



Hearing Transcript

Project:	Sea Link
Hearing:	Issue Specific Hearing 3 (ISH3) - Day 3 - Part 1
Date:	27 March 2026

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FULL TRANSCRIPT (with timecode)

00:00:05:11 - 00:00:22:18

Okay. Good morning. Before I begin, can I just confirm with the case team that I can be heard clearly and that the live stream of this event has commenced? Thank you. The time is now ten o'clock, and I'd like to welcome you all to the continuation of issue specific hearing three for the application by National Grid Electricity Transmission.

00:00:24:04 - 00:00:26:04

We got someone online who's not muted.

00:00:27:27 - 00:00:51:23

Thank you. Issue specific hearing three for the application by National Grid Electricity Transmission for an order granting development consent for the ceiling project. My name is Sarah Holmes. I'm a planning inspector in a charter civil engineer, I've been and appointed by the secretary of state to be the lead member of the panel to examine this application. I'm now going to ask my fellow panel members who have also been appointed by the secretary of state to examine this project to introduce themselves.

00:00:52:15 - 00:00:57:19

Good morning. My name is Luke Corrigan. I'm a planning inspector and a chartered transport planner.

00:00:58:18 - 00:01:03:02

Good morning. My name is doctor Richard Hunt. I'm a planning inspector and chartered environmentalist.

00:01:03:24 - 00:01:08:13

Hello. Good morning. My name is Steven Renny. I'm a planning inspector and a chartered time planner.

00:01:09:27 - 00:01:40:17

Together with Nancy Thomas, we formed the examining authority, or EXA, for this project. I can confirm that all members of the EXA have made a formal declaration of interests, and there are no known conflicts of interest with regard to us examining this application. There were other colleagues from the planning inspector with us today. For those who are present in the room, may have already spoken to or heard from Louise Helway, who's the case manager. For those of you who joined us virtually, you have spoken to Javier Kerr or Caroline Allen, our case officers in the joining conference. Together, they are the case team for this project.

00:01:40:21 - 00:02:17:15

And if you have any questions or queries, they should be your first point of contact. Their contact details can be found at the top of any letter you've received from us or on the project page of the

National Infrastructure website. In addition, there are technicians from CVS International who are attending solely for the purpose of managing the recording and live streaming of the hearing. If you have any questions regarding the application process in general, could I please ask that you email the case team who will be happy to help. For those of you who were not in the hearing yesterday, I will quickly go through a few housekeeping matters. Can everyone attending make sure your phone's switched off or turned silent? For those in this room, there's no fire test planned today.

00:02:17:17 - 00:02:50:25

So if we do hear the alarm, it's an emergency and we need to vacate the building. As far as I'm aware, no requests have been made for any special measures or arrangements to be unable to participate in this meeting, such as needing to take a break for any medical reasons or having to leave the event at a certain time. If anyone does need a break or extra support later on, then please do let the case team know. For those attending the satellite venues, to minimize background noise, please make sure your phones are switched off or turned silent. And if you wish to speak, please raise your hand and a roving mic will be brought to you, or you can move to the desk at the front.

00:02:51:16 - 00:03:32:10

For those attending virtually, can I repeat the request made in the arrangements conference that to minimize background noise, you make sure your phone is switched off or turned silent and that you stay muted with your camera off unless you're speaking? If you'd like to speak, switch on your camera and either use the raise hand function or speak at the appropriate time. Can I also remind people that the chat function on Teams will not work, so please do not this to use ask any questions or post any comments? This event is being livestreamed and recorded. Our letter, the nineteenth of September, which we refer to as the rule six letter, explained that because we retain and publish the digital recordings, they form a public record to which the General Data Protection Regulation, GDPR, applies.

00:03:32:22 - 00:03:44:28

Please read that letter, which can be found in the examination library with reference PD ten for further information about GDPR. Are there any comments or questions regarding any points I've just made in the room or online?

00:03:48:01 - 00:03:56:18

I am not seeing any hands, so can I just ask the applicant to display the agenda? Today, we'll be starting with item thirteen, which is ecology and biodiversity.

00:03:58:08 - 00:04:03:02

Thank you. So I'll now hand over to doctor Hunt.

00:04:04:16 - 00:04:05:05

Thank you.

00:04:07:16 - 00:04:08:01

Mr.

00:04:08:03 - 00:04:32:14

Burton? Apologies. James Burton on behalf of SEAS, Doctor Hunt. Just before you start item thirteen, Mr. Marney, who can't be here today, has raised a point regarding the generators at the Scottish Power substations. And I wonder if you would like me, partly on his behalf, frankly, to raise the point now before you start thirteen conscious that yesterday was the air quality session.

00:04:33:01 - 00:04:41:15

I've got a couple of points of clarification around the noise and air quality matters, so we can pick that up now. So if you'd like to start, carry on.

00:04:42:09 - 00:05:17:11

Thank you. James Burton on behalf of the seats. I have raised this with my late friend, mister Flanagan. So mister Marney has pointed me to, sir, the discharge by East Suffolk Council of requirement twenty two sub paragraph two f of the Scottish Power orders, both of them East Anglia one, North and East Anglia two, which are that the code of construction practice must include an air quality management plan.

00:05:17:28 - 00:06:05:19

And the air quality management plan that is approved by the approval by Suffolk Council of that requirement, which was dated the twenty second of January twenty twenty six. It does say at paragraph section five point three, which is electronic page twelve of that document, and it is describing operational equipment. It says the two e a two GS substation and the NGET kill lane substation and so on will contain electrical equipment, including power transformers, e a two only switchgear reactive compensation equipment, harmonic filters, cables, lighting protection, mask control, building, JS building, communications, backup generators.

00:06:05:28 - 00:06:17:23

So I thought I'd just draw that to the panel's attention, and I have obviously let mister Flanagan know. I suspect he's discussed it with mister Buckley just in case that was a point of interest.

00:06:18:19 - 00:06:28:19

Thank you. So yesterday, the position was that there were no backup generators, and therefore, was no potential for cumulative air quality impact. So is the applicant able to expand on that point?

00:06:29:08 - 00:06:48:20

James Booker on behalf of the applicant. I will go away again and check with Scottish Power. That is a reference to discharge for both substations and National Grid's Killam Lane Princeton substation does have a backup generator. So that may be covered in that point, but I will go away double check and confirm in writing my position with SPR.

00:06:49:10 - 00:06:51:08

That'll be very helpful. Thank you.

00:06:56:26 - 00:07:07:04

So in theory, for people's planning purposes, we should we're aiming to finish for lunchtime today, hopefully, but subject to discussion as

00:07:07:06 - 00:07:07:23

it goes.

00:07:08:00 - 00:07:46:26

So before I start, I wanted to clarify a couple of points raised in yesterday's noise and air quality sessions. In the noise hearing, mister Gray agreed that the hoverboard should be modeled hard as ground for the purposes of the marine ornithology figures. I agree with this, and I'd like to see updated noise contour mapping provided that assumes hard ground. I'd like to see this modeling extended up to the junction with Sandwich Road and including the properties on the opposite side of the road. So did touch on the action, but I just wanted to clarify that's that's what I'm I'm after. In the air quality hearing, doctor Riley suggested that phosphorus rather than nitrogen would be the limiting factor in relation to effects on the ditch network, if I've understood that correctly.

00:07:47:19 - 00:08:21:18

I have to admit, given the history of the Stour catchment with known nitrogen nutrient enrichment issues, I didn't quite follow that argument. This general also suggested that nitrogen loading had been assessed in the technical note. And as far as I could see last night when I went back to the technical note, the note only considers nitrogen loading in the context of the triple s I, not the wider ditch network, which is what I was concerned about. And I appreciate that's not a designated site, but it's still the potential for an adverse impact on the ditch network in the sort of surrounding area that I was concerned about.

00:08:21:28 - 00:08:36:08

So I'd just like to say that the applicant's post hearing note should include an assessment for the ditch network or at least commentary on the impacts on the ditch network and the nitrogen nutrient issue.

00:08:36:25 - 00:09:10:28

I can provide you a summary of the nitrate. So the nutrient nitrogen issue in the Stour catchment has to do with the Stodd Marsh special protection area, special area conservation Ramsar site, which is many, many kilometers upstream and is primarily to do with discharge of phosphorus and nitrogen there. So Stodd Marsh is a complex site and it is what we call co limited, so nitrogen and phosphorus limitation. However, as I said yesterday, most lowland freshwater ditches, and this will certainly apply to those in the dishes that we're talking about on our site, are phosphorus limited, meaning that that is the primary growth limiting nutrient.

00:09:11:11 - 00:09:40:08

And that will come overwhelmingly in that environment. It will come from waste water treatment works, but it will also come overwhelmingly from agricultural runoff, which there is a lot in that area. The dishes were already quite eutrophic because of agricultural runoff. So we will add that into the notebook, but that is there is no disparity between what I said and the nutrient nitrogen issue with regard to that because that relates to the Stodmar's European site further upstream, not the local DISH networks. Okay. That's helpful.

00:09:40:10 - 00:10:12:19

Thank you. I've also been asked to raise a question by my colleague, Ms. Thomas, relating to acid grasslands. I'll ask that now. So in response to LVIA five in Rep five-one hundred thirty five, the

applicant states that the cable route in this area will be restored to the existing condition, which will include restoration of acid grassland to a higher quality than its current quality, some scrub species, and occasional trees. It's anticipated this would be a requirement of the golf club with a restored cable corridor managed for a five year duration.

00:10:12:29 - 00:10:19:13

And my colleagues asked what the applicant means by a requirement of the golf club. I wonder if the applicant could comment.

00:10:20:23 - 00:10:53:21

James Brooks here on behalf of the applicant. As part of the planning application for Opera Golf Club for the new golf holes, numbers six and seven or seven and eight, can't remember, there is an area of the above the cable route of planting that they had to establish as part of their planning process. Our cable will run under that. That planting is conifer trees. So we will reestablish an equivalent type of screening away from the cable.

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This is a point that's being discussed currently in the SOCG on how we ensure that we don't

00:11:01:09 - 00:11:27:11

stop them meeting their planning requirements. So that was just to cover off on on on that point. There's also areas of heath and scrub that they're putting in which we can reinstate, but it's it was the the trees. And that's one of the reasons in the archaeological trial trenching, we didn't cover that area with agreement from suffix archaeologist because of that planning application and in its ongoing status.

00:11:29:04 - 00:11:29:28

K. Thank you.

00:11:39:04 - 00:11:42:03

Sorry. I have a hand up. The initial's m k.

00:11:44:12 - 00:12:25:00

Good morning, sir. It's Mark Westman Smith on behalf of East Suffolk Council. I'm not sitting with my team today for various logistical reasons, which is why you didn't recognize, the initials. Can I just make two points briefly? The first, relating to backup generators. I note mister Buckley's going to go away and check whether there will be backup generators, in Suffolk. And if there are, there is a react commitment, which is a q eleven, rep five one fifteen, and it's page fifteen.

00:12:25:12 - 00:13:01:23

That commitment is relevant to generators in Kent, and it's, various it's got four bullet points to it. But the first of those is ensure that the generators adhere to stage five emission standards and seeks alternatives where possible, such as batteries or alternative fuels to, reduce, emissions. We will ask that that is applied. That element of the REAC a q eleven is applied to Suffolk, if there are to be generators in Suffolk.

00:13:02:08 - 00:13:33:26

That was point one. Point two, goes back to, air quality matters as well. And we were asked yesterday to go away and consider we had any air quality concerns in relation to Saks London arising out of the SCC alternative access route to the converter station. And that's now being reviewed by Rebecca Brooks, the climate change officer, whose air quality falls into her purview, and she confirms it doesn't give rise to an objection.

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So we're content with that alternative route from an air quality perspective. Thank you.

00:13:39:04 - 00:13:40:13

Thank you. That's helpful. Yep.

00:13:45:00 - 00:13:47:22

Did the applicant want to come back in as well on those points?

00:13:48:04 - 00:14:06:24

Hugh Flanagan for the applicant. So on the Saxmandom access issue, I'm grateful for the confirmation from East Suffolk Council, the air quality and transport experts from the applicant side are liaising. So we will come back in writing, I think, confirming East Suffolk's view at deadline six on that point.

00:14:07:11 - 00:14:07:26

Thank you.

00:14:09:18 - 00:14:41:18

So we'll move on to item thirteen point one, whether potential disturbance effects of unexploded ordnance have been sufficiently addressed in the ecology and biodiversity assessments. So the ecology and biodiversity chapters do not appear to reference unexploded ordnance, which is an identified risk for the HDD entry pits and could give rise to disturbance effects. The habitats regulations assessment only considers UXO in the marine realm. Explain why the effects from UXO are not addressed in the ecology chapters or the terrestrial section of the HRA.

00:14:41:21 - 00:14:42:06

Thank

00:14:42:20 - 00:14:53:27

you. So Sarah Kubshaik for the applicant. So I'm first of all going to ask Mr. Buckley to give an overview, and then some of the detail will be dealt with by mister Riley.

00:14:55:01 - 00:15:31:06

James Buckley on behalf of the applicant. So just wanna set a bit of context around the the HDD and the UXO. So the UXO reports that we have done identified the areas moderate to high in terms of risk of UXO. But the actual tables within the report have no recorded ordinance or unexploded ordinance at that location. Sizewell did have record ordinance in the triple s I, which is why they've had to dispose of that ordinance. The main reason for that area to be moderate to high is the beach would have been heavily mined on the surface.

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So there's no recorded ordinance. Any ordinance that has been found within the locale is generally training ordinance. So bullets, small mortars, things like that. We will carry out a full UXO survey at the launch pit later this year. So that will include the drone survey, and then if necessary, a magnetic probe survey. And we have flexibility within the UX the HDD launch area to enable this to move the launch of the UXO back enough to get under the twelve meters of expected penetration at the border of the triple s I.

00:16:17:01 - 00:16:45:07

So we will be able to remove any UXO if we find it. It's very rare that the UXO in that area would need to be detonated in the area, but we do not have control over the detonation of UXO. That is it's done by the bomb squad generally or the military. So but we believe it's a very low risk, and we do have flexibility within our order limits to move away from any UXO should we find it. I'll pass over to mister Riley now to cover.

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Yeah. Thank you. Doctor James Riley on behalf of the applicant. So so with specific regard to to your question, the marine UXO issue is discussed in the HRA, but the discussion there basically says we can't

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I'm totally satisfied with the marine position. No, no.

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I was coming to was what it basically says is that we can't predict it. So there was a separate regulatory process. So what I think I discussed at ISH two when we talked about this was that similarly in the terrestrial environment, there is a separate regulatory process. We talked about the SSISN process that exists with Natural England.

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However, and that is therefore why we had not, I had not included that within the HRA because I felt that was covered by the separate process. However, that aside, I can we can include discussion of the onshore, the terrestrial UXO matter, what mister Buckley has just described, the the methods that would be available, for example, changing the drill alignment, those kind of things, and how that would then also tie into the triple SI ascending process at the time when the time came and may, in the worst case, if it did involve a detonation in place, and that detonation in place was considered to potentially be significantly disturbing, which would be the test.

00:18:05:11 - 00:18:20:26

Natural England would be as part of that triple s I process, natural England will be involved in that. So I think I did touch on that. But if it would satisfy your ask, I'm happy to add that discussion into the HOA report and the chapter. I think for completeness, I'd like to

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see that in both of the assessments. Yes, please.

00:18:26:19 - 00:18:57:02

Would you also be able to respond to East Suffolk Council's deadline for post hearing submissions and responses to second written questions, which comment that further mitigation is required in respect of UXO in the control documents. Specifically, they've set out how damage to sites from machinery access during UXO surveys will be avoided or mitigated, how disturbance of species, which sites are designated, will be avoided or mitigated, and how UXO which found during surveys and require removal will be dealt with. So it's kind of all of those points.

00:18:57:04 - 00:19:00:27

Or is that something you can just pick up in the revisions to the two assessments?

00:19:01:06 - 00:19:36:22

I think that could be picked up in the revision to the two assessments. In terms of how the UXO disposal is dealt with, there is I can't remember number of it now, but there is a REACT measure which does discuss that and says that where National Grid has control of UXO disposal, then we will liaise with, I think, the RSPB because they asked for it certainly in Natural England, I believe the council is in there. With regard to the survey, so the survey that is planned for this autumn is currently going through the SSSI ascending process and has been discussed at length with RSPB and with and is being discussed with Natural England.

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So effectively, I can reference in that the HRA, but effectively it's already going through the regulatory approvals process. It has been approved before. I think we mentioned before that there's a few years ago there was one. It would not involve anything invasive, any vegetation removal. Just so everybody's clear, there's nothing invasive, no vegetation removal. It's either done with a drone, which would then be done at an acceptable time of year within the lines of the SSSI ascent, or it could be done with some people work it. We're proposing to do it with a drone at the autumn period, which is effectively the period where ice cream and natural in the previously really would not be disturbing.

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So we can that either I I don't know if it fits in the HRA as such because obviously it's for an investigation that will effectively complete very shortly, but we can reference it there.

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Probably in our hearing action points note or something like that. But yes, that reference to that can be added, but that is going through its regulatory process at the moment.

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Okay. That's useful. Thank you. And in terms of the uptake, can you just confirm which deadline that would

00:20:44:00 - 00:20:45:26

be for? I beg your pardon, deadline six.

00:20:49:10 - 00:20:49:29

Thanks.

00:20:52:26 - 00:20:55:15

We have a hand up in the Suffolk satellite first.

00:20:56:26 - 00:21:16:19

Thank you, sir. Charlotte Fox on behalf of Benel and Stenfield Parish Council. This may be totally irrelevant, I apologize if it is. But I know that there was an unexploded ordinance discovered, and I just wondered whether there's a survey for unexploded ordinance has done has been done for that area.

00:21:19:02 - 00:21:25:22

Thank you. I understand that the whole of the route has been looked at from an ordinance point of view, but if the applicant can confirm confirm.

00:21:25:29 - 00:21:49:01

James Buckley on behalf of the applicant. Yeah. I can confirm we did a full route for both this route and some of the earlier routes considered in the optioneering. The bullets that was found was was dealt with appropriately, and we will carry out a second survey at the site as per the we we just described it, the triple s I, either by drone or by probe prior to any work starting.

00:21:50:06 - 00:21:55:29

Thank you. And thank you, doctor Fox, for the context. Mister Denny sorry. Doctor Denny.

00:21:56:18 - 00:22:32:21

Oh, hello. Yes. Doctor Matthew Denny representing SEAS. Yeah. I'm glad to see the applicant's gonna put in the survey elements into the HRA. That's really good to see. But I just want to given that the the primary method will be use use of drones, That's obviously a fairly new technology, and all the time there is new evidence coming forward in the in the literature for how drones can affect, particularly birds, through disturbance.

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So I just want to draw their attention to that and make sure that they do a thorough literature research of that to make sure they capture all of that. Some some of it, it definitely shows that there are there can be disturbance within about fifty meters. So that would be really useful for them to include. Thank you.

00:22:51:16 - 00:22:52:15

Thank you.

00:22:54:00 - 00:23:03:01

Appreciate the surveys are for a relatively short period of time, but would the applicant like to comment on the potential for disturbance within the designated sites during that survey?

00:23:03:03 - 00:23:33:09

Yes, certainly. Doctor. James Riley, on behalf of the applicant. So the potential for disturbance is basically the main thing that the triple s I ascending process will focus on, as indeed discussions with RSPB, because obviously they're very keen on that as well and minimizing that. The main reason why the survey is being timed for autumn is that in the past that is the period that we have agreed with RSPB and Natural England is the time least likely to result in significant disturbance for the limited time the survey that will require to operate the drone.

00:23:37:19 - 00:23:44:12

Thank you. There's another hand. PA, Paul Atkinson?

00:23:45:15 - 00:24:26:15

Hello. I'm Paul Atkinson, Saxman in residence. Just in terms of the drone, there is obviously I spoke to the my my house is very close to the famous proposed bridge and the access road, and I spoke to one of the ecologists surveying that area, and we were talking about the barn owls that are in one of the veteran trees. And so obviously I'm concerned that, you know, noise and that would obviously affect the barn owls. She also said that that that, you know, they would that she would advise the applicant that thirty meters distance from any work to that tree.

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But I don't think I think the tree is very close. It's within the border limits, and it's ten, fifteen metres away from the proposed road and bridge. So obviously it's a concern that I have for these, obviously, barn owls, really. I just wanted to raise that point. Thank you.

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Can I just ask the applicant about the need for a specific buffer zone around that tree to protect the barn owls?

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So

00:24:55:17 - 00:25:29:23

we're talking about the same tree, then that tree near the I think it was referenced to the bridge across the Froma. So the presence of that veteran tree and associated the Barn Owls is one of the reasons why the bridge across the Froma had its location shifted from the original proposal. So the effects on that tree and deferred vector barn owls are in there. That is explicitly discussed in the ecology chapter assessment. And I don't immediately have it in my head, it is definitely in there in the ecology chapter discussing the effects on barn owls associated with that tree.

00:25:30:05 - 00:26:00:11

But I think the point is that the movement of the we're putting additional barn owl boxes. It's coming back to me now. Sorry, wasn't expecting to talk about Barn Owls. The provision of additional Barn Owl boxes in the area is part of our REAC measures. So that provides an additional resource. And there are obviously because of schedule one, there are timing restrictions that automatically apply in law as well in terms of when you do works around there. Mine, something is with so the drone that I was talking about is at the other end of the scheme around the RSPB reserve, in the area of the Framers Bridge.

00:26:00:13 - 00:26:04:13

So that particular issue doesn't, I think, relate to this matter.

00:26:04:27 - 00:26:21:25

Right. Just in the post hearing note, can you just clarify the point about thirty meters offset if it's not already within the documentation specifically? I will. I don't obviously, this is an anecdotal conversation. I don't know the who conversation is with or whether it was one of us.

00:26:21:27 - 00:26:38:01

I mean, we did this survey several years ago. So I don't know if it's Acevedo or somebody else for a different project. So I will look into that. But I think that this we have and discussed identified what kind of distances we need. So the disturbance point, I will address in our post hearing note.

00:26:38:03 - 00:26:42:29

Thank you. Mister Atkinson, you still have your hand up. You Yeah.

00:26:44:01 - 00:27:09:12

Just to say that it was two weeks ago, and she was from Siemens doing the ecology surveys around the field. So I also gave her some of my badger footage, which I have, because there's obviously some badger sets very close to the promos as well. And also, the attenuation pond is next to that tree. So don't

00:27:10:06 - 00:27:16:08

Thank you, Mr. Atkinson. I am aware of the attenuation pond. We did ask some questions in the last hearing about that.

00:27:16:27 - 00:27:18:25

Okay. Thank you. Sorry. Thank you.

00:27:18:27 - 00:27:53:13

Doctor. Jones, I'm part of applicant. Thank you. That gives me some understanding. Siemens are the contractor on the project who are doing various ground investigation works and the preparation works. They have appointed their own oncologists to advise them with regard to their specific ground investigation works separately from they they not involved in the construction across the project as a whole. So they are basically advising on the details of setback between specific ground investigation works on the site. That involves things like where they cite their ground investigation and other works.

00:27:53:15 - 00:28:14:05

That involves things like where they cite their temporary compounds and things like that, which are not part of this wider DCO process. So in terms of the DCO process, the main construction, where those main construction compounds are, where I mean works are, etcetera, etcetera, that is already captured in it. But I do understand now the conversation that's been going on with Siemens contractors.

00:28:14:07 - 00:28:15:04

Okay. Thank you.

00:28:25:15 - 00:28:56:17

I'll move on to item thirteen point two, which is mitigation for riparian mammal activity, including nocturnal activity. Is the applicant able to fully accommodate the Environment Agency proposed mitigation in EA001 in its deadline five submission, Rep five-one hundred seventy three, to avoid impacts on nocturnal protected species. And that's specifically a ten meter offset. And I think the REAC is what it is currently a four meter offset rather than a ten meter offset.

00:28:57:06 - 00:29:02:17

And there's also a specific provision around not within one hour of sunset or sunrise except during emergencies.

00:29:05:02 - 00:29:19:02

Doctor James Riley, on behalf of the applicant. The simple answer to that is yes. Have earlier sorry, last week, we agreed in writing a form of words for that measure with the environment agency. So that will be added to the reapp. Yes.

00:29:52:14 - 00:29:55:17

Sorry. Apologies. So

00:29:57:08 - 00:30:06:11

we have the environment agency online. Did the environment agency want to comment at all on on that agreement with the applicant, or are you satisfied with the position?

00:30:08:03 - 00:30:11:13

Hello, Louise. Here for the environment agency. We're satisfied with the position.

00:30:12:05 - 00:30:13:11

Okay. Thank you.

00:30:13:13 - 00:30:14:05

Thank you.

00:30:17:18 - 00:30:54:02

One further point around sort of aquatic environment, but it's also a wider issue around hedgerows. I have a feeling we've touched upon this previously. So apologies if we're going over a ground that's been covered within the examination before. But can the applicant explain what consideration has been given to incorporating the three hundred meter ditch and double hedge feature at Minster Marshes into the design of the converter station sites to avoid loss of the feature rather than removal and, obviously, having the the wider side.

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Doctor Strangely, on behalf

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of the applicant, I don't think we've specifically listed it within the context of ecology. It may have been discussed elsewhere. So so just for clarity, I'm assuming you are referring to the feature in the middle of

00:31:04:20 - 00:31:08:11

the convert station field? Yes. Which connects the triple s on

00:31:08:13 - 00:31:08:28

it to

00:31:09:00 - 00:31:11:12

the ditch network. So I I will probably hand over

00:31:11:14 - 00:31:20:17

to mister Buckley here because that's primarily an engineering point of view. But but, basically, it would involve splitting the convert station into two sites. You got any further say on that?

00:31:21:23 - 00:31:23:20

James Booker, on behalf of the applicant.

00:31:26:07 - 00:31:39:20

I don't think we specifically considered whether we would build it as two separate sites, but the size of the converter station does not fit either side of the ditch. So it's not a case we could fit the converter station one side and the substation the other.

00:31:41:15 - 00:32:06:24

It would then cause issues with the operation of the the converter station to to split the converter station in two effectively, and it would probably involve more land take than outside of the ditch network due to additional equipment required to span the ditch. I can take that away and talk with the engineering team, just put something in in writing around what consideration we would need and what it would look like.

00:32:07:13 - 00:32:26:26

I think that would be very helpful given there's obviously a strength of feeling about that particular hedgerow from a bird's perspective and obviously the ditch network in terms of connectivity element with the SSSI. So it would be useful to have that justification provided. Doctor. James Riley on

00:32:26:28 - 00:32:59:05

behalf Africa. Just as a reminder, I don't imagine you need it, but we also need to bear in mind that as part of the proposals for the converter station, is extensive woodland planting, which would effectively reestablish or maintain that connectivity. There is connectivity between the SSSI and the Minster stream anyway along the railway corridor. So there is a there will be a lot more connectivity as a result of the plant in delivery of this project. Just thought it was worth reminding everybody of that.

00:32:59:07 - 00:32:59:24

Thank you.

00:33:00:23 - 00:33:10:18

Thank you. Are there any further comments or questions relating to riparian mammals? What's the points raised there?

00:33:12:14 - 00:33:16:26

If not, we'll move on. I have Kilometers.

00:33:20:11 - 00:34:01:20

Thank you. Karen McKenzie for St. Minster Marshes. We understand that one of the temporary bridges that will be installed across the River Stour in order to assist with building the new pylon line It's right next to a a beaver dam. And all along that section of the river, there's a lot of evidence of beaver activity. And through yourselves, I would wonder if National Grid could update their latest situation with regard to surveying for beavers, please.

00:34:04:04 - 00:34:06:04

Yeah. If you'd like to respond at that point,

00:34:06:06 - 00:34:32:10

doctor Anjali, on behalf of the applicant. Yes. So so throughout the project, there is and will be an ongoing program of surveys. We that includes updated beaver survey. So we received information. It may have been I think it was possibly in St. Vincent Mart is one of their written representations. They mentioned presence of a beaver dam in Minster Stream, I think was what it was located. So we specifically went out in, I think it was January,

00:34:34:13 - 00:34:50:03

the beaver specialists went out to survey that area. So we have updated our information there. We have found evidence of beaver in Minster Stream, which is not a surprise. We haven't actually found a dam. So either that may have been misidentified or it may have simply gone because that does happen sometimes.

00:34:51:21 - 00:35:04:11

But the position on all protected species is being updated and will be updated throughout the construction of the project. That's set out in the Lemp, and it's good practice, and it's legal requirement as well for certain species.

00:35:06:18 - 00:35:20:00

You. Miss McKenzie, do you you have any recent information about the Beaver Dam, or is this an issue that was raised some time ago that the situation might have changed?

00:35:21:16 - 00:35:56:27

The situation with the beavers is constantly changing. They're constantly on the move. We see lots of evidence of, trees where they're, feeding. And, just to make it clear, the way the beavers are creating their habitat, around our area is not that they dam straight across the river. That's obviously not gonna

happen at the store. It's a massive tidal river. They tend to burrow onto the bank and then create a habitat that's more on top on top of the bank.

00:35:57:06 - 00:36:26:12

It creates instability around the bank itself. So, certainly, locally, the farmers have to manage that, which they are doing. They know where that the beavers are active, and they take steps to just avoid that area rather than damaging where they are. So we we just haven't seen any up to date detail of the surveys they have done about the beavers and are concerned about that. Thank you.

00:36:26:24 - 00:36:32:22

Sorry. My my specific question, though, was have you effectively seen recent evidence of that in a specific location?

00:36:34:28 - 00:36:44:09

Personally, no. But I can certainly find the people who are looking out for beavers in that location, and we can certainly supply you some evidence with that if you wish.

00:36:44:28 - 00:36:47:29

Yes. Certainly. If you could supply that to the applicants as well. Thank you.

00:36:48:01 - 00:36:48:16

Thank you.

00:36:49:02 - 00:36:53:05

Can I ask Emma Waller to come in?

00:36:54:27 - 00:37:17:15

Emma Waller from Kent Waller Trust. Yeah. I was just basically going to follow-up with Karen's point that European beavers tend to not build dams like the American beavers do, and they do burrow in riverbanks, which can extend fifteen to twenty meters. So also impacts to the collapse of burrows, which I don't think has been investigated properly.

00:37:19:29 - 00:37:23:12

Thank you. Would the applicant just like to respond to that last point?

00:37:23:14 - 00:37:56:23

Yes. Doctor Rangelali, on behalf of the applicant. So I think, as has been said, beavers and all the wildlife aerodynamic system, I don't think we can reasonably be expected to continually be updating our impact assessment, every month to take account of these things. We have said before, because this discussion has come up before, that the surveys will need to be live. The water bowl distribution in that dish network will change from what and what we submitted, and it will change again, it will change again. The same is true of beavers, same is true of otters. We present the evidence that is there at a point in time to enable impact assessment to be undertaken for the purposes of DCO.

00:37:56:25 - 00:38:30:17

We then update those surveys, as we have been doing. So we show we have shown can show that we are doing that and we'll do it throughout the construction program. And if that identifies constraints in new areas where they have not previously identified, that will have to be dealt with in accordance with the law and the licensing regime in those locations, which may involve changes within the order limits to locations, but more likely licenses and mitigation measures and changes in construction methods and things like that. As I say, in the information we received, which wasn't extensive, there was reference to a dam.

00:38:30:19 - 00:38:50:12

So we were looking out for dams, but we were looking out for all evidence of beavers. And we have indeed recorded evidence of beavers, including chewed wood and things like that in Minister Stream. So we know they're around. We knew they were around anyway, and that will be taken into consideration during the process. But will have to remain a dynamic process, in some sense, through construction.

00:38:50:24 - 00:38:51:27

Thank you.

00:38:55:15 - 00:38:58:17

If we can move on to agenda item thirteen point three on bats.

00:39:00:20 - 00:39:15:23

The first point was an update on Barbastale bat discussions with Natural England's licensing team. Can the applicant provide an update on its recent engagement with Natural England's wildlife licensing team regarding Barbastale bats and the potential for artificial lighting impacts?

00:39:17:01 - 00:39:46:16

Doctor James Riley, I'm Arthur, the applicant. Yes. So I should probably give some some context here. I'm sure you understand this, but but Natural England's model of licensing team, their role is to issue mitigation licenses to allow otherwise unlawful activities involving certain species, including bats. If there is no activity that requires licensing, then there is no role for the licensing team. Natural England requested in their relevant representation that we nonetheless speak to the licensing team. This was in October twenty twenty five when we spoke to them

00:39:48:11 - 00:40:27:09

about our view that we did not need any licenses for BATS for Suffolk. We did that. We submitted our survey reports. We submitted our information, and we submitted our impact assessments and explained why we do not consider a license. The license that he replied to us in October and did not contest that view, which fits with my experience. The the the natural the the license team do not tell applicants if they need licenses. They they process license applications and then ask further information if they need that information. Nonetheless, in their d five response, and I think this is what you're alluding to, Natural England requested that we contact the licensing team for, I think, more general advice with regard to barber cells and lighting in particular.

00:40:29:16 - 00:40:59:29

We have therefore done that. We've contacted the licensing team. But but I have to say my experience is that the licensing team do not provide general advice with regard to bats and mitigation, that kind of thing. I I haven't heard back from them yet, but what I would expect them to do is point me to natural understanding advice on bats, which is called bats, advice of making planning decisions. It's easily found on the dot gov website. That basically, among other things, advises the applicant to design lighting to avoid roost entrances, commuting routes, foraging habitats.

00:41:00:01 - 00:41:20:11

And and we have taken all that into consideration in our in our design. There are numerous measures regarding bats generally involved, so specifically, and lighting in the REAC. I won't list them all out. I mean, I can list the numbers if you like. I mean, specifically, are b thirty and b thirty eight for construction and b thirty nine for operation.

00:41:22:18 - 00:41:35:06

And there is also requirement three of b the DCO, which requires the submission of operational lighting details. So, obviously, that's specifically operation prior to installation and for those details to be in accordance with the key design principles. In addition to that,

00:41:36:28 - 00:42:07:12

similarly to what I said about the Ken convert station, we are doing extensive woodland planting around the Suffolk convert station as well. Now the relevance of that for Barbastells is that the most likely or the the main area where we believe Barbastells are roosting called is Bloomfield's cover, which is west of the converter station site, about fifty meters west at its closest. So that planting operationally will provide a considerable strengthening of habitat in that area for Barbastelles. Bush is currently away from Bluefield Covets. It's basically big empty.

00:42:07:14 - 00:42:38:04

I'll rephrase that. Big, variable fields with hedge rows across them, which is less of a suitable landscape, an ideal landscape for them. And we're replacing that with an extensively wooded landscape with excellent connectivity. And also, that will provide a further screen as well as distance and the react measures. I say all that just so you're aware that this is not a new matter or a new issue. I have said that to the licensing team. I will what the licensing team say back. But but I am my understanding is they do not provide that kind of advice.

00:42:38:06 - 00:42:43:12

I'm not expecting to necessarily hear much back. But that is the the state of the current position. Thank you.

00:42:49:02 - 00:43:23:04

On the licensing point, paragraph 5.4.45 of MPS EM-one requires the Secretary of State in making his decision to consider whether the SNCB is likely to grant or refuse any relevant license. I'll start that again requires the Secretary of State in making his decision to consider whether the SNCB is likely to grant or refuse any relevant licenses, including protected species mitigation licenses. And on previous projects, we've potentially had a letter of no impediment from Natural England from that perspective.

00:43:23:28 - 00:43:27:11

I don't think we've got anything equivalent for this project.

00:43:28:27 - 00:43:35:25

So can the applicant suggest in the absence of letter of no impediment from Natural England, how the secretary of state should approach this consideration?

00:43:36:02 - 00:44:12:06

Yes. Certainly. So so that consideration is with regard to if a need for protected species licenses is identified, then the secretary of state needs to be confident that such a license would be granted in time or in due course. And the letter of no impediment is what provides that. Basically, the applicant goes to Natural Links licensing team and says, we consider we are going to need a license for this particular activity. And the licensing team then provides a letter of no impediment. It does not arise if there is no licensing issue to begin with.

00:44:13:29 - 00:44:15:20

Is as we've said before,

00:44:17:10 - 00:44:43:03

we do not there's nothing we are doing that requires European protected species license. That's basically what I said to the licensing team in the initial correspondence in October. And as I said, they have not challenged that view. But the letter of impediment is part of the the process of going for a license. So if you don't need to go for a license, you don't start that process. And therefore, that in itself should it effectively doesn't arise as something that you need to engage with in detail. Thank you.

00:44:43:18 - 00:44:45:25

Thank you. Doctor Denny.

00:44:49:04 - 00:45:11:27

Yes. Hello. Doctor Matthew Denny representing SEAS. Our issue here is is that we believe that the baseline surveys were not adequate enough. They're insufficient surveys to establish whether there is indeed a barstone roost in the nearby covert and whether that is a maternity roost or not.

00:45:13:10 - 00:45:27:08

We Sorry. I'm going to stop you there, Dosteny. I that point has been made in writing on a number of occasions, and the applicant has responded to that on a number of occasions. So unless there was a new point that you wish to make, I think I'd like to move on from that particular point.

00:45:28:02 - 00:45:46:29

Okay. Sorry. I wasn't aware of that. Okay. That's thank you. The other point I have is about the downgrading of the batch assemblage value from national to no. From national to regional. Is that something that they've come back on in the past?

00:45:47:02 - 00:45:57:16

So that point is a point that I've raised in third written questions. But since the applicant will be looking at it now, I wonder if the applicant might like to come in and and comment on that point.

00:46:00:17 - 00:46:03:20

Doctor Strangely, on behalf of the applicant. Yes, you're right. This

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was discussed, and I think you in one of your most recent questions, you've actually posed a question to Satter England about that point to comment on it. So just to be clear, we

00:46:17:24 - 00:46:55:00

have used the method regarding the assemblage and reported what that method identifies in the environmental statement. However, that method does not take into account the amount of activity by those species, which clearly must be of some relevance to to the assessment that you're undertaking. So we also reported the the regional value that we're talking about and and to provide a total context, a total picture if you like. It's important to note that if we disregarded the regional and just said national, it wouldn't change the outcome of the impact assessment in terms of how that keys out through the process.

00:46:55:19 - 00:47:17:05

And there was nothing we said that said, well, it's regional, so this we don't need to do that we would have had to do if it's national. We are treating it exactly the same way. But it's not like we sort of disregarded the national part and just said regional. We we we put both those in. But I think it is important to add a level of nuance to take into account the amounts of activity, which must have some degree of relevance. Thank you.

00:47:28:06 - 00:47:31:20

Doctor Denny, did you have any comments on that point?

00:47:31:24 - 00:48:03:14

Yeah. Just to say that, you know, I I feel that those two issues should be separated out because that as you said, that is very much a a method for looking at the assemblage value and not at the population size of any of the bat species. And, yeah, there there are it's it amasses twenty two points, which is three points over the level of national importance threshold.

00:48:04:27 - 00:48:20:14

And therefore, I would still say that it should be that particular test and methods for bat species assemblage should be retained within the EIA.

00:48:22:21 - 00:48:35:14

Thank you. I suppose the question that sits behind this is if it was retained as a national assemblage, how would that affect the overall assessment of significance?

00:48:35:26 - 00:49:13:00

Doctor Strangely, on behalf of the applicant, it wouldn't. And that was the point I was trying to make, so it wouldn't change it. Just to be clear, the national assemblies reported. So I think doctor Denney said they should be separated out. They are separated out. So we talk about the national importance first, then we talk about our additional take on it, if you want to put it that way. But ultimately and this

is definitely something we have said in writing into the examination because this was a question that was asked. If you change the importance from regional to national, all the same significant features and all the impacts are still significant impacts that require the mitigation they require.

00:49:13:02 - 00:49:23:12

There's nothing that wasn't a significant impact that becomes a significant impact and therefore needs mitigation that hasn't already been identified. So it wouldn't change the assessment or the outcome of assessment at all.

00:49:29:00 - 00:49:29:24

Thank you.

00:49:32:04 - 00:49:38:08

Emma Waller. Hi. Emma Waller for

00:49:38:10 - 00:50:20:14

for Kent Wildlife Trust. Firstly, we agree and support doctor Denis' concerns. And then secondly, due to their status as an annexed to species, there is a clear legal requirement to establish a robust and evidence based understanding of their roosting and foraging behavior. This is necessary to inform both the habitats regulations assessment and the design of effective avoidance and mitigation measures. So given the species, Barb's Sail's protected status and the legal duty to apply a precautionary approach, it says Kent Wildlife Trust's position that bat trapping and radio tagging should have been undertaken as part of an advanced survey effort for both Suffolk and Kent.

00:50:20:24 - 00:50:47:12

For Kent, this has this would have either confirmed the presence or absence of the species as well as identifying their commuting and foraging routes. I also want to point out that Barbastale roost has never actually been confirmed in Kent. So the repeated recordings of Barbastale during the static surveys is a significant find for the species in the county and could confirm their presence.

00:50:49:15 - 00:50:56:11

Thank you. Now I appreciate the applicant has responded on trapping points previously, but would you like to very quickly summarize?

00:50:57:00 - 00:51:27:05

Yes, I will. For the benefit of those people we did discuss this at ISH2, but for the benefit of those, will repeat what I said then, which is that so the surveys that we've undertaken have been extensive in both Kent and Suffolk in terms of both remote recording devices and in terms of walk transects. We are aware and obviously did discuss at ISH2 that the East Suffolk Council in particular had some matters with regard to how we broke that down into areas.

00:51:27:07 - 00:51:30:23

But I responded that the main thing we were looking there to do, which the survey is intended

00:51:30:25 - 00:51:31:10

to do, is

00:51:31:12 - 00:52:00:22

to characterize the broad populations of an area and the broad levels of use. And we are treating each hedgerow as a significant feature anyway. To go to the point about backtracking and trapping bats, while that is sometimes done on projects, it is not routine. It is itself a highly disturbing activity to the extent that you require a license from natural England to do it. There is no guarantee they would give you a license. Indeed, there are projects where they have refused a license on the basis that those bats have been trapped so often. It's just not acceptable.

00:52:02:10 - 00:52:18:03

My view is you only we have sufficient information, considerable information from our surveys and our mitigation approach and our treatment of hedgerows. We have enough information to protect the necessary features and know what features are that need protecting because we're effectively protecting all the hedgerows and assuming they're all important for that.

00:52:20:00 - 00:52:50:27

I remain of the view in Suffolk and Kent that there is no requirement. There is no necessity. It may all be interesting, but there is no necessity to undertake harp trapping or mistnet trapping or other types of trapping of bat and then radio track them in order to inform this impact assessment to conclude that process. I would again say, as I think I did say last time, that the surveys that we undertook for the project were all subject to the scoping process. We produced scoping report that we circulate to the local planning authorities in natural England.

00:52:50:29 - 00:52:56:29

And none of them, at any point, have ever said that we should do backtracking and capture bats and things like that.

00:52:59:02 - 00:53:01:23

You. Karen McKenzie.

00:53:06:08 - 00:53:09:14

Thank you. Can you hear me okay? I'm not sure if my mic's on.

00:53:09:16 - 00:53:10:22

Yeah. The microphone's fine.

00:53:10:24 - 00:53:11:09

Okay.

00:53:11:11 - 00:53:48:22

Sorry. I just wondered when the applicant might be conducting bat surveys at the Hovdenport because we have our own evidence of common pipistral, soprano pipistral, nocturnal bats, and occasional migrating bats. And so whilst we understand what National Grid are saying about the survey data that they have found at mister Marsh's, We can't currently find that they have provided any data whatsoever for bats at the Hoverport.

00:53:49:02 - 00:54:04:12

We also know that there are Dobenton's bats at Minster Marsh's rather than down at Hofport. And similarly, we haven't been able to find any survey data for these. I'd be grateful for your input on that. Thank you.

00:54:04:27 - 00:54:29:13

Thank you. We are going to come on to talk about Dobington's bats a bit further down in the agenda, so we'll come back on that point, specifically in relation to Pegwell Bay. I'm satisfied with the information that I've got from the applicant in relation to bats within the Hoverport area. At the moment, Would the applicant like to say anything specifically in relation to the points?

00:54:30:04 - 00:55:01:24

I think I would say that the so the survey that you do, the level of survey that you do, particularly with regards to hoverboard area, is related to the impact that you're expecting to have on the habitat there. I would also remind people that purely for information, one of the reasons why we have done less survey at the Hufflepore than we have elsewhere is because the landowner would not allow us access to do those surveys until relatively recently. That said, important the thing about the use of hoverboard, and I think we may come to this later, but I'll say it now. And we did discuss this as IHH two, albeit not specifically within the context of bats.

00:55:02:25 - 00:55:42:22

The hoverboard is being used to transit vehicles from the road network through onto the intertidal mudflats. So we're not doing any engineering works at the hoverport except where we need to put protected matting down and things like that to protect the ground, as we've said before. We're not doing any vegetation clearance at the hoverport except, as I said before, possibly trimming seasonal growth at the sides of tracks. We're not doing any lighting at the hoverboard. We will be taking at a peak a few dozen vehicles per day through that hoverboard, which is not a high number, it's not a highway, which will be slowly traveling through that hoverboard there.

00:55:42:24 - 00:56:20:09

And they will then be once they get onto the concrete. So there's nice firm tarmac roads, which we have submitted photographs of into the examination through that initial section of wall, which is where the main vegetation areas are, is where you're going to get the concentrations of reptiles, bats, birds and various other things. We will be traversing that area using those trip routes. We won't be doing anything else down there. There's no construction or engineering there. It's not being used as a compound. There's none of that. But once you're into the open apron, then there will be low pressure vehicles used of one kind or another to then traverse onto the installed area itself.

00:56:20:11 - 00:56:41:20

And once you get into that area, it is you can Google it to see this. It is a very large open sparsely vegetated area of concrete, which is not going to be a significant area for bats. So all the significant area for bats and most of the wildlife at the hoverboard, I think I said, ice age two are in the northern and western areas in particular, which is where most of the vegetation is.

00:56:42:23 - 00:56:48:06

Thank you. I have a hand up from Matthew Denney and then mister Stevens.

00:56:51:24 - 00:57:24:23

Hello. Yeah. Doctor Matthew Denney representing Seas. Yeah. This this brings me thank you, Emma, for for raising this again. This brings me back to my first point about the barber cells and the capture and tagging and tracking of the barber cells. I I would still disagree that that whilst it's not a required method, it is a standard method where there are annex two species such as Barbastell roosts potentially nearby.

00:57:25:17 - 00:58:01:13

It's it's pretty much the only method that can be used because Barbastelles tend to use trees, which are very difficult to to assess using other emergence and ground level survey methods. And actually tracking tagging tagging and tracking them back to the roots is by far the most efficient accurate way of undertaking the surveys. Whilst I understand that it is an invasive method, it is only people who are who have a level four license under natural England who are allowed to do this.

00:58:02:05 - 00:58:46:15

There are very few people with that license with very high standards of training and experience. So that they they should be able to to do it without that invasive issues. Also, that it is sort of standard for NSIPs generally to do this where there where there are potential groups nearby. For example, the LionLink baseline surveys from NGV, nearby National Grid Ventures, the sister company of the applicant, they have undertaken track tagging and tracking backtracking of barber cells to and successfully undertaken it for barb cell maternity roosts.

00:58:47:02 - 00:59:23:12

And Sizwell has has done it repeatedly, Sizwell c, in their baseline surveys and found a number of maternity roosts in trees not too far away from from the order limits of this application. So I I would still say that we we those surveys need to be done without them. We won't we don't have full and adequate baseline surveys to inform the EIA. So and the point about the fact that there aren't any potential impacts, I'd also disagree with that because there are sections of hedgerows that are going to need to be removed.

00:59:24:10 - 00:59:34:29

And at the moment, the only mitigation is to put in sections of Harris Sensing or something similar. I think that sections of hedgerows

00:59:35:04 - 00:59:50:25

Sorry. Doug, Stanley, can I interrupt you there? We are going to come on to the the hedgerow point in a in a second, so I was jumping ahead slightly. I'll just ask the applicant whether there are any further comments to add to its comments about the radio tagging and the tracking.

00:59:52:01 - 01:00:22:03

Doctor. Danni and I did discuss this at IHH two as well. I don't have anything to add to what I've already said. What I would just say none of the local planning authorities nor Natural England, none of the structural bodies have said that this is required. I I don't think it's correct to say it is routine, and I don't think, and I did say this last time, I don't think comparisons with size well c are appropriate.

That is a vastly different scheme, vastly larger scheme. They're building in triple size and things like that. They're building new roads.

01:00:22:05 - 01:00:26:14

It's not comparable. I think that's Yes.

01:00:26:22 - 01:00:32:24

Thank you. Would Suffolk County Council or East Suffolk Council like to come in on that point?

01:00:34:29 - 01:00:45:07

Lois Lane, Suffolk County Council. We're primarily falling in behind the position of the the district on on most matters to do with ecology. So I'll defer to mister Westman Smith if he's online and has comments.

01:00:45:26 - 01:00:47:14

Mister Westman Smith?

01:00:47:24 - 01:00:59:04

Mark Westman Smith for East Suffolk Council. No. This is not an issue we're concerned with. When it comes to head roofs, which you're about to move on to, we will have some comments. Thank you.

01:01:01:18 - 01:01:04:20

In that case, I'd like to ask mister Stevens to comment.

01:01:06:14 - 01:01:20:26

Well, I was just wondering, because there are a number of points made about Pegwell, but that's obviously an item that's coming up. So I would like to make comments. We'll probably wait till you've asked your questions on the item on Pegwell Bay. Yeah. We will come back to that. Thank you.

01:01:31:09 - 01:01:34:10

Sorry, Mr. Stephens, would you mind putting your hand down? Thank you.

01:01:44:13 - 01:02:11:26

So the next item on the agenda was evidence of detailed programs to demonstrate that horizontal directional drilling would not be possible for hedgerows used by Barbastale bats within the African construction period and the comparative impact of HDD versus hedgerow gaps. Can we start Would East Suffolk Council be able to just very quickly outline which hedgerows are of particular concern along the course of the cable route?

01:02:16:04 - 01:02:26:09

Mark Mark Wessner Smith for East Suffolk Council. I'm going to invite James Mayer, who's the principal ecologist at the council, to address you on that.

01:02:28:18 - 01:02:29:03

Thank you.

01:02:30:08 - 01:02:49:28

Thank you, sir. James Mareth, Risafa Council. I think sometimes it's because of the survey methodology that the applicant has implemented, we don't know. They've they've measured the assemblage, they're then treating all of their head rows as important for bats. But we don't know which ones actually are because they don't need targeted surveys on a certain number of them.

01:02:54:01 - 01:03:01:11

So are you suggesting that the heterotracking and radio tagging are needed to

01:03:03:18 - 01:03:11:15

to understand this better, or are you suggesting it's about just the further survey effort which the applicant is committed to as part of its OLEMP?

01:03:12:21 - 01:03:36:23

The further survey effort would give you a general bat picture of all the species that are using all of those hedges. So that would tell you if the hedges are important for all bats. If you solely use radio tracking and you're targeting barbstones for tracking and tagging, it will then tell you which hedgerows are important for barbstones potentially because you wouldn't track and tag all of the barbstones at Catch necessarily.

01:03:38:14 - 01:03:45:29

So they're two different techniques that will give you two slightly different outcomes. Just using tracking and tagging wouldn't tell you all hedgerows are important for all bat species.

01:03:46:27 - 01:04:05:13

So at the moment, do have the bat activity surveys, which indicate where barber cell bat has been recorded within the area. Is that information insufficient to be able to say that certain hedgerows are more important than others? Because clearly, some hedgerows are not showing barber cell bat movements.

01:04:06:17 - 01:04:09:15

That's right, sir, because they haven't said it on every hedgerow.

01:04:13:14 - 01:04:19:19

So are you able to indicate which hedgerows require the additional survey?

01:04:21:02 - 01:04:27:12

We can take that one and probably Trump writing your points. I don't think we can do it this morning.

01:04:27:14 - 01:04:44:18

I appreciate it would be rather a laborious task for us to do in the middle of this session. Are you able to provide us a schedule of the hedgerows that require surveying? And then perhaps that can feed into the some of my questions later on around the oLEMP.

01:04:47:03 - 01:04:48:18

Yeah. Is that possible?

01:04:48:20 - 01:04:51:08

Yes. Yes. We we can take that away.

01:04:51:12 - 01:04:57:03

And that would you could do that for deadline six. Yes. K. Thank you.

01:05:02:11 - 01:05:33:28

Sorry. Doctor. Shenzhen, part of the applicant. Can I just can I just say a couple of things there? First of all, the the survey that we did was never intended to prevent present a census of every hedge row. I do not know of any DCO of this scale or any project of this scale that would seek to do that. And I think the logistics of doing within that the context of a bat survey are are very difficult. What you do is you walk transects. Those transects have to be completed within a certain period of time in in the night, and therefore, they have to be walkable. You have to able to walk between hedges and things like that.

01:05:34:06 - 01:06:07:00

So so what you are doing what you're doing for purposes of this is to characterize the populations of the area. So it was never intended to sense to every hedgehog. So so, yes, some of those hedges, a number of hedges have not been surveyed. That that is common. That is normal. We have adequately characterized that this area is important of either national or regional importance, whichever you want to guide. We have long list of bat species that are present. We know certain areas where they are focused, and you would expect them to focus from the strength of the from the nature of the vegetation that you find.

01:06:07:02 - 01:06:35:27

So you'd expect to find barb cells in certain locations and that kind of thing, and we do fund there. What we have then done, because we have not censored every single hedge, we have then taken the approach that we will treat every single hedge as if it is important. And we will therefore mitigate for every single hedge in the way that we need to. So I think I'd say two things. Firstly, be careful not to use those bad activity maps for a purpose for which they never intended. And secondly,

01:06:37:20 - 01:07:05:03

if ESA for council does come up with a list of additional hedges that they want us to include, we consider that and we will include that. But the logistics of that survey will have to be taken into account in that. I don't think it will it doesn't change the fact that we have a detailed mitigation approach, including measures that were suggested by ISAF Council for bridging hedge rows gaps. And that has been included as our approach for ensuring mitigation in the DCI.

01:07:06:18 - 01:07:36:11

I suppose the problem I've got at the moment is understanding which hedgerows might be the more sensitive ones. I appreciate that you're saying that you're just applying the same mitigation as though they were more or less important. I think it's just trying to get to the ESOP council's comment that HDD might be required for certain hedgerows. So sort of trying to see which of the hedgerows that you're identifying might be in that category. At the moment, I'm sort of unclear on that.

01:07:36:13 - 01:07:37:18

I suppose.

01:07:39:16 - 01:08:13:28

Is it worth mean, may want to go on this now, but is it worth us just having a brief discussion about HDD and what it involves? Because I think we need to this is something we did touch on at ISH2. It is something that we, the ecology team on the project, did discuss at length with the engineers about what the merits of doing it. So just so we're all clear, I'll invite my engineering colleague to step in if I misspeak here. So for HDD compared to open cut trenching, the area of temporary land take you require is significantly larger.

01:08:14:14 - 01:08:27:26

Trenchless methods need much more land than open cut trenching due to the need for the drive and receptor compounds and lay down areas. If you want to get an indication of the size of the drive compound for HDD, obviously, you can look at the HDD that we are proposing, the eastern end

01:08:27:28 - 01:08:40:09

of the scheme. Secondly, there's a much larger permanent easement required. Sorry, I'm assuming that the HDD compound required for drilling under a single hedgerow is substantially smaller than that of the main HDD compound.

01:08:40:11 - 01:08:42:12

I will defer to my engineering colleague on this, who looks

01:08:42:14 - 01:08:43:15

like he wants to step in.

01:08:43:18 - 01:09:24:14

James Booker, on behalf of the applicant, it it would be smaller, but not significantly smaller. So you still have the same level of equipment. You still need a rig. You still need a water supply, power supply, cabins. It's still a twenty four seven operation. Even if it was two hundred meters of drilling, it still takes a lot of the same requirements. I think that's right. I was coming on to the fact there that you also have to separate your cables further apart. So therefore, your land take under the land is larger. So where we have a one point five, two point three meter trench in places, you would end up with probably a five to ten meter swathe of sterilized land plus the land either side of that where you can't do things.

01:09:25:20 - 01:10:01:21

You've also got to take into consideration along the route. I mean, we we could go through the route if you want what the land only uses. So within the golf course where there's a hedge row that potentially, I think, has been identified as one we should drill under, that is the location where the golf course want to do a reservoir for us to put a drill there. They wouldn't be able to use that land for the purpose that they intend to use it for. So there's a number of considerations you would have to take. I think the other thing is program to trench through a hedge row. So take out the hedge row. It would take us a

week at the most to do that section of trench reinstate reinstate a section of hedgerow over the top of it.

01:10:02:05 - 01:10:32:07

HDD would take two to three weeks plus setup plus takedown. And on top of that, we have a whole road throughout the entire length of the site to minimize the traffic on the public roads. So you would still need a hole in the hedgerow for the whole road. But we have at all points throughout where we've crossed hedgerows minimize the sway. So although the sway might be thirty to forty meters in within the limits of deviation, we will only take the whole road and the hedge sorry. The whole road and the trench through the hedge.

01:10:32:09 - 01:11:04:19

The stock stockpile of soil will be either side of the hedge. So we will minimize that gap. We can even consider and look at depending on the importance of the hedgerow, whether we put it a single lane haul road and passing points either side to even further mitigate that. And that is something we do on a lot of projects in in a lot of areas where we've got important hedgerow. So part of that additional survey in the OLM will identify further, and we'll have ecological plots of work on-site, and we will tailor the whole road and the trench to to suit the hedgerows as we cross them.

01:11:05:25 - 01:11:47:12

Though sorry. So thank you, mister Buckley. Just a couple of points on that. So with with regard to program, the other element of that, which tend to consideration, is the HDD carries with it an increased need for lighting. As I understand it, once you start a drill, you've got to finish it. So there's a greater likelihood of night working than when you have open cut trenching. And because of this, the greater size of the operation, there's also greater vehicle movements associated with that. So all in all, with all these discussions, and it was a discussion that we had, my view has been and remains that it is that the HDD would significantly increase the disturbance exposure around these hedgerows.

01:11:47:16 - 01:12:13:17

We don't need to do that and we can maintain connectivity using the kind of measures that we've discussed and included in the LEMP and agreed with or discussed with the Suffolk Council and the like. That is overall a better approach to take with regard to disturbance of wildlife. I think there's an idea in heads that HDD is a quick and simple operation. You just sort of duck under and off you go. It eats certainly, with high voltage cables, it is not like that at all.

01:12:15:14 - 01:12:18:08

Thank you. I'd just like to take a second to confirm with my colleague.

01:12:33:08 - 01:12:34:04

Thank you.

01:12:37:15 - 01:12:49:28

Would East Suffolk Council like to comment on the applicant's comments regarding the virtues of HDD versus HETROCAPs.

01:12:54:10 - 01:13:30:20

You, sir. James Mattfried, Suffolk Council. We welcome obviously the applicant's view on that. I mean, think we've maintained the concern that some of the measures that they've just discussed aren't captured or secured in a Riak or in the OLEMPs, but I'm looking at narrowing the work even further when they're crossing the trays. And we appreciate they've obviously committed to stop pausing across the metro gaps. But if there's extra measures that I can take to further look to narrow those, we'd we'd welcome seeing those captured and secured as part of the the application.

01:13:33:02 - 01:13:44:24

And just on the points that the applicant made regarding the completeness of surveys and the fact that the the survey is supposed to be representative and not a total schedule of every single hedgerow within the area.

01:13:47:16 - 01:14:21:12

Yes, sir. Thank you again, James Smith, for Free Suffolk. Again, we've acknowledged that. I mean, this feeds back to the point that we've raised several times through this process that we're concerned that if for some reason one of those mitigations fails, we don't know whether actually that's of significance or not because we don't know about the importance of each hedgerow. So whilst we've totally acknowledged that the applicant is seeking to mitigate each hedgerow crossing as though it's important, we have maintained this concern that we've expressed to you previously that there are difficulties around implementing those mitigations.

01:14:21:27 - 01:14:30:04

And if we have to do it on every single patriotic crossing and for some reason it fails on one during construction, is that significant or not? We just don't know.

01:14:33:26 - 01:14:34:20

Thank you.

01:14:37:02 - 01:14:53:04

Applicant, I suppose my immediate response to that is if it fails on any hetro, it's important in these rectifications. So you'd you'd know whether it failed because you would you would record bats not they would turn back. They wouldn't be coming along that hedgerow. So I think

01:14:58:08 - 01:15:28:19

the sorry, I remember what was going to say as well now. Sorry. So in addition, I think we have a range of mitigation measures within that, some of which I think sees, although obviously not supportive of the project, they did acknowledge those measures have been shown to work on annual water projects and things like that. So there are measures that are in back conservation trust guidelines and things like that. And as I said, several of those measures were recommended. Recommended is probably too strong a word and he would probably disagree. We discussed with, we proposed by for our consideration by Suffolk Council, Mr. Meyer and colleagues.

01:15:30:04 - 01:15:41:21

In terms of the laboriousness, which I think is a point that Mr. Meyer has raised before, I do understand it's a concern of sort of putting the measures out, taking them in again. As Mr. Buckley alluded to, you'd obviously need to do this to each given The

01:15:43:09 - 01:15:49:00

operation will be completed in days or a week. You wouldn't be

01:15:49:02 - 01:15:49:29

doing it every night because the

01:15:50:01 - 01:16:19:20

whole row potentially would have to be left open at night. That is covered by our assessment. But the the you know, once you've done your you you wouldn't have to it every night through construction. You you might have to do it every night during that five or six day period that you're doing the drilling, but then they've just got to deal with that. I mean, these are some of the measures are extremely simple as in forms of Harris fencing with with with the canvas meshing around it, for example, which is the method that our angular water used and and are relatively easy to deploy and remove over relatively short stretches like to twenty forty meters. I will stop there.

01:16:19:29 - 01:16:32:04

Sorry. Just the council made a point relating to including some of those additional measures that Mr. Buckley was talking about within the REAC. Is that possible?

01:16:32:06 - 01:16:41:13

I will have to take that away with Mr. Buckley and colleagues. Ultimately, that's if it's possible in engineering terms, then I'm happy with it. But that's Okay. to discuss

01:16:42:12 - 01:16:50:13

If you could do that, and if we can have that as an action for deadline six. Mr. Denney, you've been waiting patiently. Would you like to come in?

01:16:52:08 - 01:17:30:29

Yeah. Thank you. Doctor. Matthew Denney representing SEAS. So, yeah, I I understand doctor Riley's point about the the baseline survey starting out as a for for for that activity starting out as a representative survey. However, once they realized that there was a a probable Barbastale roost nearby, I would have expected that they would then change tack and increase the survey efforts around that area to include the tagging, as I said earlier.

01:17:31:26 - 01:18:03:23

And I would just go back to that particular point, doctor Riley's point about how size well c is not comparable. But I would say LionLink definitely is comparable, and it is Enget's sister company NGV that undertook tagging surveys for exactly that reason that there were barber cells recorded fairly frequently in a particular area. So I sort of rest my case as you were in that respect.

01:18:03:25 - 01:18:14:02

Thank you, doctor Denney. Mean, the applicants responded on the tagging and the tracking points, I think. In terms of the LionLink point, could you just comment?

01:18:14:04 - 01:18:44:09

I don't know the details of what LionLink have been doing for their surveys in that area. I would say, as I said before, we agreed the scope of our surveys at the start. Radio tagging and tracking is not something you do as a routine measure. And I don't think that it is something we have needed to do for this project. The only people in their written submissions throughout the examination who've said we should do it are Cs.

01:18:45:01 - 01:18:48:02

And I simply don't agree with Mr. Denney on this point.

01:18:48:21 - 01:18:53:15

Thank you. I think I'd like to draw a line under this item now. So thank you for your contributions, Doctor. Denney.

01:18:56:11 - 01:19:02:08

I'd like to just touch on the mitigation aspects of

01:19:04:03 - 01:19:28:10

hedgerow gap filling and where camouflage solution is used during construction. What happens post construction? So whilst the hedge is establishing, how long does it take to establish before it then becomes an effective commuting route for BATs? So basically, the question is how long does the mitigation have to be in place until the hedgerows are effective?

01:19:28:12 - 01:20:06:29

Yes. So this will vary. The reason I say this is because as we've said in the REAC and certainly in the LEMP, there are opportunities for us to retain what I've called dead hedging, although I've used that as a general term as well, which is in other words, when if you're taking material out, you can keep that material. That material obviously may well die, but it is still there as a physical feature, if you like, that you can then put back to to supplement, albeit temporarily or possibly permanently, because it will be good habitat in itself. The the planting that you then do, we did discuss with Suffolk County Council and Suffolk Council the maturity of the vegetation we should be planting.

01:20:07:01 - 01:20:28:23

Should we be planting heavy standards, that kind of thing? And the view was, no, we should be planting younger trees that are more likely to grow and surviving. Heavy standards have a very high maintenance requirement associated with them and probably not worth the effort. So it would be a combination of planting that vegetation, putting in any dead hedging material, material we'd remove, keep that, put it back. So we've got a stronger feature there.

01:20:31:09 - 01:21:08:14

That basically, what you're looking to do is is rep because what you're looking for is is is a continuous linear feature similar to what you took out in terms of its physical dimensions. So that could address the matter in a matter of days. And or in areas where you are relying far more on the planting, there's two elements to that. One is that you would simply keep the fencing there until that planting had matured enough for hedges, which for a hedge and my landscape architects colleagues a little bit closer to growth rates and things than I am.

01:21:08:16 - 01:21:42:09

But certainly within a few years, it would should have matured sufficiently within five years sufficiently. So if you had to do that, then that fencing or that measure would need to be there potentially for quite some time. And or you could supplement that with some more mature planting, not having standards for the reasons I've said, but certainly some more mature planting in there. So to some extent, I think it would be a judgment that would have to be decided at the time by the Ecological Clerk of Works working with the contractor and correspondence with the local planning authority to determine what is a suitable structure.

01:21:42:11 - 01:22:05:22

Do we need to beef that up, if I if can put it that way? But as I say, there are ways we are going to be taking out material and we can use that to supplement what we replant. So it isn't necessarily the case that we would have well, would never the be case that we would have a lot of sort of whips and small vegetation and sort of take it away and leave that because that's effectively a gap, which is what you're alluding to, until the vegetation is matured.

01:22:08:06 - 01:22:20:18

Just to be clear then, in terms of the mechanism that secures the longer term provision of that fencing or the dead hedging, which element of the rehang should I be referring to?

01:22:20:20 - 01:22:47:02

In terms of the longer term provision, that if it isn't specified in the LEMP, I think that would be the place where we would put it. So I will review the LEMP to see but we certainly do talk about the the measures. But in terms of their length of their retention and the potential necessity for that, I will look at that. There is definitely a direct measure that talks about debt hedging, but I don't think it talks about the duration, which I think is the point you're making. Yes.

01:22:47:04 - 01:23:02:07

Specifically, if you could take that as an action for deadline six then, just to update the documentation to effectively reflect the mechanism for securing the mitigation for the duration that is necessary. Thank you.

01:23:06:23 - 01:23:08:19

Doctor. Stenney, your hand's up still.

01:23:12:06 - 01:23:12:27

Yeah.

01:23:14:13 - 01:23:27:27

Sorry. I just wanted to cut me off if you like, but I just wanted to mention about the the activity surveys. I don't know whether I got an opportunity for one minute just to say something now.

01:23:29:27 - 01:23:32:04

Yes. But one minute, please.

01:23:32:06 - 01:24:10:00

Okay. Thank you. The the the new guidelines are very much talking about switching from transects to statics, which are already part of the the methodology anyway. Using static recorders is a much more efficient, both in terms of cost and deployment of surveyors. I I don't see why they couldn't survey all hedgerows identified as of of potentially high significance and and use the static recorder methods for those instead of deploying transect more transects on those areas.

01:24:10:19 - 01:24:24:23

And and to identify, as I say, those head rays of of high possible through barber knowing roost exactly where the Barbastell roost is, which we don't. You.

01:24:25:14 - 01:24:28:06

Thank you. Would like a response from the applicant.

01:24:28:08 - 01:25:06:20

Yes. A brief answer. So firstly, yes. So just to clarify, the methodologies for the update surveys, were alluded to earlier and which we are scoping at the moment and we'll be discussing with the ESSAFA Council, would follow the new methodology. The new methodology does include deployment of statics and indeed statics is primarily the focus of those update surveys because those the main issue that I and Suffolk were actually bringing up, although we've moved into something else. But the actual issue they originally brought up was that we had some static failures on certain hedgerows, which meant that we haven't got it up to the adequate number of nights as they felt.

01:25:06:22 - 01:25:38:09

So our focus is to go back and do this. The only thing we can certainly look at how we deploy those. What I would say is that there is going to be a practical limitation because of how long you have to leave the statics out for, which is typically at least five nights. And then you've got to go back and collect them. You've got to move them around. Without I'm not being silly about but there are a limited number of these kind of detectors available. I mean, we can get them. But you've got a lot of there's a lot of logistics that would have to be considered there, whether or not that would be feasible for literally every hedge.

01:25:38:11 - 01:26:03:11

I don't think it would be necessary for every hedge because, as I say, you don't normally do a census of every hedge for a scheme like this. If we're having extensive permanent impacts, that will be a different matter. We've got to remember that all of the impacts we're talking about here are temporary until the table has been restored. But yes, we are aware that the new method does involve statics. We extensively have used statics, and we will be using statics in in for the server work. Yep. Thank

01:26:04:07 - 01:26:07:16

you. Doctor Dennis, do you have one last point?

01:26:08:00 - 01:26:49:11

Yes. Thank you. Just to say that that there are static site audio loss, which are very efficient at recording Barbastelles that are available for about a hundred and fifty pounds per unit. Moving them around every five days doesn't seem too onerous given that you can do them all at the same time. And I would say that when you find that there is potentially a barbstone maternity roost within five

hundred meters of the order limits, the then it does become an issue which is a priority, and you should be surveying every hedge that might be important for that in terms of boost.

01:26:49:13 - 01:27:00:25

The maternity boost could well bring a value of international importance or at least national importance to to the scheme. Thank you.

01:27:01:12 - 01:27:03:00

Thank you, doctor Steny.

01:27:07:14 - 01:27:09:14

I'll just confer with my colleague a second.

01:27:30:18 - 01:27:48:06

I had one further question in this section, which overlaps with some of the discussion that's already gone. Can the applicant respond to East Suffolk Council's concerns and its comments on deadline for submissions regarding Article twenty seven, the potential for hedge gaps to be left unclosed and therefore unmitigated?

01:27:52:23 - 01:28:22:05

I think we've sort of covered this. So the only gaps that would be potentially left unclosed would be the haul road, which was something we agreed with the East Suffolk Council that a ten meter maximum gap, which is what we're talking about there. So the haul road is seven meters drainage plus either side. So if you include that, you get to ten. That will be the only gap left and closed. Otherwise, gaps in all hedgerows would be closed as far as I'm concerned, and there wouldn't be a left gap. Mr. Booker, if you have anything you want?

01:28:22:25 - 01:28:56:06

James Bookley, behalf of applicant. I think it's worth just pointing out here that the cable program is eighteen months within the four years. The whole road may stay in for longer than the eighteen months of the cable installation, but there will be periods along the route where the whole road is not being used. So the whole road will get installed, the trench will get dealt, the docks will get installed, then there'll be a period waiting for the cable to be installed. At that point, we will close the four gaps because the whole road will not be used. And then they'll be opened again for the installation of the cable, and then then closed again, jointing.

01:28:56:08 - 01:29:13:21

So it will be a period it won't be it won't be four years of gap in the hedge. It will be periodic. And when the whole road is not in use, as was pointed out with the the public footpaths yesterday, priority were given to to nature and to the public in terms of we will close those gaps up.

01:29:15:16 - 01:29:20:19

Thank you. Can I just ask East Suffolk Council if it has any further comments on that point?

01:29:31:26 - 01:29:51:24

Thank you, sir. James Ladd from East Suffolk Council. And, you know, on the twenty seven point, I think we'll come back in writing at deadline seven. We understand the applicant's made some revisions oh, sorry. Deadline six has made some revisions to the text that we've previously commented on so we can come back to you in writing on that amendment.

01:29:53:24 - 01:30:22:19

Thank you. If you can do, that would be helpful. Thank you. We have one more item around BATS, which is about Dortmund's BATS in Pegwell Bay. But I'm conscious we've been going for an hour and a half, so I think we'll take a fifteen minute break. So the hearing is adjourned. Time is now eleven thirty, and we'll return at eleven forty five. If you are watching online, please do remember to refresh your browser when you come back for the purpose of the live livestream. Thank you.