



## Hearing Transcript

<b>Project:</b>	Norwich to Tilbury
<b>Hearing:</b>	Issue Specific Hearing 1 (ISH1) - Part 2
<b>Date:</b>	28 April 2026

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

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

00:00:05:05 - 00:00:38:16

Okay. Welcome back. The time is now 1053, and the, uh, the German is now over for now. We we do still have some issues with the microphones, but we've we've we've got a plan for getting through that for now. Um, hopefully at lunch time they'll be sorted out. But, um, please bear with us if we need to go around with the roving microphone. So we're now on to item number four of the agenda, which is the questions on noise and vibration.

00:00:38:18 - 00:00:43:16

And I'll pass to Mr. Butler who will be taking this item. Thank you.

00:00:44:18 - 00:01:20:15

Thank you very much. Um, so noise and vibration on the agenda is covering discussions on Pilling Primary Access route 30 and the Bentley Road and the magnitude of impact on noise sensitive receptors, um, especially Jasmine Cottage. Um. And mitigation. And then any other noise and vibration issues that may need to be discussed. Um, just to note that construction hours will be part of the conversation with regard to, uh, item six under the DCO Development Consent order heading.

00:01:21:09 - 00:01:26:22

Um, so moving on to questions themselves and piling. Um,

00:01:28:14 - 00:02:04:13

we've noted the applicant's response to our first written question. Uh, DNV 1.6, uh, where the applicant has advised construction noise and vibration assessments. Assume, uh, all pylons constructed using percussive piling methods as a worst case assumption. Uh, as this would produce the highest levels of noise and vibration impacts. Uh, however, the applicant has gone on to explain that percussive piling would not be used at the location, at all locations and in principle would not be used in any locations where it can be avoided.

00:02:04:20 - 00:02:27:28

With that principle secured by virtue of commitment NV 23 of the Outline Code of Construction Practice, which states for the construction of pylon foundations, non passive piling methods will be used where practicable. Can the applicant explain in what circumstances they would use percussive pylon over non percussive pylon please.

00:02:31:12 - 00:03:13:24

Russell Harris KC on behalf of the applicant. I'm going to ask Mr. David Gray acquisition to give a brief answer in relation to the geological and other features that might make, um, uh, percussive piling more likely. Um, the ground investigation has not yet started, so it would be an in principle answer as opposed to a detailed answer. Um, as you've noticed, NV 23 suggests that um, uh, requires that the applicant, uh, defaults to, uh, the lesser of the noise creating, um, uh, platforms.

00:03:13:26 - 00:03:45:19

And that is a requirement which will be crystallized when the outline code of construction becomes the actual code of construction with individual sites and, uh, methods and uh, mitigations put in place that will only become apparent once the ground investigations have been done on other cases, um, percentages of percussive, um, uh, piling are significantly below 10%.

00:03:45:29 - 00:03:52:19

Um, but I'll pass over to answer the question directly if Mr. Gray is able to answer it.

00:03:53:20 - 00:04:09:00

Uh, good morning, Sir Save it for the applicant. Um, that's. That's correct. The, uh, because of pilot method, would impossible only be used where no other alternative is is viable? And that would be determined by the ground investigations.

00:04:17:25 - 00:04:18:23

Is that better?

00:04:21:09 - 00:04:22:27

I'm an acoustic and I should know this.

00:04:27:24 - 00:04:49:19

We'd like me to repeat the answer, if you could. Yes, please. David Gray for the applicant. Um. Because if polling would only be used where no other alternative is available, and that would be determined via the ground investigation. So if the ground investigation determines that, because if filing is the only practicable method,

00:04:51:05 - 00:04:56:17

then then then it would be used in those circumstances. Otherwise an alternative method would be. Would be used.

00:04:58:10 - 00:05:22:21

Can you give me an example of of of where your survey would indicate that percussive piling would be used? Not necessarily in this but in generality. So, um, you know, uh, I mean, I don't know anything about piling specifically, but, um, you know, where where would the trigger point be in geological terms as to, um, the trigger between non percussive and percussive?

00:05:24:10 - 00:05:40:03

Uh, David Gray for the applicant. I'm not a piling expert, but my, um, it would essentially be where there's obstructions in the ground, hard rocks and that sort of thing that can't be, um, augured through or excavated.

00:05:42:01 - 00:06:16:29

Russell Harris KC there will be a direct answer to this, and I suggest we get a geological answer to you from past experience. It's granite, limestone, igneous rocks, something that the auger can't pass through, and it needs the percussion. But I'm going to suggest that that's one of the things that we take away and provide you a proper geological answer to. I think you'd also be, um, helped by an assessment of the proportion of percussive piling on other schemes so that you get a feel for the sorts of proportions.

00:06:17:10 - 00:06:49:08

It's not a direct read across, but the sorts of, um, proportions where percussive piling has been used in other schemes. Um, I will say that, um, this is the approach that has been adopted in all other overhead line projects, because to test the worst case, um, means that we're at the outer edge of the Rochdale envelope at all locations. So testing the worst case, uh, in those circumstances, is thought to be a proportionate and robust method of approach.

00:06:51:25 - 00:07:32:10

Thank you very much, Mr. Harris. Um, that that is helpful. And it would be helpful to have a full answer. So a written answer to that question and also a clear indication of of the percentage likelihood across this scheme. Um, because that gives us a better feel for, um, what you're actually trying to say. Um, just in terms of, um, your your answer, we we remain concerned about the use of the term where practicable. Um, because obviously that still leads to a certain element of uncertainty in regards to any percussive impacts on the surrounding area and any noise sensitive receptors.

00:07:32:24 - 00:07:53:19

Um, I'd just like to ask the local authorities whether they would have, um, anything that they would like to say with regard to um MV23 of the Outline Code of Construction Practice, which which is what I read out slightly earlier on. I can read it again to you if you want. Do you consider that would be adequate? Um.

00:07:55:26 - 00:08:30:14

Or do you think it should be modified to be more, more, more precise and avoid, um, you know, the where practical issue. For example, could you use something along the lines of construction of pylon foundations? Non percussive pylon methods will be used except percussive pylon will be first. Uh agreed in writing between the relevant planning authorities or something along those sorts of lines. So can I ask the local authorities, um, siding with county councils first whether they have a view on that? Um, uh, can I start with Essex?

00:08:34:06 - 00:08:48:19

Sir Michael Bedford, Suffolk County Council, on the detail of noise matters. We defer to the district council who have the environmental health officer function. So I think this is probably more a Baber Mid Suffolk Yeah. It's you, but thank you.

00:08:48:21 - 00:09:02:13

It's fine. I was just trying to keep some sense of order. That was all in terms of who I ask first. Um, so. Okay, let's go to the local authorities then and ask, are there any local authorities wish to comment on this matter?

00:09:09:06 - 00:09:11:23

Thank you sir. Um, I would just invite.

00:09:11:25 - 00:09:12:13

Um.

00:09:12:15 - 00:09:21:15

Uh, my noise, uh, colleague, uh, specialist from SLR consulting, uh, Neil Fletcher. Um, Neil, do you have any comments on this provision? Thank you.

00:09:21:18 - 00:09:23:29

Can you just remind us which authority you're representing?

00:09:24:01 - 00:09:26:24

I'm sorry. Yes. Matthew Wilde from Braintree District Council.

00:09:26:26 - 00:09:29:23

Thank you, Mr. Fletcher.

00:09:31:09 - 00:09:36:21

Hi. Neil Fletcher representing Braintree District Council, acoustic consultant. Um.

00:09:39:14 - 00:09:43:08

The, uh, environmental statement chapter.

00:09:43:10 - 00:10:03:06

Of the noise. Environmental statement chapter. has assessed the worst case in terms of the piling. So percussive piling. Um, therefore, although we have concerns about the, um, noise impact at some of the receptors due to piling. Um.

00:10:05:16 - 00:10:10:25

But we, we accept that the worst case has been, um, assessed in this case. Yeah.

00:10:12:03 - 00:10:34:23

Okay. But do you have a view with regard to MV 23? Um, which reads, um, for the construction of pylon foundations, non percussive pylon methods will be used where practicable. It's specifically that term, where practicable, that the the examining authority has some concerns. Um do you do you have any issues with that?

00:10:36:28 - 00:10:37:19

Um.

00:10:42:00 - 00:10:51:00

Not not really. Because the, the, the environmental statement has assessed the worst case. So it can't be any worse than what they've assessed.

00:10:52:01 - 00:11:05:27

Okay. That's understood. Thank you very much, Mr. Fletcher. Um, do any other councils wish to say anything on MV 23? Yes. Can we get. Is your mic not working? Can you press it and pull it closer to you?

00:11:06:05 - 00:11:06:20

Jake, if.

00:11:06:22 - 00:11:07:07

You ask my.

00:11:07:18 - 00:11:08:07

District council.

00:11:08:09 - 00:11:10:16

Oh. It's working. Uh, Jacob.

00:11:11:04 - 00:11:13:04

Tendring district council. So, um,

00:11:14:22 - 00:11:22:16

Tendring would strongly prefer, um, certainty and clarity for, for, um.

00:11:23:10 - 00:11:24:09

For local.

00:11:24:11 - 00:12:02:29

Residents. It's going to be affected up and down the route. So, um, we, we would very much support your suggestion and to frame something where, um, the non percussive piling is the is the, the preferred choice. And if that's not possible in the applicant should should submit those details individually at the appropriate time. Because that that gives certainty for residents rather than the use of, where practicable, where practicable, or where where it's going to work.

00:12:03:01 - 00:12:13:03

Because that just introduces even more uncertainty and unknowns for people who will be at the receiving end of of this noise source. Thank you.

00:12:13:27 - 00:12:22:15

Thank you for your your your contribution. Um, any other local authorities wishing to say anything? Is it Colchester? James Ryan, Colchester borough.

00:12:22:17 - 00:12:23:02

Council.

00:12:23:04 - 00:12:23:19

Or.

00:12:23:21 - 00:12:25:20

City council? Um, yeah. We're practicable.

00:12:25:22 - 00:12:27:10

Is is not precise enough.

00:12:27:12 - 00:12:28:14

To be enforceable.

00:12:36:06 - 00:12:40:23

Thank you very much. Any other local authorities before I go back to the applicant.

00:12:42:19 - 00:12:56:12

Andy Haim, from Essex County Council, say on the point of reasonably practicable, I think in our response we did say we'd review further and come back with some words at deadline for on that, because I think we share your concerns around that, but hopefully we'll come up with some suggested wording.

00:12:58:03 - 00:12:59:24

Thank you very much for that.

00:13:02:01 - 00:13:10:04

Any other local authorities before I go back to the applicant? Yes. All right. Sorry I got light on it. So, um.

00:13:12:14 - 00:13:19:19

Can I have the first one that's actually got the camera on, please? So I can't see any initials, so thanks.

00:13:20:06 - 00:13:21:14

Curtis. Bailey.

00:13:22:03 - 00:13:22:21

Yes.

00:13:22:26 - 00:13:44:06

Thank you. Thank you for the introduction. Yes. Brian Curtis for baby district councillor, Mid Suffolk district Council, sir. Thank you. Um, we are currently reviewing issue C of the Outline Code of Construction Practice submitted at deadline three will make comments in writing at deadline four. But just to reiterate the the comments raised by my other local authority colleagues there. We will come back on proportionality. Thank you.

00:13:44:19 - 00:13:49:00

Thank you very much. And AG, we have AG.

00:13:49:25 - 00:14:10:22

Hello. Alex Grimm, environmental management officer for Broadland and South Norfolk Council. I would like to support my colleagues in saying that percussive pilings should be looked at as a worst case scenario, and should only be done when absolutely necessary. It is not because of piling in. My mind does not actually qualify as being BPM.

00:14:13:27 - 00:14:16:27

Just to confirm. Best practicable means yes.

00:14:17:00 - 00:14:18:02

That is correct.

00:14:22:07 - 00:14:37:21

Thank you for your contribution. Does anybody else in the room before I go back to the applicant, want to say anything about percussive piling and what you've heard? I've got a gentleman signaling. Simon. Can I get a mic to the gentleman signaling? Thank you.

00:14:42:17 - 00:15:20:09

Hello, John. Stacy. An affected residence. Surely the important point is you should only be done when very necessary, and not just a sort of a default option. Secondly, what is the actual noise effect from it? In the documentation they publish noise effects at certain distances. What is the difference in noise to me as an effective residence and the time frame of each option? That's the most important point. What is the effect on us if it is quite important and the national grid are needed to mitigate it and see the standard noise threshold levels? It should be only very, very necessary and they should look to mitigate the noise.

00:15:21:11 - 00:15:22:01

Thank you.

00:15:22:03 - 00:15:36:07

Thank you, Mr. Stacy. I don't know whether or not the applicant will be able to answer that, but before I come back to the applicant, can I ask if there's anybody else online or in the room that wants to say anything about percussive or piling in general?

00:15:37:23 - 00:15:41:03

Okay, I'm going to come back to the applicant for their right of reply, please.

00:15:41:09 - 00:15:42:24

Dealing with Mr. Stacey's point.

00:15:42:26 - 00:15:44:07

First, um.

00:15:44:19 - 00:16:17:17

The noise effect of even the worst case assumption at every location is that for over 500 odd pylons, there is no unacceptable noise impact. We have identified just 21 of over 500 pylons where without mitigation, there is at least the potential and it's a narrow potential for significant adverse effect. That's paragraph 147.9 of app 256.

00:16:18:15 - 00:16:51:09

It then goes on to indicate that even at those 21 locations. And I'll ask Mr. um gray to explain how minimal the exceedance is for most of those. All of the relevant noise, even with the worst case, can be dealt with by usual proprietary acoustic shields, for example, so the shields sit around the percussive element of the process and the potential for further barriers if necessary.

00:16:51:19 - 00:17:30:15

The maximum requirement at the worst potentially impacted site would require a reduction of seven DBI. Both of those or either of those, and both of those can give you up to 20dB. And it's for those reasons that the testing of all of the sites means that at potentially all of the locations, there is not going to be an adverse impact relating to percussive piling. But the, um, the position goes further in this case and provides the examining authority with exactly the precision that they need.

00:17:30:17 - 00:18:01:13

Because the outline Code of Construction Practice NV zero one requires a demonstration of best practical means for the local authorities to look at at the time of the submission of the detailed plans. MVO five requires a detailed reassessment and specification and identification of mitigation at the time of the submissions of the plans, and that has got to be agreed by the local authorities.

00:18:01:23 - 00:18:36:02

NV 23 to not use percussive piling unless it's not practical is part of that analysis. And that forms part of a the local authority's decision making process, and also be the certainty that at each particular location, they can check that the position is such that the least noisy, um, uh uh, piling or non piling because it might often just be a pad is being used.

00:18:36:04 - 00:19:11:02

So with respect to to those who've said they want more certainty, we think this gives them that certainty through the outline code of construction, the noise and vibration plan and especially um, requirement for of the order, which sets out in terms the role of the local authority in agreeing the local element. There's no certainty at the minute and where, where practicable, is identified in in the document at the present time, because it's the outline position, not the final position.

00:19:11:04 - 00:19:43:02

So so for all of those reasons, we've tested the worst case to mean that we never stepping outside of the Rochdale envelope, that worst case will not be put into effect for the vast majority of the proposal. We've we're owing you a note on that, um, which will deal with the geology that requires it. but the certainty that the local authorities need, and that Mr. Stacey needs can be provided by envy zero one, envy zero five and envy 23.

00:19:44:18 - 00:20:02:19

I wonder if Mr. Gray could say a little more about the very few locations where, without mitigation, there is the potential for significant adverse impact? The the nature of that impact and the effectiveness of the proprietary acoustic shields, please.

00:20:03:26 - 00:20:36:03

David Gray for the applicant. Um, yes. As Mr. Harris explained, there's 21 locations where there's a potential significant adverse effect without mitigation. Um, identified based on the worst case

assumptions in the in the calculations. Um, ten of those are only one DB above the threshold. Three are two DB above, five three. DB above one is four, one is five, one is and one is seven. So the worst case is there's one that's seven.

00:20:36:14 - 00:21:07:25

Um, mitigation in the form of uh, shrouding of of the, of the, of the pile. Um. I'll apologize. I'll correct Mister. Mister Harris. Um, we'd expect around ten TB mitigation rather than 20. Um, but that would easily be sufficient on its own to avoid significant adverse effects at those worst case locations. Um, other options are available as well. You can introduce, uh, something called a dolly between the hammer and the pile.

00:21:07:27 - 00:21:47:06

That would essentially reduce the, uh, the impact sound. You can reduce the energy of the hammer, essentially the drop height, the energy. Um, the consequence of that is that it takes longer, but the noise level is, is lower. Um, to, um, to address one of Mr. Stacey's points in terms of time frames, because if piling would usually be the quickest method, um, usually in the order of a few days a week or so, um, for, for um, a for a single pylon foundation may vary slightly.

00:21:47:16 - 00:22:24:13

Um, but that's the general time frame you would expect for, for, for the, for those works. Um, or going may take slightly longer, but again the noise levels lower. Um part foundation again, that's quite a still and potentially takes uh, slightly longer. Um, in terms of alternative methods, we've looked at that as well. So um, if for example, continuous flight arguing was used, you'd get a reduction of six DB compared to percussive piling. Um, so again, you'd then be left with that one receptor that was one DB over the threshold, assuming you didn't have any further mitigation.

00:22:24:15 - 00:22:31:07

And obviously there's the standard mitigation to achieve that at least one DB readily.

00:22:33:03 - 00:23:04:17

Sorry Russell Harris KC. Could I just add because I think it is relevant to the Stacy question, um, percussive pylon is only contemplated for pylons for nothing else, just for pylons. Uh, on average uh, the percussive pylon, uh, would take one day and then you'd move to the next pylon and then after the next pylon, only if those pylons needed to be percussive, um, uh, dealt with in that way, which is a very small proportion.

00:23:04:19 - 00:23:12:10

The, the whole purpose of testing the whole line is, is to mean that, um, the whole line has been appropriately, environmentally assessed.

00:23:12:28 - 00:23:45:16

That's understood. Thank you, Mr. Harris. And thank you for explaining the the mitigation methods and the impact that they can have with regard to the decibel level that that would result from the different shielding and, um, uh, methods that you can use to reduce the, the noise impact. Um, I haven't got anything else to ask with regard to piling. So I'm going to move on. But before I do. Is

there anybody else wants to ask anything about pylon piling? Nope. Okay. I'm going to move on to the primary access route, 30 Bentley Road.

00:23:45:22 - 00:25:02:16

And the magnitude of impact on noise sensitive receptors, both in terms of noise and vibration, especially Jasmine Cottage and mitigation. Um, so we've noted the response of the applicant in regard to our first written question, MV 1.8, uh, where the examining authority raised concerns with regard to the level of adverse magnitude of impact along the primary access route 30. Um, and the fact that it has an impact on potentially 16 noise sensitive receptors within 50m of the route, where the effect of these noise sensitive receptors has the potential to be significant in the absence of mitigation, especially the property known as Jasmine Cottage, which um, I've looked at in terms of an unaccompanied site inspection, uh, because it fronts almost directly onto the road with very little space between, uh, the, the, the edge of the property and the road frontage itself, the metalled part of the road, um, the applicant notes the large magnitude of adverse impacts and the absolute noise level would be above the construction noise.

00:25:02:18 - 00:25:38:22

Significant observed adverse effect level. That's referred to as social Sohail, uh, principally due to the distance between the property and the carriageway and potential mitigation measures options that they've considered. These included routing, uh, which was not a viable alternative, road widening, which is viable and proposed. Speed. Speed. Productions. Viable and proposed screening which was not viable, and low noise road surfaces which again was not considered to be effective in this instance.

00:25:39:02 - 00:26:14:16

Um, even where viable and proposed mitigation measures are in place. Applicant has advised its considered its considered significant adverse effects would be would likely not be avoided. So, um the applicant states that it would continue to explore alternative options as part of its commitment to MVV zero five of the Outline Code of Construction Practice. Um, so the examiner would like to know what other additional and or alternative options are being considered and how they could be secured within the DCO.

00:26:14:18 - 00:26:36:21

For example, are you considering undertaking pre commencement surveys of properties to establish their condition prior to the commencement of the development. Are you proposing to place monitoring equipment inside and outside of properties to establish any noise and vibration impacts? Are you considering things like potentially having to move occupants out of those properties for the duration of those works? Um.

00:26:42:05 - 00:27:15:26

In addition to that, we'd like to know whether or not there should be a requirement within the DCO that deals with the construction noise and vibration effects in terms of the construction activities, especially along public access route number 30. Um, starting with the pre-construction surveys, the noise and vibration monitoring, the details being submitted and agreed to the relevant planning authorities. Noise and vibration monitoring being undertaken in accordance with the agreed scheme, etc.. Um, can the applicant respond to to our query with regard to that, please?

00:27:17:00 - 00:27:50:08

Russell. Harris. Casey. um, yes. Is the answer to your question. Um, we are proposing studies and monitoring, including, uh, monitoring, uh, within relevant properties of the 16 properties, only one breaches the soil threshold, and that's Jasmine Cottage. And we promised last time that we would investigate that that property we think is vacant at the minute. Um, but we've been asked particularly to consider it because of its particular and singular impact.

00:27:50:10 - 00:28:21:28

And if you've been to the scene, it's a one foot window close to the road. So we've turned our attention to that and seen how in, uh, other circumstances, um, uh, matters have been dealt with. Um, and we are proposing to present to, um, the examination of bespoke noise mitigation strategy. Um, we'll need further, um, surveys, etc. but it could evolve as it has elsewhere.

00:28:22:01 - 00:29:01:16

The offer of secondary glazing and ventilation installation. To deal with this very particular impact you'll have seen on your visit to the site, you want to know that the property is on the market, but it does mean that we have been able to have estate agents, particulars of the interior to look at the fenestration, etc. and the windows are 1950s windows. They're showing their age. They're inefficient from a sustainability point of view, and they're leaky, both in terms of noise and in terms of, um, air and temperature and the like.

00:29:01:18 - 00:29:32:05

So clearly a offer of ventilation, uh, and secondary glazing has the potential to achieve an overall and long lasting sustainability benefit while we think dealing directly with the temporary problem, albeit it's a problem that might last 3 or 4 years with the with the traffic. Um, we have considered, um, removing and rehousing, but we don't think that's necessary. But we'll keep that under review.

00:29:32:16 - 00:30:11:17

Um, in line with your suggestion. And it's something that has happened on other grid cases, but we think that the the bespoke noise mitigation strategy, which will appear if, if the, um, if the monitoring shows that it will be effective and I'll pass on to, um, Mr. Gray in a minute to establish that overwhelmingly it's likely to be, um, in the in the next version of the outline, um, construction management document, which then can be agreed with the local authorities in the way that I've outlined in answer to the last question.

00:30:11:27 - 00:30:55:21

Um, we will, of course, also under the provisions that I've just outlined, have to consider the other 16 properties. We don't think that they fall into the same category as Jasmine Cottage because they are temporary impacts and significantly further back from the road, and they don't breach the soil threshold, at least not on the evidence that we presently have, but that will need to be updated in the in the way that I've outlined previously. So, um, I think that's our answer in relation to Jasmine Cottage, if I could pass over to David Gray to explain what the likely effect of secondary glazing with trickle ventilation is to the experienced noise in the premises.

00:30:58:06 - 00:31:55:21

Thank you, David Gray, for the applicant. Um, yes, that's correct. So the the the issue fundamentally is the internal sound level in the property rather than caused by the external sound level. Um, so the principle would be to, um, offer sound insulation that would achieve suitable internal noise levels. Um, and that's readily available. So that would include glazing either, uh, double glazing of a suitable specification or secondary glazing or combination of the two, um, as well as acoustically related ventilation, um, such that suitable internal noise levels can be achieved without the need to open windows for ventilation, but windows could still be opened if required, but suitable ventilation would be provided without the need to open windows.

00:31:56:19 - 00:31:59:02

Um, I think that's it.

00:32:00:09 - 00:32:09:27

Would would that bring it down to the soil or below the soil level or would it. What what significance of a difference would that actually make?

00:32:11:09 - 00:32:14:24

David Gray. For the applicant, it would make a great difference. So,

00:32:16:11 - 00:32:47:15

um, the noise levels predicted at the facade are are high but not unduly high that they couldn't be brought to suitable internal noise levels based on guidance, which is BS 8 to 8 233, which provides guidance on suitable internal sound levels. So that's where we would set the um, that that would be the aim to, to achieve noise levels in terms of um, the two, three, three guidance.

00:32:48:00 - 00:33:07:00

Okay. And are you actively speaking to the owners or the agents representing Jasmine Cottage in regard to this work that you're doing? Um, or or is this just something you're doing completely off your own back without, um, having approached them at all? So.

00:33:09:20 - 00:33:40:17

The truth is, it's the second of those Russell hires Casey. Um, we bear in mind that it's the. It's the owner and use of the land for the time being. And in fact, it's on the market. Suggests that it might be somebody else fairly soon afterwards. So we were looking for a more generic rather than a personal approach. Um, it's a it's what's used by the Department of Transport on large road schemes that sort of uh, and they point out themselves that, of course, you can only make the offer. You can't make the offer be taken up.

00:33:40:19 - 00:34:26:12

Um, but we were minded to deal with that by making the offer open for the whole period of the, um, uh, of the, uh, duration of works. Um, again, all of this is subject to that being shown to be necessary and required when we do the further with the further, um, studies that I mentioned earlier. But that sort of commitment, it probably doesn't need to be, um, a requirement in its own right, but it could easily form a part of the construction and management document, which then would be we'd be bound to by article um, sorry requirement for of schedule three.

00:34:28:24 - 00:34:31:05

Uh, you did ask about um,

00:34:32:28 - 00:34:52:03

Bentley Road in particular, and we've got, uh, Kirsten Simpson here who will explain, in effect, uh, why there are no alternative routes. Um, I think we've already set that out in the written document, but, um, if you would want to hear from her, um, either in writing or orally, she's here.

00:34:52:05 - 00:35:06:26

No, I've read your written documents setting out that justification. I it was more to do with what mitigation could you put in place, because at the moment it's almost hypothetical. Um, and I wanted to know which direction of travel you were going in?

00:35:06:28 - 00:35:08:10

Well. We're sorry.

00:35:08:12 - 00:35:19:20

And the other thing I was going to say was, um. I'd also like to know when you're likely to be able to submit those additional surveys and conclusions into the examination.

00:35:31:21 - 00:36:04:10

I think the anticipation was that they would be done as it was at the time of the additional work that was being done when the submission, which turned the outline document into one of the final documents, there'll be multiple submissions. I don't think we were proposing to do that extra work. Um, now, I think we're very confident. I'll ask Mr. Gray to, um, to speak to this very confident that that sort of, um, secondary glazing with trickle bent will give you significantly more than is necessary.

00:36:04:21 - 00:36:28:06

Um, because it can be acoustic glass if necessary, an ordinary window will give you half open 15dB. So we're only looking for 20. So a closed window with a double glazed, right? I mean, close as I can say. Um, it's very unlikely that the further surveys of the property are going to give rise to any fact which is going to defeat physics.

00:36:28:08 - 00:36:42:22

Yes. No. Understand that, um, I mean, obviously, the moment you open the window, any benefit you gain from any mechanical ventilation just goes straight away. Yeah. So, yeah, but that's a choice. You know, the choice to have, the choice to open the window or use the mechanical ventilation.

00:36:42:24 - 00:36:59:17

So and there are lots of other windows facing away from the road as you saw. In fact, the majority of the fenestration from the photographs is not directly on the road. There's one smaller window. Um, and would it be helpful if we put the estate agents particulars before the examination?

00:36:59:20 - 00:37:36:22

Um, it's not been entered into the examination previously. Um, and, um, I've seen the property. I don't think it would aid us. Um, to, to actually do that particularly. Um, just I just want to bottom out, uh,

how we're going to I said we how you were going to address, um, the additional works that you're proposing in the I'm assuming it's going to be in the outline code of construction practice then. So you're going to add some elements into the outline construction code to construction practice, making this a commitment in regard to specifically Jasmine Cottage.

00:37:37:06 - 00:37:37:21

Yeah.

00:37:37:23 - 00:37:56:21

Yes I think that's the most likely position. Can we take that away and deal with that in a written answer? Yes. I think that that, um, I don't want to misspeak and, um, um, but but some sort of commitment of that nature. We take the view because of the very special, particular and singular impact here is necessary.

00:38:00:19 - 00:38:02:03

So I'm just going to make a note.

00:38:07:02 - 00:38:12:13

Um, is there anything else you need to add at all, Mr. Harris? So.

00:38:17:14 - 00:38:39:00

In that case, I'm going to ask the local authorities, the local councils, um, whether they've got any views or positions with regard to what they've heard here. I'm assuming it's probably tendering that is within the proximity of Jasmine Cottage. So. Or has the jurisdiction. So if you would like to say anything or not, as the case may be, it's entirely up to you.

00:38:41:29 - 00:38:42:27

Thank you, Mr. Butler.

00:38:42:29 - 00:39:19:07

Um, Jacob, you asked for tendering district council. So, um, I think there's a couple of things to highlight there just now. So we, we fully understand that the examining authority wants to focus on Jasmine Cottage, um, because it clearly breaches that social limit. Um, and there's a there was a sharp focus just now from the applicants in terms of their response, which focused solely on Jasmine Cottage. And I know, you know, the examining authority don't want us to to repeat matters that set out in our local impact report.

00:39:19:09 - 00:40:03:18

But I just need to highlight very clearly that Tendring Concern is not focused or concentrated on Jasmine Cottage. Um, but it's on the entire primary access road, 30 and those residential properties along primary access road 30. And it is also not accurate. Um, from the applicant to say that the remainder of the properties along Bentley Road are significantly setback from the road then ring. As I'm sure you yourself would have noticed that there are at least 20 properties that will be severely affected by the introduction of the busiest primary access road across the entire project route, let alone in Tendring.

00:40:04:07 - 00:40:34:13

Um, although we also acknowledge that Jasmine Cottage will be the most severely affected, um, property in terms of impacts. But we are far from convinced that through applying mitigation measures that the the other properties, the impact on all the other properties, and there are at least 16 properties that will be impacted. We are far from convinced that those mitigation measures will be effective to bring the soil limit down to below the the limit.

00:40:34:24 - 00:41:19:20

We are saying that because we've just heard from yourselves that in terms of the suite of mitigation proposed by the applicants, uh, along insofar as Bentley roads are concerned, at least 50% of those mitigation measures, um, is not going to be practical or is not going to work there, for example, screening along properties that are occupied along the entry roads. It's just not going to work. They've already ruled out road surfacing. They've ruled out many other things. So we are asking the question, how can you conclude that there will be no significant adverse impact if they themselves don't even know precisely what mitigation they're going to provide along Bentley Road, which is the most severely impacted road.

00:41:19:22 - 00:42:00:06

And it is by choice. It's by choice from the applicants that Bentley Road will be the most severely impacted road because they are forced to turn that into the busiest old route by putting the ECN in that location. So so the so the really important point is it's not accurate to say that the rest of the properties are significantly set back from the right because some of them are set back four metres, six metres, ten metres. It's a real mixed bag. And also we can't see in the evidence or in the submissions from the applicants, both in terms of the questions and the original submissions.

00:42:00:09 - 00:42:33:22

To what extent background noise levels from the A120 has been taken into account because although, you know there's a focus on Jasmine Cottage, the background noise levels further down Bentley Road towards Little Bromley is much, much lower, so the impact is likely to be more severe. So, um, so we I mean, the only new thing, the only two new things that we've heard from Mr. Harris is they're proposing a bespoke noise mitigation strategy and potential for offer for secondary glazing windows on Jasmine Cottage.

00:42:33:27 - 00:43:04:14

The rest of the stuff is basically as set out in their response to your question. Um, to your written, you know, the written question. So we reserve, you know, we we would like an opportunity to review that bespoke mitigation strategy. And we would strongly suggest that that's extended to the other properties along Bentley Road that will be impacted upon, and we will then review that with an aim to reply at a future, a future deadline.

00:43:04:28 - 00:43:05:13

Thank you.

00:43:05:15 - 00:43:06:09

For that. Thank you.

00:43:06:22 - 00:43:23:02

Um, are there any other local authorities want to say anything about Bentley Road and public access route 30? I'm aware it's not within, um, any other local authority's jurisdiction specifically. I've got somebody online with their hand up.

00:43:26:08 - 00:44:03:23

Thank you, Sir Seldon, for Essex County Council. Uh, two points, uh, in relation to this, uh, because this is, uh, one part of a wider two set of issues that Essex County Council has raised. But it's a crucial part of those two wider points. Um, the first I shall make, which is that we have for some time now been asking. And this leads into stuff for this afternoon. for a noise and vibration management plan to be included explicitly in what is secured by the DCO in its requirements.

00:44:03:26 - 00:44:36:03

In order for this type of material to be easily accessible in one place and not to have to chase through various documents, including the Construction and construction management plan, and were that to take place, then obviously any new bespoke mitigation mitigation strategies or additional further works that are contemplated, could there be reflected in the noise and vibration management plan? And the second point, and I'll hand over to Mr. Mark woods, who is in the room to address this further.

00:44:36:05 - 00:45:14:05

But it seems to us that it's also crucial, given the potential for impact on Jasmine Cottage and other residences, um, for any complaints mechanism to, uh, that's that's, our addressing noise. Uh, properly, uh, to be workable. Because if the mitigations that are being put forward, uh, don't come up to scratch or aren't being experienced in a way that is hoped by the applicant, uh, then the most important next step is for that to be brought to their attention and for something to be done about it.

00:45:14:09 - 00:45:41:18

Uh, and Essex County Council has already flagged that the Outline Noise Complaints protocol is not as we had hoped. And Mr. Woodyard can update the, uh, the panel now examining authority now, um, on that or we can also hold that back if you want to deal with that as a as a different subject later on in this noise session. Um, as you know, whatever is easiest.

00:45:42:03 - 00:45:47:12

Don't be helpful to do it now. So so if you would like to speak now that would be very helpful. Thank you.

00:45:48:06 - 00:45:50:17

Thank you. Um, I'll hand over to Mr. Wager.

00:45:51:29 - 00:45:52:28

Thank you, Mr. Helm.

00:45:54:07 - 00:45:54:22

Good morning.

00:45:54:24 - 00:45:55:09

Panel.

00:45:55:13 - 00:46:09:15

Good morning, chair and three of you, please. Thank you, sir, for the for those particular comments, particularly in relation to noise protocol. What we have here and what we'll no doubt discuss. The next agenda item today is the issue about.

00:46:09:17 - 00:46:19:23

Language to speak directly into the microphone because you keep looking at me and of course, which is fine. But every time you look at me the microphone drops out.

00:46:19:25 - 00:46:58:16

So hopefully people can hear this now. Thank you. Um, the issue here is that this, regardless of, um, what implementation measures you put in place to control the development, this will result in an increased noise climate in the immediate area. And as Mr. Grismer has rightly said, that noise carbon is dictated by the A120. However, the further you go from the A120, the lower the noise levels become, and from your unaccompanied site visits, you will be aware that the noise in these locations is very small but very low.

00:46:59:00 - 00:47:49:09

It is a traditional rural agricultural area. The issue we have is that obviously Essex County Council are not the enforcing authority. Should there be a breach within the DCO, which we hope will never happen? Nevertheless, there will be potentially increased stress placed on Tendring Environmental Health Department. Should we get a should they receive a complaint, be that from noise from any particular source? And our introduction of this noise protocol, which we've managed to co-opt both Norfolk and five estuaries in to us, ensures that there is a coordinated approach to action and to address any noise complaints that come forward.

00:47:49:18 - 00:47:56:15

For example, the reason that protocol is in place is to stop

00:47:58:04 - 00:48:26:03

noise from one substation being investigated. To be found out it's noise within another substation to be instigated. So I hope that in some ways clear for you, sir. It's about risk management of that risk and about addressing any matters that arise. Um, that at the moment we obviously hope and consider won't occur.

00:48:30:06 - 00:48:30:29

Thank you.

00:48:31:06 - 00:48:40:00

Thank you very much. Thank you for your input. Uh, is anybody else, um, from the council's wanted to say anything in regard to this matter

00:48:41:16 - 00:48:49:28

before I go back to the applicant, as anybody else want to say about the public access route 30. I got a lady with a my hand up. Thank you.

00:49:01:10 - 00:49:34:19

Tamsin Valley, on behalf of Tea Valley and Sons Limited, I just wanted to highlight that the primary access route 30 also extends onto Ardley Road after it goes through the, um, off the off from Bentley Road, across fields, and then it goes back onto Ardley Road. So the same issues will be experienced at Normans Farm and they will also have the construction, the substation construction, site noise added. On top of that, the complaints procedure is a particular concern. We've got three projects that are all going to be operating together and it's really unclear who.

00:49:34:21 - 00:50:19:21

If there is an issue we should be going to, it just feels like one project is going to push us off onto another project and we won't know who we should, who should be taking that responsibility. Similarly any mitigation? You know who who's going to be doing that? And will they just pass that off to a different project there? There is a better solution to this. In the north woods and five estuaries will be constructing their haul road across their temporary haul road along their cable corridor. And we've asked and pushed time and time again that national grid, instead of using this whole road across from Bentley Road, Shop Road and through Little Bromley, use the North Woods and five estuaries temporary haul road across the fields for all their construction traffic.

00:50:19:23 - 00:50:39:01

And that would limit this issue quite significantly. It's their choice to say we will only use it at such time that North Falls and five estuaries construct it, but you or somebody could push them to say, actually, these projects need to be coordinated in a way that they are all using the same haul road to mitigate that impact.

00:50:40:06 - 00:50:45:20

Thank you, Mrs. Fairlie. Um, anybody else want to say anything in the room?

00:50:50:07 - 00:50:51:02

Okay. Chris.

00:50:51:11 - 00:50:52:23

Chris Whitfield, on behalf of.

00:50:53:15 - 00:50:54:24

Ardley Parish Council.

00:50:54:26 - 00:51:32:08

And Little Bromley, um, I think I should just point out it's been alluded to by some of the other speakers, but the route goes right through Little Bromley, which is a very small village, but with about 150 houses, something like that. Now, the the problem is that, um, the very technical scientific approach to, um, measuring noise doesn't take into account that, um, National Grid tell us that, uh, there's likely to be at the peak 850 construction vehicles going through that village.

00:51:32:15 - 00:51:48:05

Now, common sense just says that that cumulative effect of those lorries going through that village will be a serious health risk to the residents. I would just like to make that point. Thank you.

00:51:49:06 - 00:52:01:19

Thank you for your input. Um, not seeing any other hands go up. Oh, another one at the back. Make this last one from the the audience.

00:52:02:07 - 00:52:37:13

Can you hear me? Um, Jane Marshall Ardley parish council. And also we are Bromley today. Um, the assumption is that people are going to be just in their properties with windows closed. This isn't the case when people come home from work in the summer. They want to be outside enjoying a relaxing sort of time in their own environment. Nothing has been considered to sort of, you know, on the impact that you know, that all this noise is going to have on those people who would really like to just relax in their own gardens.

00:52:38:06 - 00:52:39:04

Thank you.

00:52:39:18 - 00:52:55:22

Thank you very much. In that case, I'm going to come back to the applicant for a final right of reply. But I would be interested to know your your response on a coordinated complaints procedure with no falls and five estuaries. So, um, can I deal with the.

00:52:55:24 - 00:52:56:09

Points.

00:52:56:11 - 00:53:01:22

In this order? And I won't forget that one. Russell. Harris. Casey, on behalf of the applicant, um, there.

00:53:01:24 - 00:53:02:09

Is already.

00:53:02:11 - 00:53:04:29

As you'll know, an outline noise and vibration management.

00:53:05:01 - 00:53:05:23

Plan.

00:53:05:25 - 00:53:46:22

It's a door to document to the outline code of construction. It is therefore the case that there will be a finalized noise and vibration management plan, which the local authorities will be able for the parts within their jurisdiction to have an impact on, and to sign off as part of the overall regulation requirement for process. Um, that that's a usual way of dealing with it. It captures the mischief complained of because all of those documents fall within the purview of requirement for can all be the subject of breach of condition or prosecutions.

00:53:46:24 - 00:54:31:03

They have as much teeth in the form that they are as if they were in any other form. The first answer. The second answer is the 16 properties referred to in chapter 14 are very clearly shown. As to their location, you will have seen them on the site visit. None of them is as close to the road as the Jasmine Cottage. The reason that they don't fall into the same soil category as Jasmine Cottage is that the flows, although significantly increased on those other properties, are still significantly low, less than fewer than 4000 vehicles an hour, and as.

00:54:31:05 - 00:55:09:25

Such, the noise levels generated by that level of traffic through the methodology agreed with the local authorities is is not as high unless you are very close, so it does fall into a separate category. We can make that really clear in our written responses. It's already in section our 147 and there abouts in app 256. In any event, those 16 properties will also require to be the subject of individual consideration as part of the detailed document, which again the local authority will see before discharging it.

00:55:11:02 - 00:55:11:20

Um.

00:55:13:26 - 00:55:28:06

The the issue of the North Falls and Vestry Hall road as an alternative to Bentley Road was mentioned. Um, and I'll ask, um, Kirsten Simpson just to deal with that. That single point, please.

00:55:29:22 - 00:55:51:25

Kirsten Simpson for the applicant. We have a cooperation agreement with North Falls five estuaries and have been coordinating liaising with them for a matter of time. We have an agreement in place that if the programs align, we will be able to use their haul road, but it is entirely dependent on the programs and their works taking place when they do.

00:55:56:17 - 00:56:11:06

Russell Harris KC and again, that set out in a number of documents, including alternatives to access routes. So if that whole road can be used it will. Okay. Thank you very much.

00:56:14:07 - 00:56:25:03

My next question was a question for Thurrock. But I don't believe they're with us. So I will put that into our second written questions. Um.

00:56:26:24 - 00:56:28:19

Before moving on to.

00:56:30:01 - 00:56:40:23

Our next agenda item, I just wanted to double check. Is there anything else on noise and vibration around the two issues that we've been speaking about that anybody wants to raise?

00:56:44:08 - 00:56:45:23

Local authority please.

00:56:46:17 - 00:57:20:23

Matthew Ward, Braintree District Council. Thank you sir. Um, Justin was um, we heard the applicant response in regards to your first question regarding MV 23. Um, and we disagree with the assessment of the construction impacts outside of the normal construction hours because the background noise threshold is lower. Um, would the examining authority, like our noise consultant to sort of, um, set out what that what those concerns are? Or are you happy that we just defer in writing, um, following the hearing?

00:57:21:14 - 00:57:33:15

No, I'd prefer to read those in writing, please. Um, because that gives me time to think about what you're saying and also for the applicant then to respond in writing as well. Okay. Thank you for Anything on the hoof at the hearing?

00:57:33:24 - 00:57:35:18

Thank you sir. Nothing else for me.

00:57:37:05 - 00:57:40:28

Thank you. Anybody else on the items that we've discussed?

00:57:42:25 - 00:57:44:03

But I'd chat with that.

00:57:54:18 - 00:58:25:00

Hello, John. Stacey again? This is just general questions about noise. Um, for instance, there's several issues highlighted. Whole roads, noise in their, um, application document. They're referred to a 20 mile speed limit as a basis of assessments. But you know, in the documentation there is any implementation of speed limits, long haul roads. And these speed limits will create the noise if without if without speed limit which need to be monitored and checked, lorry drivers will go whatever speed they like.

00:58:25:02 - 00:58:43:00

In that instance the whole road will be seven miles between Bell maths, so therefore they'll have spent a long time on these roads and will want to speed up to get the return load. So can can. That's agreed. Please promise us there'll be a speed limit of 20 miles now on the road, as demonstrated in their assumptions.

00:58:46:11 - 00:59:02:02

Mr. Harris, can I ask you to respond to that in writing, please? Yes, please. Thank you. Thank you. We'll do that. Russell. Harris. Casey. All right. Um, so that will come in at deadline for a response to your question. If that's acceptable to you, Mr. Stacy. Um.

00:59:07:24 - 00:59:19:06

So that's my questions and, um, issues that I wanted to raise at today's hearing with regard to noise and vibration. Um, Mrs. hunt asked to speak next, so I'm going to pass to her.

00:59:22:09 - 00:59:37:06

Yeah, it's just a matter of timings, really, because by now we'd have ordinary had a, um, a morning break, but we had that short break earlier. Um, the thinking now is, rather than go straight into aviation.

00:59:38:26 - 00:59:45:16

Oh, there's a hand up. Oh, we're here from the EAC first Essex County Council.

00:59:46:11 - 01:00:07:15

Uh, apologies. Thank you very much. Um, I apologize Estelle de Haan for Essex County Council. Apologies if I missed it, but I wasn't certain, um, that Mr. Harris responded for the applicant on the suggestion of the Coordinated Noise protocol. Noise Complaints Protocol.

01:00:11:04 - 01:00:12:04

Mr. Harris.

01:00:17:18 - 01:00:57:16

The answer I gave was that the noise vibration management plan, the outline code, were all secured by requirement for. And we thought that was the best way of dealing with it. As you'll know from other evidence, there is cross-party working on all three of those projects and liaison groups in place. I think we've dealt with this in one of the answers to your question. We are happy to sit down with the other groups and see whether that needs to be formalized. We certainly don't rule it out, but we don't think it's necessary in the terms of requiring a requirement, which of course, the same tests apply as they do to, to to planning conditions.

01:00:57:18 - 01:01:22:22

We don't think it falls into that. It should be refused without that. But we are very keen to work proactively with the other two and with the relevant local authorities. And we'll take away the suggestion that I've just heard and we'll respond to that in writing. Yes. I'm told that, um, Mr. Gray, who's involved with that coworking at the minute, is able to bring you up to date with that. Probably better than I am. Thank you.

01:01:24:20 - 01:01:25:05

David Gray.

01:01:25:07 - 01:01:30:03

For the applicant. We we have a tripartite agreement with North Falls and five estuaries.

01:01:30:05 - 01:01:30:20

Regarding.

01:01:30:22 - 01:01:32:08

A compliance protocol for.

01:01:32:27 - 01:01:33:12

The.

01:01:33:14 - 01:01:34:17  
ECN substation and.

01:01:34:19 - 01:01:35:04  
Their.

01:01:35:06 - 01:01:35:26  
Substations.

01:01:38:18 - 01:01:40:07  
Okay. Thank you very much.

01:01:41:01 - 01:01:42:12  
Mrs. Hunt. Back to you.

01:01:44:14 - 01:02:00:20  
Yeah. Just a suggestion regarding the brakes. Um, rather than having a short break. Now, if we go straight into lunch and have an hour and it'll be cleaner if we start on aviation safety after that. But I just wanted to see if there was any objection.

01:02:04:24 - 01:02:16:03  
Yes. Um, I would I'm. I have to leave at one, so I would very much appreciate it if we could go straight into the aviation safety section.

01:02:27:13 - 01:02:29:06  
Are there any other comments on that?

01:02:29:08 - 01:02:42:12  
We are happy to to to do whatever you think will be best for the hearing. Um, there is some, some sense in pressing on if, if, um, if the lady is not good to be here, but shame to go into aviation in her absence.

01:02:43:23 - 01:03:09:06  
Yeah. I think what we could do. Um, because we haven't had a proper full comfort break as yet, is we will break for lunch shortly, but we can hear from Norfolk Gliding Club now. So we'll start that item. But we'll we'll do everything else related to that item straight after lunch. But we're happy. Happy to hear from you now. And Mr. Hockley is going to leave this item. Thank you.

01:03:10:07 - 01:03:40:07  
Okay. Thank you. So probably the best way I think we resolve this if if we, the majority of aviation safety will deal with after lunch, but, um, we'll deal with, um, Chippenham Aerodrome. basically now. So the third bullet point under 5.1, um, and then after lunch we'll come back and then go back to policy matters and then follow the rest of the agenda as planned. That sounds okay. Okay. Okay. Thank you. Okay.

01:03:40:09 - 01:03:57:11

So, um, my first question on Tibet was to, um, the applicant, um, and you and the airfield, I believe, um, acknowledge that risk is low. Sorry. Do you want to. We're just waiting for a changeover.

01:04:00:09 - 01:04:04:24

Just moving our aviation stream into place there in a holding pattern, as it were. In a minute.

01:04:12:00 - 01:04:34:24

While they're doing that. Um, Russell. Harris. Casey. Um, I will say that our technical aviation witness is Neil Jamieson, who is now sitting to away from me and Mr. Paul Reston, can give evidence on decisions that have already been taken, etc., in relation to this one airfield, but also to the airfields this afternoon.

01:04:36:12 - 01:04:36:28

Okay.

01:04:53:08 - 01:05:17:06

Okay. Thank you. Um, so I'll restart, but moving on to table and airfield. Excuse me. You and the airfield. I believe that, um, acknowledge that risk is low, but what does that mean in the context of the operations that go on at the airfield currently, and the potential severity of any accident that could occur as a result of the proposed development?

01:05:17:27 - 01:05:21:03

I'm going to pass that question straight on to Mr. Jameson.

01:05:23:27 - 01:05:24:12

Good afternoon.

01:05:24:14 - 01:05:40:06

Neil Jameson for the applicant. Um, when you talk about risk being low, uh, are you specifically referring to the the risk of an of an accident due to an aircraft hitting the the line. The proposed line?

01:05:40:08 - 01:05:41:12

Yes, yes.

01:05:41:15 - 01:06:17:26

Okay. So, um, as the appointed consultants, that's obviously something that we, we looked at. So we're looking at what the, uh, the risk is due to the line being there, there is obviously always a risk in any flight from a number of reasons. Um, and we were looking specifically at what the incremental risk is when you introduce a new obstacle into the environment, which is how we're treating the line. And the most likely scenario is that you will need to land off airfield for some reason.

01:06:18:10 - 01:06:56:18

The most common reason we thought that that would be the case is due to an engine failure. Um, we are somewhat limited in what we can work with here because it's generally the case in general

aviation, small aircraft in particular, that, um, there isn't a huge amount of research done worldwide. Um, and the statistics are quite sparse. So, um, we try as hard as we can, but there is always, uh, an element of, um, opinion and uh, best assessment and, and so on.

01:06:56:20 - 01:07:30:09

So looking at, uh, engine failures, uh, we have got statistics available. The Australian Transport Safety Board did a study uh, on on that, um, looking at a number of commonly used engine types which apply to this country too, which gives us a feel for how often an engine failure can occur on average. Um, that's somewhere in in the order of magnitude about ten to the minus seven. So it's a it's a very low probability that an engine failure occurs altogether.

01:07:30:11 - 01:07:42:20

Per hour. This is per flying out. Um, there then is a question of having had the event occur. What choices are available to the pilot in command of that aircraft?

01:07:44:12 - 01:08:18:13

Uh, one the aircraft generally means, uh, maneuverable. Um, so that's a key assumption, uh, in our assessment is that it is not inevitable necessarily that an aircraft would hit an overhead line. There may be an opportunity to, uh, maneuver away from it, which is a natural thing to do. And our assessment and our advice to National Grid has, uh, has tried to ensure that there is enough space to do that. However, there could be a point at which, you are in a position where if you did nothing, you could hit the line.

01:08:18:15 - 01:08:54:27

In some places. If you have an engine failure early on, you may not reach the line just because of the gliding performance of the aircraft concerned. There may be other times when you're high enough, and far and far enough from the line that you could glide over the top of it quite safely and land the other side. But we accept there is a period in the middle where we're hitting the line is a possibility. However, given the ability to maneuver and given the the low likelihood of this kind of problem in the first place, overall, the incremental risk of a line being there and and the outcome being hitting the line, we've said is a very small number indeed.

01:08:54:29 - 01:09:02:02

And therefore the the additional risk of the line being there is, in our view, acceptable.

01:09:04:00 - 01:09:37:01

Okay. Thank you. I'll come to you in a second. Um, I just wanted to, um, just bear in mind what you've just said. Um, there was, um, a letter in the evidence in a CAA airfield advisory group before they disbanded. Um, from, uh, March 25th, I believe it was. Um, it's in the evidence of the General aviation, um, Awareness Council. Um, and they state that, um, they were concerned by suggestions that glider tow aircraft had the performance to climb clear of the proposed power line infrastructure.

01:09:37:19 - 01:09:38:10

Um,

01:09:40:10 - 01:10:13:27

the reality is that the performance of both glider tow aircraft and gliders are variable and based on many factors, including meteorological conditions such as wind vectors, air temperature and air pressure, gross weight of aircraft including pilot and of course, a glider and pilot which is being towed um, and that gliders returning to Chippenham would face challenges in clearing the proposed line for a variety of reasons. Um. Energy management height, speed and range um are variable and will also be impacted. And that had the potential to stop competition flying at them completely.

01:10:14:16 - 01:10:17:15

I wondered what your response to that was.

01:10:21:22 - 01:10:57:23

For the applicant. Um, there are there are a number of elements in that question. I wonder if we might break it down somewhat. Um, so if we if we maybe look at the, uh, airfield advisory team, which was an internal group in the Civil Aviation Authority disbanded last year. Um, we tried to get a statement of common ground together with them. They were disbanded before that happened. Um, our methodology, as far as assumptions around aircraft performance is, is stated in the environmental panics.

01:10:57:25 - 01:11:37:03

So, um, I don't know whether you have any further questions on how that was done. Specifically. We've we've used published data for the aircraft types that are in use At Tiverton and elsewhere. Um, it's standard, uh, when looking at aircraft performance to take either a standard set of conditions and see how they vary with wind temperature, that sort of thing. Um, we have done that work. And in our view, um, there is an option whether you would take it or not is for the pilot in command to decide, but there is an option that you could climb over the line if you wish to.

01:11:37:24 - 01:11:38:21

In our view.

01:11:40:19 - 01:12:14:14

I think, I suppose I understand there's a difficulty here because the the, um, Airfield Advisory Group is disbanded, but that's the kind of last piece of advice we have them have from them, if you like. Um, so there might need to be some more clarity, I think, in terms of, um, the specific understand also, you know, your point about your methodologies being outlined, but some more clarity in terms of the specifics of They're the different facets that they raise in that paragraph.

01:12:14:16 - 01:12:26:28

There seems to be quite a few varying issues that they they potentially see an issue with. It's evident. Um, I wonder if you could draw some more clarity. It might well be in writing, um, dealing with those specific issues.

01:12:30:20 - 01:13:04:13

For the applicant? Yeah. Um, we, uh, we're happy to, I think, provide some more details. If you have specific, um, items that you would like to go into detail about, I think we would be happy to to do that via written question. Um, essentially, for us, as we understand it from Norfolk Gliding Club, they are

concerned about the, um, the performance of an error to a combination, uh, heading towards the line, uh, and whether it has enough space to turn and whether a turn to a parallel, the line is safe or not.

01:13:05:01 - 01:13:41:00

Um, in in our view, as outlined in the ESPN six, that we believe there is enough space for them to turn, and we believe that that can be done at a safe height. I really don't want to turn when you're too low. That's, um. That's why I think there is a choice, as I said, to to climb over the line if you wish. Um, so one concern is about turning performance of an accommodation. There is also then what happens if that accommodation has an emergency of some sort, which then requires an off airfield landing or as you mentioned, a return by probably the glider because the aircraft probably won't have performance to do it.

01:13:41:03 - 01:13:57:19

Um, but the choice of the glider to return to the airfield and what, what barriers there would be in the way of that. But, um, those are quite nuanced points, some of which we've probably we can point you towards where we've answered that already in previous responses, but we can maybe do that in writing.

01:13:57:21 - 01:14:11:02

Okay. Thank you. Yeah. I think the the specific clarity I was asking for was in response to that. There's a there's a 1 or 2 paragraphs in that letter. Um, if you could break that down and. Respond to that in writing, that would be very useful.

01:14:11:20 - 01:14:16:27

Russell Harris KC. We could do a line by line response in the in the next deadline.

01:14:16:29 - 01:14:47:03

Thank you. That'll be useful. The point you raised there, Mr. Jameson, about the, um, the pilots initiating a turn. Um, the airfield themselves have raised that. That shouldn't be done at lower than 300ft. Um, and that such a turn in the instance of Tiburon could potentially bring the gliders in conflict with operations at Priory Farm. Um, I wonder what your response to that would be.

01:14:49:27 - 01:15:20:29

This is one of the items that we're we're still to get to discussion with Norfolk Gliding Club on. Um, so that if I can take the the 300 foot figure and it's one of a number of, of figures that that are, um, not necessarily in dispute, in dispute, but it's trying to understand where a figure like that comes from. Um, it's not a figure that that I have seen, uh, from the BGA, the British Gliding Association, directly.

01:15:21:01 - 01:15:28:04

That's something that I don't know for gliding club may use. Um, there are other gliding clubs that may use a different figure.

01:15:31:06 - 01:15:37:05

Okay, so you're looking into that figure. Is that a fair assumption or. We have we.

01:15:37:07 - 01:15:50:19

Have looked into that figure. Um, you can turn at a lower level or a higher level. I'm unsure at the moment why 300ft is significant. Not for gliding club, but that's a question that we would have for them.

01:15:50:25 - 01:16:06:18

Okay. Thank you. Um, miss Smith. Um. Hello? Hello. Um, I wondered if you had anything you wish to respond to on what the applicant said there, or indeed the figure of the 300ft that he's just raised.

01:16:06:20 - 01:16:52:23

Uh, yeah. Um, first of all, I would like to say that we do not accept that the risk is low. Um, Norfolk Gliding Club has, uh, commissioned its own, uh, safety report from Meadow's safe aviation safety. Um, whilst the data, I would agree, is sparse. Uh, that report, uh, puts the, uh, likelihood of, uh, engine failure after takeoff as, uh, at the higher end of remote, but using, uh, the CIA's, uh, risk tolerability, uh,

01:16:54:11 - 01:16:55:22

the, uh.

01:16:58:13 - 01:17:46:09

On risk acceptability. um, where the, uh, risk severity falls into the catastrophic category, which would most certainly be the case where an airplane to hit power lines, whether that's a glider or a powered aircraft, uh, a combination of a risk, likelihood of remote, um, and a risk severity of catastrophic, uh, uh, creates an unacceptable risk, uh, moving the risk likelihood up slightly to occasional then a risk severity of merely hazardous makes that also an unacceptable risk.

01:17:46:11 - 01:17:47:17

Tolerability.

01:17:49:11 - 01:18:20:16

Uh, I would say that as a as a powered flight instructor for the last, uh, 26 years, I have always, and it is good practice to teach that if a a that on an engine failure after takeoff that is, uh, below 500ft, uh, the pilot should land within a 30 degree cone either side of the runway heading.

01:18:20:18 - 01:18:56:13

That is standard teaching practice. Uh, because many aircraft simply, uh, cannot, uh, maneuver to land back on the runway. Uh, within below that height. Um, we are talking here, um, about, uh, not just, uh, uh, the, uh, tugs at, uh, Chippenham, but there are many other aircraft also hired that, uh, hangar there of which have varying performance.

01:18:57:06 - 01:19:20:20

Um, there are also obviously tug glider combinations. The tug glider combinations are hugely variable, although we might be using the same tug. The gliders vary enormously in their performance. The other thing that varies enormously is the level of pilot competence.

01:19:22:12 - 01:19:54:08

Both are. There are both glider and powered flying schools at Debenham where. So we are talking about people potentially with about 15 hours or less of flying experience, experiencing an engine failure after takeoff, that they would have the ability to manoeuvre to avoid power lines which are straight ahead of them. Um, beggars belief, quite frankly. Um.

01:19:56:21 - 01:20:36:01

Sorry. I've lost my train. Um, sorry. Uh. Oh. Yeah. Sorry. Um, uh, the, uh, other thing about tug glider combinations that it's worth pointing out is that should the tug lose power at low height. And that is also another issue which hasn't really been raised, um, which the CAA has recently had a very big drive on is loss of partial loss of power after takeoff, not simply full loss of power and the dangers that that represents, particularly to inexperienced pilots, but to all pilots, actually.

01:20:37:00 - 01:21:01:28

Um, but if a tug were to experience, uh, engine failure, um, after takeoff, you would then have two aircraft, both trying to maneuver to land and the loss of a significant amount of land ahead, uh, in which they could land could be, um, very, very serious, if not catastrophic.

01:21:03:23 - 01:21:36:13

The I believe that I've read in this report somewhere that there is a, um, but I can't find it at the moment. I know that there is, uh, uh, data about the, um, turning under 300ft, but I would have to, um, find that and revert to you on on that. Um, the other thing that I would like to say is that these proposals were published without any consultation of Norfolk Gliding Club.

01:21:37:00 - 01:21:51:23

Um, and quite frankly, it seems to me that there is now just a huge drive to try to, uh, um, justify, uh, a line which has been randomly chosen in retrospect.

01:21:54:24 - 01:22:06:22

Thank you, Miss Smith. We have a hand up in line. On line. Sorry. So I think we'll go for a revert to the applicant. We'll go to, um, online, I believe. It's, um, Miss Barnaby from the General Aviation Awareness Council.

01:22:10:16 - 01:22:51:25

Thank you, sir. And sorry for the delay. At that point, I just wanted to make one comment on what Mr. Jamison said in respect of the original CAA art. Um, I get the impression from what is written and what has been said that the implication is that by the loss of the art in some way downgrades the seriousness of these issues. I do have in writing confirmation from the CAA that they do not retract or repudiate any of the work previously done by the art, so the CAA does confirm that that remains valid.

01:22:52:04 - 01:22:53:02

Thank you, sir.

01:22:53:09 - 01:22:55:21

Thank you. Um. The applicant.

01:22:59:15 - 01:23:06:10

Um, can we deal with the consultation point first and the engagement that's taking place? Mr. Jameson or Mr. Easton?

01:23:10:11 - 01:23:40:04

All right. And Paul reached in for the applicant. Um, again, I'm certainly aware of, um, having meetings. There's a number of the consultation event with representatives from the gardening club, Mr. Griffiths, amongst others. Um, and myself and Mr. Jamison met in on various, um, circumstances and had various discussions with them. So I think they certainly were fully aware of the, um, proposals and opportunity. And there has been feedback from them on a number of occasions.

01:23:43:08 - 01:24:14:15

Russell Harris KC, in relation to the particular dangers that were spoken to and the particular manoeuvres rather than deal with those on the hoof so as to speak. We've not heard those before. We propose, in the line by line rebuttal of the CAA, NTT staff to add a passage which deals with the specific items that were just raised about the area and the various manoeuvres there involved, including partial engine failure.

01:24:14:24 - 01:24:27:02

Um, I don't think it would be helpful. This is, for example, the sort of, um, uh, the sort of, um, position that means that this is best a written procedure rather than the oral one.

01:24:29:28 - 01:24:52:06

Thank you, Mr. Harris. Um, I wonder if in that information or potentially as part of your statement of common ground discussions, I think there's still the outstanding matter of the figure of the 300ft. Um, if if we could, uh, yeah, whichever method, that would be the statement of common ground or through your, um. You'll come back in the next deadline with you.

01:24:52:08 - 01:24:54:15

Hopefully. It might be both. Russell. Harris. Casey.

01:24:54:20 - 01:25:08:10

Thank you. Um, I just had one last question about, um, Tiburon, and it was just a hypothetical question. What would a possibility of, um, lower height pylons in that vicinity assist at all?

01:25:08:18 - 01:25:12:07

I'm going to ask Mr. Reston to deal with that, please. Russell. Harris. Casey.

01:25:14:14 - 01:25:20:19

I think actually, it's one for Mr. Jameson in terms of the, uh, clearance heights that are available.

01:25:22:07 - 01:26:03:26

And it's Jameson for the applicant. Um, so the, uh, the use of low height towers was considered, uh, at every site that we assessed. Um, there is obviously, uh, a wider impact than just two aviation interests if low height towers are used. Um, so we didn't make a final decision on on that. What we can say is

that where Tibetan is concerned, the, um, the angle between the runway and the top of the line meets the obstacle limitation, surface requirements for an equivalent aerodrome that was licensed.

01:26:03:28 - 01:26:34:25

So on that basis, um, if a licensed aerodrome, uh, would, would uh, it would meet the requirements for a licensed aerodrome, it certainly would meet the requirements for um, um, and the low height towers that are used. Um, it's in the order of a few meters change in height. So from an aircraft pilot's point of view, and given the clearances that are averaged, averagely desired by a pilot, uh, a few meters is probably not significant.

01:26:34:27 - 01:26:45:17

And therefore, when you weigh that up with with other considerations for low height towers, um, it was it's not thought to be something that, that would, that would help matters.

01:26:46:12 - 01:27:19:28

You do say a few meters? I was under impression. It would be about ten meters shorter, which around about a fifth of the height, which seems a little bit more significant. All written for the applicant, I say, just to add to what Mr. Johnson said. Yes, you're right. The, um, change from a standard sort of three cross, um, lattice pylon to a two cross arm lattice pylon, the low height one, it would drop the height by about ten meters. Um, just as the general um, approach the standard lattice is the sort of the, the, the starting point.

01:27:20:03 - 01:27:54:10

Um, we work on the basis of, um, sort of reviewing. Is that an acceptable, other unacceptable effects in planning terms before we then consider the change to the pylon type. And in this particular case, Mr. Jameson's advice was that it wouldn't make the specific difference. And there were no other, um, compelling factors that said the standard was unacceptable. So hence the we didn't change the low heights. Okay. Thank you. I wondered if that could. There seems to be quite considerable difference between yourselves and the airfield in this case.

01:27:54:12 - 01:28:25:13

So I wondered if that could be, if not reassessed, then looked at again, and perhaps a more justification if if needed. Um, I understand you know what you're saying, that the, uh, there was no breach of the surfaces and so on with the full height lattices, but I think some more clarity over where the lower pylons and the view of themselves as well. Um, that could be quite useful to us.

01:28:28:12 - 01:28:30:13

Russell Harris case. He fully understood.

01:28:31:25 - 01:28:35:04

Thank you. Um. Miss Smith. Thank you.

01:28:36:10 - 01:28:37:01

Sorry.

01:28:37:03 - 01:28:37:21

Um.

01:28:38:01 - 01:29:22:17

Just with regard to the lower height pylons, um, I think it's very clear that what tympanum, um, would like is either diversion or undergrounding of the of the, uh, the cables. Um, and one particular reason for that is the cumulative impacts of other proposed infrastructure development, in particular solar farms. We already have cables to the east of us, and there is currently a, um, uh, there are currently proposals for a very significant solar farm, uh, development, which would tap into that, um, set of, uh, cables if we were to then have this one built.

01:29:22:19 - 01:29:33:23

We would then be looking at, uh, more, even more loss of potential force landing sites, uh, with, with potential future solar farm developments.

01:29:35:12 - 01:29:39:24

Thank you. Um, is there anything the applicant wish to come back on there?

01:29:40:17 - 01:29:43:10

Nothing. We will produce the written document. We promise.

01:29:43:27 - 01:29:57:25

Casey. Thank you. Um, just before we. We break for lunch. Is there anything else that anybody wishes to raise about Tiverton Aerodrome? Yes. Uh, Mr. Curtis? Yes. Will Curtis, uh, reading Wings Aerodrome, just to correct.

01:29:57:27 - 01:29:58:12

Mr..

01:29:58:14 - 01:30:04:02

Nielsen, who said that the frequency of engine failure was 1 to 10.

01:30:04:04 - 01:30:04:20

To the seven.

01:30:04:22 - 01:30:05:07

I think.

01:30:05:09 - 01:30:07:10

That is correct for commercial turbine.

01:30:07:12 - 01:30:07:28

Engines on.

01:30:08:00 - 01:30:34:06

Airliners, the rate of failure for piston engined aircraft in light, in light aviation is about one in every 3200 flight hours. That will be a rough running engine with a complete failure about once every 7000 hours. So the risk, if you look at it that way, is considerably higher than is being put forward by the applicant. Thank you. Thank you. Mr. Jameson. Did you wish to come back on that point or in writing?

01:30:35:27 - 01:31:07:07

Uh, yes. Chairman of the applicant. Yeah, we can, we can certainly. This is this is an illustration, perhaps, of where, um, statistics can vary quite a lot. For for subjects that's little studied. Our numbers are based on, uh, a government agency statistic. Um, it's peer reviewed. It's it's in the public domain. Um, we can we have shown the workings. Uh, we can we can certainly include that in the written answer. Additionally, uh, to to help Mr.

01:31:07:09 - 01:31:09:07

Kurtz understand where we got that number from.

01:31:09:09 - 01:31:14:19

That'd be useful. Thank you. Um, so any more on, uh, tympanum before we break?

01:31:16:12 - 01:31:34:22

Uh, no. Okay. Thank you very much. So, uh, we're now adjourned for lunch. Um, after lunch, we'll reconvene and we'll start again at the start of, um, uh, agenda item 3.1. Uh, so the time is now 1224. So, um, we'll break for lunch until 1325. Thank you.