



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	East Pye Solar
Hearing:	Recording of Issue Specific Hearing 1 (ISH1) – Part 2
Date:	16 September 2026

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00:00:08:08 - 00:00:32:15

Just before we start, can everybody who's speaking make sure that they're speaking clearly into the microphone and they're at the right distance to the microphone. It might be the one or two speakers need to have their mouth a little bit closer to the microphone because I understand there's been a few issues with people not being able to hear. If it continues to happen, just stick your hand up and say you can't hear us.

00:00:34:03 - 00:01:22:01

or anybody else who's speaking. Okay. So we're now moving to item three, which is the scope of the proposed development. And the idea behind this is just to get clarity on various elements of what is proposed in the development. And I'll come to you in a second. We'll start. I want to give the applicants an opportunity for a fifteen minute, no more, overview of the proposed development to include an outline of the location description of the principal works and the applicant's approach to design parameters and, if you like, flexibility in the Rochdale envelope because we've heard quite a lot of that and we've read quite a lot of that so far in representations that have been submitted.

00:01:22:25 - 00:01:40:26

So then we will go on. I don't want any particular questions following that because we'll go on to individual elements of the proposed development, which we've got various questions, and I expect one or two of the questions will come up as well. So before we start, there was a hand up. Again, introduce yourself and then.

00:01:42:19 - 00:02:13:13

Victoria Shanda, Morgan from the Food and Price Council. Sorry, I just wanted clarification as to when the points are raised regarding sorry, the approach to consolidated site compared to the multi spread out and how that sits with IGP's approach for the other NSIP that's currently going ahead going through the process, the doves that I asked earlier. I couldn't quite I was told it's come down to a different section, but wasn't quite sure which one.

00:02:13:15 - 00:02:20:21

If it doesn't fit conveniently within an agenda item, then deadline one in writing would be the time for that.

00:02:20:28 - 00:02:29:06

It it was just yeah. Then, yeah, the gentleman on the other side of you just saying it's bit later in the agenda. It was just the the approach to the

00:02:31:14 - 00:02:33:24

sorry The Great Malton.

00:02:34:01 - 00:02:41:00

No. No. It was the the layout, the fact that, you know, East Py Solar is is a very stringed out strung out

00:02:42:16 - 00:02:51:15

design Mhmm. And approach to to the land parcels and the land choices of parcels compared to IGP's system.

00:02:51:17 - 00:02:56:17

Okay. I know. I understand. That may come up in some of the questions that we're going to ask.

00:02:56:19 - 00:02:57:20

Okay. Thank you.

00:02:57:22 - 00:03:14:13

If if it it doesn't and there's no time, then do provide it in writing. But if we what I'll do, I will stop as as mister McAvoy did to allow people to speak at appropriate times. So if it does come up, then put your hand up, and I'll obviously, we'll let you we'll let you speak. It may not be today. It might be tomorrow morning.

00:03:14:15 - 00:03:15:22

K. Thank you. K.

00:03:16:16 - 00:03:28:16

Okay. So over to the applicant for this first bit. Is the applicant sort of content with what we're asking you to do from my brief introduction? I'll let you lead or

00:03:28:23 - 00:04:02:10

proceed. Toby Yates, on behalf of the applicant, I'll just give a very brief introduction as to how the different documents fit together, and then mister Douglas will talk about some more specifics around the information within those documents. So as many people would have seen, the scheme is described in detail in Chapter four of the environmental statement, APP-forty. And that sets out in detail the different components and works that fit together to form the wider scheme.

00:04:03:09 - 00:04:36:02

And that corresponds then with what's called the authorized development as set out in Schedule one of the draft DCO, which is AS-thirty two. And we'll touch on that more under Agenda Item five, I'm

sure, but that sets out the works powers for that development. And that includes this principal development as it were, which is the generation station of over one hundred megawatts to meet the threshold under Section fifteen of the Planning Act two thousand and eight and constitutes an NSIP.

00:04:36:18 - 00:05:09:24

And it also includes various pieces of what's called associated development, including, but not exclusively, for example, the battery and energy storage system, the new National Grid substation and other associated development are set out in work numbers two to eleven. The maximum parameters for each of those various elements of the works are then set out in the design principles, parameters and commitments document, which is APP-two thirteen.

00:05:10:15 - 00:05:46:12

And that sets out the maximum parameters in relation to each of those individual specific bits of infrastructure that fit together to form the scheme. And the reason that we set out the maximum parameters is that sets out a full range that can then be used for the assessment in the environmental statements on a reasonable worst case basis so that if consent is granted in the form as drafted with those maximum parameters secured under requirement five, then any of the conclusions and environmental effects that have been reported will be no worse once that scheme is delivered.

00:05:46:14 - 00:06:05:03

Because if anything, the final design of the scheme will fit somewhere within those maximum design parameters. And therefore, it will be either better than or no worse than what's set out in that maximum design scenario. Over to Mr. Douglas to talk through each of the different elements of the scheme in some more detail.

00:06:05:22 - 00:06:24:26

And just quickly for me to from a presentation point of view, feel free to address the room because in a way, the idea of this question is to sort of explain to everybody to make sure everybody is familiar with BIT. You may well already be, but just to provide clarification. So I suspect I already know what you're saying, but just to make sure that it's up for you to address the room rather than to look at me.

00:06:27:27 - 00:07:02:12

Thank you, sir. Thank you, Toby. Ian Douglas for the applicant. I hope this just tell me if this is not within if I'm not coming through loud and clear. We were going to share some plans on screen, if that's okay, to illustrate the extent of the scheme and the where the various elements that Mr. Yates has just mentioned are proposed. So I think my colleague Sean has shared

00:07:06:17 - 00:07:26:27

the location plan that is within the ES volume two, figure one point one APP-fifty seven. And we will turn to the illustrative master plan, which is Figure four point one, the U. Volume two, APP fifty nine. The location plan is up on screen at the moment.

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The order limits of the scheme cover an area of one thousand two hundred and twelve point three hectares of land located within South Norfolk and Norfolk County Council's administrative boundaries as we all know.

00:07:47:28 - 00:08:08:28

The scheme is shown especially on the location plan, APP-five and the works plans as mentioned by Mr. Yates. The limits contain all of those elements of the scheme as described. The sites, as we call them, and the sites are given a numbered referencing

00:08:10:26 - 00:08:48:22

a numbered referencing approach to the sites has been included in the application. The sites make up one thousand and fifty one point four hectares of land within the order limits and the cable route corridor is one hundred and fifty eight point nine hectares. Full description of the order limits is provided in ES Volume one Chapter three, order limits, APP-thirteen. So that's just an overview. Turning to the specific geography of the site and where the various land parcels sit, if I can just ask my colleague

00:08:50:10 - 00:08:56:17

to put the master plan on screen, indicative the illustrative master plan, please.

00:09:02:13 - 00:09:23:22

So as you can see, we have sites from number one through to ten sites at Great Malton to the south as we've been discussing earlier through to ten in the northeast part of the site. Sites one and two south of Great Malton

00:09:25:23 - 00:09:34:10

consist of an area of approximately seventy three point six hectares. This comprises subsites 1A, 1B, 1C and 1D.

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Site two consists of two land parcels comprising ninety nine point nine hectares in area. Subsite 1B,

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which my colleague may wish to focus in on. Subsite 1b accommodates the proposed National Grid substation as we've been discussing this morning, which will be owned and operated by National Grid together with a four hundred kV project substation. The existing four hundred kV overhead line, the point of connection as we've been discussing, cuts diagonally across site one with existing pylon towers located within subsites 1B, 1C and 1D.

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The best site, which my colleague may be able to point to

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also to the south of Great Malton, consists of a twenty two point nine hectare area of land to the south of Site one.

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Adjacent to this is also a further four hundred kV project substation. So those are the sites in proximity to Great Malton. Turning to Site three to six, which are proximate to Lundy Green,

Longstratten and Hempnoll. Site three consists of an area of approximately fifty seven point eight hectares.

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Site four

00:11:11:00 - 00:11:14:13

to the north of Longstratham consists of an area of approximately one

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hundred point seven hectares.

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And that comprises two subsites, Subsite 4A and Subsite 4B. Site five consists of an area of approximately ninety point five hectares comprising Subsite 5A and 5B. And Site six consists of an area of approximately eighteen hectares. Sub Site 4B is proposed to accommodate a one hundred thirty two kV project substation, while Subsite 5A is proposed to accommodate a four hundred kV project substation.

00:11:59:18 - 00:12:11:18

Site six remains within the order limits, but solar PV panels have been excluded from this parcel of land and given over in its entirety to biodiversity mitigation.

00:12:14:03 - 00:12:26:25

Site seven, situated to the north of Hempnoll is obviously the largest site grouping within the scheme, three hundred and twenty eight point one hectares

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consisting of subsites A to L. Subsites 7F within that grouping is proposed to accommodate a one hundred thirty two kV project substation.

00:12:42:26 - 00:13:09:20

Sites eight, nine and ten, which are situated south of Shotsam, Brook, Woodson and the Seething area. Site eight consists of an area of approximately fifty five point nine hectares comprising Subsite 8A and 8B. Site nine consists of an area of approximately fifty seven point eight hectares. Site ten,

00:13:12:00 - 00:13:34:03

close to seething, consists of approximately one hundred and forty six point two hectares comprising sites 10A, 10B, 10C, 10D and 10E. Subsite 10E is proposed to accommodate the third one hundred thirty two kV project substation. So that's a run through the sites.

00:13:36:14 - 00:13:56:29

Clearly, also within the order limits is the cable route corridor, which runs between the ten sites within which the underground thirty three kV, one hundred thirty two kV and four hundred kV cables will be laid and interconnecting with the sites and subsites.

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The order limits width of the CRC is typically fifty meters, narrowing in some places to thirteen meters given certain environmental constraints in those locations and widening in places up to four zero five meters in width to allow flexibility for micro sighting of the

00:14:24:17 - 00:14:35:17

cables that it will accommodate and to accommodate construction compounds. It's proposed that a working width of twenty five meters would be adopted

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for the construction phase of

00:14:42:06 - 00:14:51:21

the cable route, the interconnecting cables being constructed, which would be fenced off where required.

00:14:51:28 - 00:14:54:27

You've got three minutes to go, just so you're aware of the time. Nearly

00:14:55:14 - 00:14:55:29

there, sir.

00:14:59:00 - 00:15:00:11

In terms of the

00:15:03:00 - 00:15:05:29

and I think as Mr. Yates has already mentioned,

00:15:07:17 - 00:15:18:28

the design parameters are in respect of the project are secured through the design principles, parameters and commitments document, APP213,

00:15:20:26 - 00:15:30:04

and are structured around each work number. And these include commitments to offsets from features such as ancient woodland, trees and hedgerows, public rights of way and residential properties.

00:15:32:09 - 00:15:46:12

And they secure the maximum and minimum footprint, width and heights of different elements of the scheme. And these parameters are the basis of the EIA in alignment with the Rochdale envelope, as you mentioned earlier, sir.

00:15:49:04 - 00:15:51:23

Just to finish off, in terms of the

00:15:54:15 - 00:15:59:29

offsets and buffers that have been included in relation to certain

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features, these are again included within the design principle, parameters, commitments document and are applied across the project. And we can talk more specifically about those when we come to certain aspects of each work work area,

00:16:19:05 - 00:16:42:09

but they relate to matters such as offsets from main river, water courses or ditches, ten meters, badger sets, thirty meters, hedge rows, ten meter offset, veteran and ancient trees fifteen times the width of the tree stem diameter, ancient woodland thirty meters,

00:16:43:24 - 00:16:45:29

triple SI's thirty meters for example.

00:16:50:01 - 00:16:55:21

And that's where I would be happy to stop in terms of that overview.

00:16:57:24 - 00:17:19:11

Okay. Thank you. That's fine. And thank you for keeping within the fifteen minutes. I think what we'll do with the remaining items on this agenda section is we'll go into more detail on a lot of those particular elements. There is a hand up. I did say I will come to questions as we go along rather than straight after that. It's a very quick point.

00:17:20:09 - 00:17:37:12

Alastair Reid from Tibbets. So this is a clarification. You mentioned Land Site two, and I'm sure I heard you say, and I could be wrong, that it consists of two land parcels. Can you clarify that, please? I'll be more than happy if you've managed to lose one.

00:17:41:21 - 00:17:44:15

If you'd like to just respond quickly to that, and then we'll move on.

00:17:45:19 - 00:17:59:17

Sir. Ian Douglas, for the applicant. Yes, as my colleague is showing on the screen at the moment, there are two land parcels that constitute Site two, Site 2a and 2b.

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Apologies. And 2c,

00:18:05:13 - 00:18:07:01

my mistake. Thank you.

00:18:08:21 - 00:18:38:25

Thank I just before we do move on to talk about the substations, the cable routes, etcetera, etcetera, you've obviously been referring to the indicative master plan. How indicative is the indicative master plan? I mean, on one sense, it's actually quite a useful document for people to look at because it is, on

one hand, a lot clearer to look at than the works plans to actually sort of find out, work out what is going on at the scheme as a whole, which bits of it are actually indicative.

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And for example, the bits that show the solar p PV areas

00:18:46:26 - 00:19:07:16

I'm slightly color blind, but it's yellowish, it seems to me. And do bear in mind that a lot of people are color blind. And sometimes on some of the drawings, it is very difficult to tell between different shades. So the works plans probably ever comes out to a degree by not having shading. But where shading is used, general points, please be aware that it's quite a good percentage of people who who are color blind to various degrees.

00:19:09:28 - 00:19:25:03

And never play snooker with me because I can't tell between the browns and the reds. But how indicative is the master plan? So the the the solar PV areas, are those correctly shown on here, or is there some flexibility in those?

00:19:27:00 - 00:20:00:18

Oviates on behalf of the applicant. I'd say it's entirely indicative in terms of there's no commitment to the infrastructure on the indicative master plan having to be cited where it's shown on that master plan. The works plans are the secured document for the development consent order and that sets out the areas within which that infrastructure may be located. So for example, where work number four is shown on the works plans, that's the maximum area within which the National Grid substation could be located.

00:20:01:17 - 00:20:41:09

However, the parameters of the National Grid substation are bound by the parameters are set out in the principles, design parameters and commitments document. But the reason the area shown on the works plans is broader than those strict parameters is because the actual micro siting of that substation will need to wait until detailed design. The intention of the indicative master plan is to show how all of the components of the scheme can and may fit together, albeit it's not bound at this point because the project needs to benefit from the flexibility of detailed design once the scheme design has been refined and subject to the approval of the relevant planning authorities as well.

00:20:41:24 - 00:21:19:01

So the example you gave of the National Grid substation on-site one, perhaps if that could be put on the screen and blown up, where the National Grid substation is being proposed, where the I know there's various, and we've discussed this. There's obviously various things going on, so there's various different hatchings and patterns and things. But on the actual master plan, that shows the area for the National Grid substation quite clearly with the diagonal hatching, if you like. That looks to me to be the same area as shown in the corresponding works plan drawing.

00:21:19:18 - 00:21:38:09

So that that so that is actually not indicative. That is the area obviously, where the National Grid substation within that area will go is subject to would be subject to detailed design. But those broad

areas that that if you like the footprints within which these works could go, they're correctly shown on the master plan, are they?

00:21:39:15 - 00:21:40:29

They're you indicated perhaps

00:21:41:01 - 00:21:42:12

they weren't to the National Group substation, but

00:21:42:14 - 00:22:05:21

I think some half of the applicant. To the extent they align with the works plans, that's correct, sir. So, yes, you're you're right in that instance because it's fairly narrowly shown on the indicative works plan, and that aligns with the narrow scope shown on the works plans in in that instance. And it is it's pretty indicative. But I suppose my point that I was making is that in terms of reliance, it's the works plans that the secure document that should be Yes.

00:22:05:23 - 00:22:32:23

I completely understand that. That is the document that's referred to in the DCO, etcetera. Could we go as far as saying that interested parties, once it's clear we talked about this the other day, didn't we, in the preliminary meeting about understanding the development and the works plans isn't necessarily the most clearer way of people to do that. Can would you go as far as saying that the indicative master plan is a very useful document for people to get an understanding of the scheme and its different components to look at?

00:22:34:18 - 00:22:38:08

There'll be some half of the applicant. Yes. I'd agree. It's a useful document, sir.

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With the caveat that it's not obviously a certified document.

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

Okay. Thank you.

00:23:04:10 - 00:23:09:01

Right. Before we go to the next item then yes, please.

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Looking at

00:23:10:29 - 00:23:12:24

Can introduce yourself again, Sorry. Sorry.

00:23:12:26 - 00:23:45:10

From the BEPS group. Looking at the plan, we've looked at this in great detail, but there's no measurements. We can't tell from this how close it is to people's properties, particularly the two pieces of land that actually abut that substation. They are very close. I know you've been invited to see those

properties, but they are extremely close. And it would be really interesting to have actual measurements if they could do that for us just to give us an idea of the boundary.

00:23:46:04 - 00:23:46:26

Thank you.

00:23:46:28 - 00:23:53:07

It's a good question. Without a scale rule, presumably because the works plan is to scale. How does a resident know how far works are from their property?

00:24:05:08 - 00:24:33:24

I have a scale rule in my office, and there's various tools that one can use. But actually, just looking at this to get a little indication of how far away, which is not always that easy for particular I'm not saying that people can't understand plans, but sometimes people find it more difficult to understand plans than, for example, ourselves who dealing with this every day. What's the easiest way for someone to find out how, for example, how far the edge of a PV array is from their property other than getting a scale rule or doing something equivalent on the laptop?

00:24:37:05 - 00:24:40:07

I can take that Ian Douglas for the applicant. I mean

00:24:42:19 - 00:24:48:10

Ian Douglas for the applicant. The works plans are scaled plans.

00:24:51:06 - 00:25:00:18

So yes, a scale rule, I suppose, or there may be measuring tools. But, I mean, it's a conventional approach to provide this scale.

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Maybe it's a conventional approach, but we've heard quite a lot about read quite a lot about parties not being really able to understand the plans easily. I mean, it may be something to take away that where you've got works particularly close to residential properties, that there is actually a set of plans provided showing just notion distances actually written on, which is what lots of planning authorities do for developments. They ask for the actual distance to be written on so people can look at it and go, oh, that's thirty five meters or hundred meters from my property as a presentational thing.

00:25:32:29 - 00:25:50:13

Not a certified document, not you know, just as a helpful guide that people can look at. Obviously, where is the property? I want to use an example, but I will. A kilometer away from a solar PV array, no need to go that far, obviously. But where there are properties particularly close to elements of the proposed development, why not do that just to help people understand

00:25:50:15 - 00:26:30:00

the development in the light of what we've heard and we've read. Tobias, on behalf of the applicant, I suppose, first, it might not be the welcome answer, but there's legislative requirements for the scale of plans that should be used. And because of the scale of these developments, legislation sets an

appropriate scale for these plans, presumably to combine usability and also accuracy. The applicant has complied with the scale I saw in that legislation. The I explained before, intention behind the indicative master plan and others of supplementary plans, as it were, is to try and give that more layman's accessibility viewpoint.

00:26:30:02 - 00:27:03:20

And obviously, the scales are included on that indicative master plan to facilitate that insofar as possible. I think the point here is that because of the scale of nationally significant infrastructure projects, it's not feasible or proportionate to provide individual distances from every single specific property. But the way that's managed through the process is that you've got particular buffers from residential properties that's unsecured. For example, so that people can take comfort that with those buffers in place and the effects that identified, that has been adequately addressed as part of the application.

00:27:03:22 - 00:27:10:19

And that is in lieu of the suggestion to an individual by individual measurement because that isn't proportional or feasible at this scale.

00:27:13:03 - 00:27:39:06

I understand the point about legislative requirements, but obviously, there's lots of documents you provided, which go beyond the legislative requirements, probably including the illustrated master plan. I would ask you to look at it. Think where there is particularly close residential properties to the development, if it's helpful, and I understand it might be helpful from what's being said, then a further document would be helpful, I think, in that respect for people to under understand. And we'll do that as an action point.

00:27:41:20 - 00:27:46:28

Very quickly because this one not actually an item that I want to go through. Very quickly, please.

00:27:47:00 - 00:27:58:26

I just want to say, last night, I tried to download your works plan to look at this particular site. I spent two hours. It didn't download. It's just a point like we were all making yesterday.

00:27:58:28 - 00:28:05:29

That was raised at the PM, and I think that was discussed at the PM, and that is being looked at. But thank you, yes, for that reminder. Doctor Barry, very quickly, please.

00:28:06:01 - 00:28:13:29

Yes. Sorry. I just want to say that all three of these maps, the location plan, the works plan and this indicative master plan are all on outdated maps. Can

00:28:18:23 - 00:28:55:13

I just come in with a quick point, sir? Because we in our written submission to take part in the issue specific hearing, we raised Empty Parish Council concerns about the maps. And that's something that I'd like to go into in more detail because the points you raise are so poignant and so relevant. And the lack of background detail in all the plans makes it impossible for an average map reader to look to

find the detail of a place, how close a property is, where a road is, where all other significant features are.

00:28:55:29 - 00:29:30:18

You can make clear maps. I disagree. We have made a site plan map, which is in digital form and real form. It's been used by the press all over Britain to show this scheme. It's perfectly possible to do overlays of sites on one to twenty five thousand maps, digitalize them, and make them available. And we have done it, and we will be submitting them in our written representation. And I'd like an opportunity tomorrow when we get onto the topics to actually show one or two of the maps and dissect them in more detail to show how they're misleading, inconsistent and inaccurate.

00:29:30:20 - 00:29:31:08

Thank you.

00:29:31:12 - 00:29:55:02

Okay. Thank you, Mr. Hook. And we did discuss again the matters around that at the preliminary meeting, so I don't want take any more time up this afternoon other than noting your point, which I have sympathy with, Mr. Huck. And obviously, I've been talking about these things for five, ten minutes now. I think there can be some more clarity beyond legislative requirements so that interested parties and residents can fully understand the effects of these schemes on them.

00:29:56:01 - 00:30:32:14

So it's on behalf of the applicant. That's understood, sir. And we'll at least consider that and take it away. And then this was a suggestion that's come through that I hope is useful as we could potentially look at pulling together a buffer of, say, fifty meters, one hundred meters, two hundred meters around key infrastructure to show then what properties people can then determine a court within those buffers, as you pointed out, because that's purely indicative for in visual aid only, it doesn't it's not representative of any strict buffer in terms of design, but it might at least show how elements of the locality fit within particular areas by reference to key infrastructure.

00:30:32:16 - 00:30:33:01

Okay.

00:30:33:03 - 00:30:44:02

Well, that can be an action point. Again, that might be a solution. you can If consider that further and come back at deadline one with further details. Thank you. Let's move to item

00:30:47:04 - 00:31:24:11

b. So this is the proposed national grid substation. It is work number four in the the list of works in the development consent order. There's there's two sides to these questions I want to ask. First of all, if you like, it's about the delivery of the National Grid substation and then some actual questions about the actual details, parameters of the proposed National Grid substation. So in terms of the delivery, we've obviously read National Grid electricity transmission's relevant representation, fourteen oh eight.

00:31:25:03 - 00:31:47:16

And that doesn't it doesn't seem to quite tally with what we understood of the applicant's approach to this. Obviously, the substation the National Grid substation is within the development consent order. And I understand that the next iteration of the DCO will be a requirement design requirement, so the details of the approval will have to be submitted to the local planning authorities for approval.

00:31:49:21 - 00:32:22:23

And I understand that will be in the next DCO, which is one of our questions, which I think has been dealt with or will be dealt with. But there seems to be some confusion as to whether or not the substation has proposed or has agreed or national grid, if it has been agreed, will actually be in the area proposed in the application, or it might be something which comes along subsequently as a separate planning application. I think that's been hinted at in writing. I think National Grid's relevant representation.

00:32:22:25 - 00:32:37:10

It says it's important to note in this context that it's National Grid's understanding that the new connection agreement will not include the requirement for the applicant to secure land or consent for the National Grid substation, which, again, causes more confusion. Could you clarify?

00:32:40:15 - 00:32:53:02

Toby, it's on behalf of the applicant. Two points. First one, I think many of those questions are probably best directed at National Grid. I can't speak on on their behalf and their representation. And we've not got

00:32:53:04 - 00:33:05:27

them here today, don't think, unless they're online, but I don't think we've got them here today. I think we did invite them, but they're not here as I understand. No. And we and we will ask questions as well, but I would like your view on it as well because it's your application.

00:33:05:29 - 00:33:43:13

That's sure. Exact exactly. So I can talk to the application that's being put forward. And as you've rightly pointed out, work number four in Schedule one of the draft DCO facilitates the delivery of the new National Grid substation. And going slightly into the draft DCO specifics here, but Article thirty six, so about Paragraph two, which relates to the benefit of the order, that confirms that the benefit of work numbers four and five to the substation and the overhead line works offer the undertaker, which means the applicant and for National Grid.

00:33:43:23 - 00:34:16:09

So that ensures that the works could be carried out by either the applicant or National Grid. And the reason for that is that the applicant has signed a connection agreement with National Grid, and the delivery of that connection is pursuant to that existing contractual arrangement, which obliges the applicant to seek the land for a new National Grid substation and also seek and obtain the consent for new that national grid substation to allow both parties to meet their obligations under that connection agreement.

00:34:17:03 - 00:34:58:23

So from an applicant perspective, in order to achieve that connection agreement as is in place at the moment, the consent order must include the scope of works that are necessary to deliver the new National Grid substation. That's what's set out in work number four. The inclusion of that within the draft development consent order doesn't oblige National Grid to carry out those works, and it doesn't prevent National Grid from seeking a separate planning permission if they wanted to seek a separate planning permission for a National Grid substation in theory, their points for National Grid to confirm we're not aware of them doing that, and that's exactly why we're seeking the consent under this application and pursuant to the existing contractual arrangement.

00:34:59:00 - 00:35:37:08

Suppose the final comfort there, when the applicant comes to discharge the requirements pursuant to the DCO. Requirement five requires the applicant to submit the final details of its design for approval. And therefore, it will be clear at that stage whether or not the final design includes the proposition as it were to deliver the National Grid substation, I. E, is it required to rely on the consent and the powers that are sold under this DCO? Or as it's hypothetical at the moment, has National Grid sought some other form of plan of mission to get a National Grid substation that allows that grid connection agreement to be

00:35:39:13 - 00:36:11:25

In National Grid's response, where they they refer to a new connection agreement, almost imply which says will not include. It almost implies there might be a further subsequent amended connection agreement. Is that the case? I'm just unclear on that as to what that means. As far as I'm aware, there's one agreement already, connection agreement already in place with, what is it, gateway two, but there seems to be some confusion.

00:36:11:27 - 00:36:14:26

There might be a further connection agreement. Is that correct?

00:36:17:07 - 00:36:18:28

Simon Gillett for the applicant.

00:36:20:18 - 00:36:52:12

You're right to be confused with this situation, sir. But this is a common situation across connections reform and developments coming forward. So the applicant has a connection agreement. The applicant has been informed that it's been notified that it has been reprioritized and that it will receive a new connection agreement, which will be in the form of an agreement to vary its current connection agreement.

00:36:52:29 - 00:37:30:20

But that agreement to vary has not yet been received by the applicant by NISO because NISO are working through their list of things that they need to do across the country that came out of Connections Reform. So respectfully, National Grid's representation is a touch on the hypothetical because no agreement to vary has been received by the applicant against which they can assess what national what NGET, National Grid Electricity Transmission, say versus the agreement which will come from the national energy system operator, NISO.

00:37:30:29 - 00:37:42:29

And so therefore, there is a prospect of things changing, but there is no firm change which has been communicated, and therefore, the application is proceeding unchanged.

00:37:43:16 - 00:37:50:00

And so there's no time scale either for a new connection agreement presumably at the moment? I mean, can ask questions of others about this, and

00:37:50:02 - 00:38:07:05

no doubt we will. So NISO have NISO's publications, when I last looked, said that they were looking to issue new offers and get all of the new offers out to applicants by, I think it was January twenty twenty seven.

00:38:08:27 - 00:38:15:16

But the issue of a new agreement will be subject to their work time frames. Okay. And

00:38:17:00 - 00:38:51:16

to what extent and it doesn't sound as though there is much extent to this from what we've read. Have National Grid agreed to the citing of work? Which work is it, work for, to what extent have they agreed? It appears that they've not agreed to the citing. And then as far they're concerned, the substation might not actually be in the location you're proposing it. Is that fair? I know you also say that you expect that their design works evaluation will come to the same conclusions. But the substation could go in another location, presumably.

00:38:51:18 - 00:39:03:18

It might not be in this location. If, for example, National Grid does it under a separate planning application, that might be an alternative location. Is that a realistic possibility? Maybe it's a bar for

00:39:03:20 - 00:39:38:06

the applicant. I suggest that can only be answered by National Grid. The applicant is not aware of any separate application. Statement of common ground is being sent to National Grid, and that will be submitted in draft form at deadline one. And the applicant's position remains under the connection agreement that it's gone, even if a new connection agreement didn't require the applicant to seek consent for a new substation, as I explained earlier, there's certainly no harm in including it within the scope of the consent because it wouldn't have to be used, but it ensures certainty of deliverability, which the applicant does have to provide, and that is what is provided in its application.

00:39:39:08 - 00:39:47:11

Okay. Thank you. And I think it's fair to say we probably will be asking some questions for National Grid about this given they're not here today.

00:39:49:06 - 00:40:05:10

Obviously, there's been discussion about the Tasway Energy Park, and that has been delayed. Is the the applicant's design parameters and location of the proposed National Grid substation, is that based on

00:40:07:02 - 00:40:19:24

is that based on the possibility that this substation would also be linked to the Tasway Energy Park, or is this substation that is designed in your application just for your application?

00:40:25:27 - 00:41:01:15

Obiates on behalf of the applicant. The applicant has has cited this substation pursuant to the exercise that we discussed earlier in accordance with the rules that issue explained at the Hallock rules and Hallford rules that National Grid exercised themselves when choosing where to site a substation. I'm not close to any commercial discussions around the connections into that. But in terms of site selection, the process that's been identified, that's been based on the East Pie scheme and those criteria that's been applied not been influenced by any of the potential schemes that may or may not even come forward.

00:41:01:17 - 00:41:22:17

So the design parameters for the National Grid substation, which I presume that there's been discussion with National Grid about those design parameters because effectively it's going to be the substation. Is that correct? First of there has been discussion with them about the design parameters. Or is it a case that your team has just tried to establish what the size of it might be, etcetera, etcetera?

00:41:25:01 - 00:41:36:00

So it's on behalf of the applicant. The parameters have been shared with National Grid and the applicants in engagement with National Grid on those, and they can form part of the statement of common ground that will go in at deadline one.

00:41:36:06 - 00:42:00:16

And are those parameters and again, we'll ask National Grid this, but those parameters then just in relation to East Pie connecting into that substation and the capacity required for that substation subsequently? So if, for example, the Tasway Energy Park was to progress, and there seems to be some discussion about whether or it will or not, but seems still to be a sort of a possibility that it will, that substation might need to be actually bigger. Or

00:42:02:02 - 00:42:12:07

is it fair to say, is it, that if this Hasway Energy Park does proceed, that will also go into the same substation, presumably, because the sites are so close to each other?

00:42:13:01 - 00:42:34:10

It'd be it's on behalf of the applicant. Can't comment on that latter point around the Tasway projects, but I can confirm that the design of the substation is large enough to accommodate not only the East Pie projects, but others as well. We don't have the information in front of us at the moment to confirm how many spare bases it were are incorporated in that design flexibility.

00:42:34:22 - 00:42:57:15

Okay. So the design parameters of the proposed substation in this DCO application are also capable of meeting the needs of the Tasway Energy Scheme or some other energy scheme, for example, rather than just because it I mean, in terms of the actual space required, for example, they are not just for East Pire. They are for potentially other schemes.

00:43:00:12 - 00:43:06:00

Tobias, on behalf of the applicant, there's enough flexibility within that design to facilitate that. Yes.

00:43:07:06 - 00:43:38:27

When you do your summary of the meeting, could you just expand on as much detail as possible on on I think you understand the point that we're getting about this in terms of, well, that substation, apart from the fact is who's going to leverage, etcetera, and what we talked about earlier. But this link with the Tasman Energy Park and the size, which may be required, I understand how substations work is that, as you indicated, future bays may have to be added, and that's quite standard procedure for existing substations. But just I think some more description and sort of explanation of what the implications of that might be.

00:43:38:29 - 00:44:00:24

Notwithstanding, as you might be telling me, it's not at the appropriate tier to be considered under a cumulative assessment because of where it is. But given the fact that this obviously is a large substation, it is going close to a rural village, etcetera, etcetera, and all we've heard, I think it isn't it would be important to get some further explanation on on that matter. That'd it's on

00:44:00:26 - 00:44:04:17

behalf of the applicants. Yes. We can take that away and add that detail.

00:44:05:27 - 00:44:07:25

And that will be an action point. Sorry. Yes.

00:44:14:20 - 00:44:15:16

Okay.

00:44:20:29 - 00:44:30:17

Before we move on to the actual parameters and the details of the substation, any points on what's just been discussed? Doctor. Berry?

00:44:31:02 - 00:44:54:02

No. I just wanted to ask. So if National Grid decides a different connection agreement and they want to put forward their own proposal for substation and compulsory purchase land, how can this land for this substation be compulsory purchased as part of this scheme?

00:44:56:04 - 00:45:03:03

I mean, would it still go ahead to the DCO with the compulsory purchase of the freehold for this land in the application?

00:45:05:17 - 00:45:10:14

You. I understand the question. Mr. Yates, would you like to respond briefly, please?

00:45:13:22 - 00:45:44:15

Toby Yates on behalf of the applicants. Yes, sir. So the scope of the powers that are sought in the DCO for East Pie are inherently limited. So whilst they allow for the potential ability to acquire the permanent freehold of the land in respect to National Grid substation, Article twenty one of the draft GCO sets out that the undertaker may acquire compulsorily so much of the order land as is required for the authorized development or to facilitate or is incidental to it.

00:45:44:17 - 00:46:00:05

Point being, if there's a new substation provided by National Grid, there is no longer a justification to exercise those powers under the East Pie order because the new National Grid substation would already have been delivered, so we won't be able to exercise those powers even if granted.

00:46:01:08 - 00:46:08:07

Okay. Thank you. I think there was another hand up. Was it Smollett?

00:46:10:01 - 00:46:28:05

Just wanted to ask Sandra from Block East Pie. I just wanted to ask, why has it taken all this time for you to admit that this substation is not just for East Pie and that every other cumulative impact that is being surrounded by our villages is now coming to light.

00:46:28:22 - 00:46:29:07

If you

00:46:29:09 - 00:46:33:16

can put a question through me, then I can put it to the applicant as necessary. Sorry. You.

00:46:36:23 - 00:47:01:29

So it's behalf of the applicant. I can't necessarily speak for previous engagement. Obviously, we're responding to the questions that have been provided today, and that is the situation. Obviously, the engagement with National Grid and the applicant has been evolving over a series of months and years, and this is the latest position in respect to both of those parties. And that's why I'm giving you the answer here today.

00:47:03:06 - 00:47:09:21

Okay. Thank you. And Norfolk County Council, I think there's a hand up. Just introduce yourself as usual, please, before you.

00:47:10:12 - 00:47:44:16

I'm Isaac Nunn from Norfolk County Council. Just an observation based on the points about compulsory acquisition. I think the position is that you can only compulsory acquire land inasmuch as is required for the authorized development. But the National Grid substation is part of the authorized development. So the fact that it's not necessary for the solar farm doesn't mean that it can't be acquired. And there's no requirement saying that the National Grid Substation element of this or the authorized element can be sorry, cannot be built if a National Grid Substation is built elsewhere.

00:47:44:28 - 00:47:50:09

So just an observation that, that control doesn't seem to be built into the DCO itself.

00:47:51:05 - 00:47:51:29

Okay.

00:47:54:02 - 00:47:57:10

Do want to respond to that as an action point? There'll be some part

00:47:57:12 - 00:48:39:18

of the applicant. I can deal with that now, sir. So the point there is that when the applicant submits its final detailed design for the scheme, so pursuant to requirement five when it sets out the details of all those works, Believe at the moment that doesn't refer to work number four, but that's being updated for deadline one. So it does bring in the new National Grid substation. When that's submitted to South Norfolk Council for approval, if there's a National Grid substation in effect and the applicant is seeking to get consent of detailed design in relation to a new National Grid substation, you'd presume that wouldn't pass that approval process with the relevant planning authority.

00:48:40:14 - 00:48:44:16

So that is the control. There already is a control in the DCO that prevents that from happening.

00:48:48:07 - 00:49:48:13

One more question from me on this, which I don't want to go into a lot of detail on this question now, not least because it's six minutes before we close. I'm happy for you to provide this as a reaction point for deadline one. I know this has been raised probably one or two other exam examinations. If the National Grid substation is delivered through a separate planning permission or even, I suppose, if it's delivered through this development consent order, does there need to be any link in the development consent order ensuring that there's not a stranded asset, if you like, to ensure that there is actually confidence that the National Grid substation will be built to serve this development? And particularly, in terms of the timings involved, because obviously, this proposal is for sixty years, but if there's a delay in providing for the National Grid substation for whatever reason,

00:49:50:09 - 00:50:25:02

but then this scheme is built but waiting for the connection, then there could be an amount of time where possibly the scheme is built but it hasn't got a connection. So there's effects, but there's no benefits, to so speak. So I know there's been quite a bit of discussion on that in previous examinations, but I would like a response from the applicant on that. And if you wish to raise any precedents in terms of Secretary of State decision making on that, then obviously, by all means, do. But do include, please, the point on timing because there might be a strength.

00:50:25:04 - 00:50:44:14

I completely understand the sort of the commercial realities that I think that a company would probably not want to build a solar generating station without a connection to the national grid. But it does seem to me that there might be a risk that there is a period of time when one part is built, there's not a substation to serve it.

00:50:46:22 - 00:51:27:12

Toby, it's on behalf of the applicant. I suppose, start by saying that given it is largely hypothetical at this point, it's likely to be a matter that's better addressed through that future hypothetical planning permission because they'll have to contend with the justification for that consent similar to Tasway. If that came back into the fold, they'd have to do their own cumulative assessment in relation to what I think is being suggested as a potential Grampian type condition for this development consent order. You're absolutely right, that's been addressed in various other examinations before and no precedent has come forward in Secretary of State decision making in solar end ships to support that even where similar circumstances arise.

00:51:27:17 - 00:51:42:00

can give off one reference, but then we can follow-up with further written submissions. There was a KC opinion that was submitted on the five estuaries offshore wind farm that that was in lots of detail. So it's it's probably sufficient for now, but we can follow-up

00:51:42:02 - 00:52:04:26

with more in writing as well. And to address the timing point as well because there is a situation whereby on the proposed time scale for East Pie on that construction indicative construction program, obviously, that is a fairly a situation which might arise fairly soon. So there is that still that risk that there's a delay between the two. So that point just needs to be addressed as well. Toby,

00:52:11:00 - 00:52:13:05

second year. Make to

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we're we're

00:52:21:00 - 00:52:21:19

make

00:52:24:13 - 00:52:49:20

construction of the authorized development has been submitted to the relevant planning authority. Subparagraph three then explains that, that written scheme must include a timetable for the construction of the phase or phases of the authorized development, And therefore, there's already a requirement in place that would show how as part of the authorized development, the National Grid substation is intended or not even intended, will fit as part of that phasing exercise. We'll have a

00:52:49:22 - 00:52:57:11

think about that. And if need be, come back to it, it's probably through a DCO session on requirement two. But thank you for that. Doctor before we finish, doctor Berry?

00:52:57:16 - 00:53:39:08

Thank you. I just wanted to ask, if the if National Grid decides to site their substation somewhere completely different, for example, north of Long Stratton somewhere, all of the cable corridors for this scheme have been designed, and you're seeking compulsory purchase for them to lead down towards Great Malton. So if your DCO goes in with an application for a substation in Great Malton and the scheme as it sits now and that gets consented, what happens then, say, next year, National

Grid decides to put their substation north of Long Stratton, and none of your cable corridors are designed to go in that direction.

00:53:39:25 - 00:53:47:13

Okay. I'll just ask the other representations first, if that's okay, before asking you for a response. Norfolk, can you?

00:53:48:14 - 00:53:50:17

Barrister's had her hand up to speak

00:53:50:19 - 00:54:00:12

for Sorry, a it's Staff Norfolk, District Yes. I apologize. Ms. Parekh, sorry, I didn't see your hand up there for a while in the discussion. If you'd like to make your introduce yourself and make your points, please.

00:54:04:00 - 00:54:05:13

I think you're muted.

00:54:06:12 - 00:54:10:05

Apologies. Richie Parikh for South Norfolk District Council.

00:54:10:07 - 00:54:11:01

We can hear you. Excellent. Thank

00:54:12:21 - 00:54:43:14

So, yes, just two points. I mean, I think we've kind of covered some some of this ground, but just to reiterate for South Norfolk District Council, the first is, the point that mister Nunn raised on control, in terms of, you know, what happens if there's another substation that comes forward and what legal controls are there. I've heard what the applicants applicant has said. I'm not convinced that that's a legal control in any way. I appreciate there might be kind of commercial realities as to why that you know, why the application might not come forward.

00:54:43:23 - 00:55:17:17

But there's certainly as far as we can see, nothing in terms of legal control, but happy for that to be addressed further in in their deadline one reps, and we can review and discuss further. And then the second point is just in terms of this substation, being kind of well, having capacity for future projects and whether that's a reasonably foreseeable outcome such that, further thought needs to be given to cumulative effects or down further downstream effects, just bearing in mind that the Norwich Main substation that, you know, the existing constraints.

00:55:17:19 - 00:55:29:08

So if this new substation were built, then it is, in our view, at least reasonably foreseeable that other projects coming forward will connect here and whether that's been properly accounted for. Thank you.

00:55:30:12 - 00:55:30:27

You.

00:55:32:12 - 00:55:36:07

Rajvi, we have three questions there. If you would like to respond to those, Mr. Yates.

00:55:38:11 - 00:56:10:16

It's on behalf of the applicant. First, I'll take Black East Pies Solar's representation around and correct me if I misunderstood, but hypothetical situation if a new planning permission was sought by National Grid for a new substation that was far away from the site that's been put forward by the applicant, in that scenario, a separate planning permission would also have to include the consent for the cable route as well that goes along with that in order to facilitate the connection into the generation asset.

00:56:10:23 - 00:56:51:25

The applicant is not pushing that forward because the scheme has currently proposed, ensures delivery into the current point of connection. It's entirely hypothetical. And it would be over to National Grid to explain whether they are planning any of that, but it seems entirely unrealistic at this point. And in any event, that separate planning permission would have to go through the planning process in order to get the consent granted in any event. So that's all I can probably say at this point. In a similar vein to the representations made around future projects coming forward, we'll take it away and consider whether there is any updates that need to be clarified, I suppose, in terms of downstream effects potentially.

00:56:52:22 - 00:57:30:11

But as far as a cumulative assessment goes, again, they would be matters that would have to be addressed and dealt with as part of any future application process. This is quite common point raised around cumulative and order of projects coming forward. The reality is if you stop one project because of the potential of all the others coming forward, you'd never get a project off the ground because they'd always be battling with each other in combination. The reality is at the moment, that project isn't coming forward. So the context within which the applicant is assessed is by reference to the long list and short list, etcetera, in accordance with the guidance, and that's set out in the application documents.

00:57:30:13 - 00:57:30:28

Okay.

00:57:31:00 - 00:57:33:10

On that, are going to provide further details as an action point,

00:57:33:12 - 00:58:11:16

did you say? We can provide potential clarification, yeah, in our in our written summary. And final that I point think was raised around there being no legal control, just reiterate that the applicant's position is to dispute that the requirements in requirement two in terms of phasing and then requirement five in terms of detailed design are both legal controls akin to a planning condition. Planning Act two thousand and eight confirms that failure to comply with a conditional requirement of the development consent order constitutes an offense.

00:58:11:18 - 00:58:24:21

That is a legal control. We're obviously happy to have conversations with South Norfolk District Council to consider whether there's ways in which that we could flesh out that wording. But at the moment, the applicant doesn't consider that to be necessary.

00:58:25:12 - 00:58:57:12

Okay. That would be useful if that discussion does continue. I mean, obviously, you're going to be discussing anyway matters relating to the DCO. So I expect that can be wrapped up into those discussions in any case if there is further disagreement on that point. Okay. Thank you. I think that is enough for today because I don't want to go beyond five o'clock. So we will adjourn the hearing, and we will return tomorrow morning at ten a.

00:58:57:14 - 00:58:58:26

M. Thank you, everybody.