from year six onwards be linked to the mitigation purpose it's serving?

02:09:58:21 - 02:10:08:00

A large linked to the mitigation purpose, a high proportion might mean something different in different locations.

02:10:14:14 - 02:10:30:19

Sort of brings back the comment about heritage assets specifically, and it would be helpful to have an answer from the applicant about whether they are willing to include heritage assets and a commitment to adaptive management and monitoring in respect of those.

02:10:32:29 - 02:10:53:04

Yes. Thank you for reminding me, because that comes back to the deadline six representation from the applicant where they said they would include a list of specific receptors, but I wasn't clear on then what would be done with that list and how that would play into

02:10:55:04 - 02:10:57:02

any management of mitigation?

02:10:58:05 - 02:11:41:15

Cleboosh of the applicant. Yes, was just the provision of the list. I think the applicant's position is that the measures that's put in place are very standard for projects of this nature in terms of the type the way in which we establish landscape planting and then that ongoing obligation to ensure it's maintained. As mister has said, it, you know, largely, it will depend on on what has actually happened. After year five, in terms of whether that tree needs to be replaced, it not may need to be replaced because there are other trees surrounding it have performed well, so there isn't a gap created, for example, that needs to be filled in.

02:11:41:18 - 02:11:53:15

But the ongoing monitoring and management is as we've set out in the LEMP, we're not proposing to do any further form of assessment work during the operational stage of the development. That's not

02:11:55:03 - 02:12:37:23

something that I'm aware of that's done on other schemes or is required here. But I think our view that is the measures we've put in here are suitable and allow for the flexibility that's required, as Mr Jackson said, it really very much depends on what has happened and we don't feel that there's particular any wording that we can add, that would allow for that that degree of flexibility to be retained going forward into this outline plan. It may be that, obviously, where the specific species have been selected, selected, the detailed LEMP may be able to put in place some specific monitoring for those particular species because there may well be suitable measures.

02:12:37:25 - 02:12:53:15

But at at this stage in the process, we can't we don't feel that can provide anything further. I'm very conscious of time, but I it's I don't think this is a point that we're gonna be agreed on with Sure. Council, and and I think our view is

02:12:53:20 - 02:12:54:05

Okay.

02:12:54:07 - 02:12:55:29

Nothing there as far as we're concerned.

02:12:56:03 - 02:13:10:03

Perhaps briefly then for to to clarify from my understanding then, what is meant by large extents or high proportions of tree fail or or plant failure following year five?

02:13:19:12 - 02:13:51:02

It's chance number half of the applicant. I it's think something we'll probably take away from saying and come back in writing, sir, but I think it's certainly something on the face of it that myself and my colleagues can have a conversation around and see just what level of detail we would be able to be suggest could be followed through into the detailed lengths there at this stage. Think there might be some lengths or percentages that we could potentially include that would look at establishment and failure rates, for example. Example.

02:13:51:04 - 02:13:51:19

Example.

02:13:55:12 - 02:14:15:10

We're talking a lot about the later period in the project. My main concern is that we seem to have a standard method of we will replace any plants within years one to five that doesn't take or is diseased or whatever.

02:14:17:00 - 02:15:06:06

I'm not convinced years one to five is a suitable timeframe. I feel that needs to be extended. I'm taking, if I just use the A14 as a prime example of an NSIP, where not a single WIP or shrub has taken on that scheme. Started in twenty twenty. National highways have replaced the entirety of that planting again. It hasn't taken again. And I appreciate that's a much bigger scale, but in fact, what we have there is a piece infrastructure of where there's nothing is screened. And given the summer we've had and establishment rates, and we've still yet to bottom out whether there's sufficient water for the watering over this establishment period, I'm more worried about the early years of this scheme than I am so much at year fifteen on, because hopefully by that point in fifteen years' time, stuff has taken.

02:15:06:22 - 02:15:07:28

So for me,

02:15:09:26 - 02:15:23:10

it's that part of the LEMP which just says, We will look replace things within year one to five, and only anything that's catastrophically failed in chunks moving on from that. But I think it just, that's the area that needs focus.

02:15:27:16 - 02:15:29:21

We'll take that point away. Thank you.

02:15:36:20 - 02:15:44:03

Okay, I'll hand to Mr Love to I think he's got a question on Wildflower Meadows. Thank you. So

02:15:45:11 - 02:15:51:16

Sorry. It it shall we watch cancel? Would it be possible relatively soon to have to have a short break?

02:15:51:23 - 02:16:02:20

Yes. We were planning to cover this item, which is about wildflower meadows, hopefully quick, and then just general comments, and then we're going to stop for a break. Okay. Thank you. So

02:16:04:27 - 02:16:34:07

stop lying down. In your deadline five submission, you raised concerns over the potential performance of wildflower being planted into the stubble of previous arable crop. Now I noticed I do note you raised this in a deadline three submission as well. I would just like to ask if the applicant's submission rep six zero sixty reference SLD one dash one seven eight, if that answers your query on this point. And if not, if you could highlight any outstanding concerns, and then I'll come to the applicant on that. Thank you.

02:16:36:27 - 02:16:39:20

Pardon me. One moment. Could you repeat reference for that, please?

02:16:39:22 - 02:16:49:17

Sorry. The document reference was rep six dash zero sixty, and then within that document is s l d one dash one seven eight.

02:16:50:11 - 02:16:51:25

Thank you. We'll just take a moment.

02:17:23:17 - 02:17:35:28

Celia, I don't stop lying down. We might just need one minute check to that, but if it could be possible to bring the break forward, we can check it over the break and then revert to the examining authority.

02:17:40:22 - 02:17:46:02

Well, I'll just confer with my colleagues. Seems people are quite quaking for a

02:17:53:20 - 02:18:02:08

Since that's our second request, we'll acquiesce to crowd pressure, and we'll stop for ten minutes. If we come back at, sixteen thirty two, please.