



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

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SPEAKERS

Speaker 8, Speaker 14, Speaker 11, Speaker 1, Speaker 18, Speaker 12, Speaker 15, Speaker 9, Speaker 3, Speaker 17, Speaker 5, Speaker 2, Speaker 10, Speaker 6, Speaker 4, Speaker 16, Speaker 13, Speaker 7

Speaker 1

Good afternoon, everybody. It's 2 o'clock, and it's time for this hearing to resume. We're going to carry on with item 3.2, which is landscape and visual matters. And I sort of alluded to my next set of questions before the break in terms of what they were, and it's really to look at the interaction between landscape and the LVIA and design in particular. And one thing the LVI does state is that landscape and visual considerations have been important in shaping the development parameters, and it describes it's been a close collaboration between the various parties. So my question to the applicant is: Could you explain how the LVIA has influenced the design of the proposed development, but in particular, what consideration was given first to avoiding landscape and visual effects through the scale, siting, and form of development before reliance was placed on screening and planting, and also what options involving a reduced development footprints or lower buildings or reduced development quantum were considered as part of landscape mitigation,

Speaker 2

Mr. Jackson, for the applicant, as I said before lunch, I was first involved with the scheme in 2018. So at that stage, I visited the site with other team members, and very much at that stage to look at the site, and from my perspective, to on the back of some desk-based assessment work at that time, also provide a view as to whether I felt that it would have, I suppose, capacity, or would have the ability to accommodate an SRFI development in landscape and visual terms. So that was probably the initial sort of start point of that that process of 2018. I've been involved, and I would like to think a core member of that sort of evolving sort of design team since that that date, I'd also say and like to think that landscape visual matters have been to the fore in in in all of that that sort of design development sort of testing process. The way the way I'd sort of summarise or say that it works is that clearly we carry out some baseline assessment work. So again, understanding what the sort of characteristics and features are that are sensitive or relevant and pertinent to the site and also its wider context, in landscape terms, in visual terms, we at least initially seek to gauge and get a good understanding in terms of the sort of likely visibility of a development, and probably also almost more importantly the nature of the visual receptors that potentially would be affected by the scheme, so it's quite a, it's quite a, and and it well, it involves quite a number of facets, and then that's married clearly with the rest of the team in terms of other operational requirements, other other environmental issues and topics, such that it's having that initial good understanding of the landscape visual issues that feeds into the initial design process. Now, in terms of looking at, I suppose, sighting, scale, size, extents of the of the scheme, I mean that has

various options or various sort of iterations of a development were progressed in in the early, I can say early days, but probably early months, early early years, in terms of how it might work on the site. And clearly, landscape visual was one of those important factors, but equally the operational requirements of the rail and access to the site were also key considerations. But from my perspective, I was looking to ensure that we could maximise retention of those sort of landscape features that had got relevance, value, a characteristic, maximise retention of those wherever possible, but at the same time, and also draw upon new landscape areas and features in terms of trying to assimilate the development. So, again, in terms of options, certainly, I think probably where it varied most was probably in a sort of almost a sort of towards a southerly extent. Because what I would say is, it was pretty well constrained from my in my terms to the, and I think in other. Practical terms as well: to the north by the rail line, to the east by the B430, and the landfill site; to the west by the airfield. So, just in in simple sort of extents in terms of looking at scale, size, where it might extend to and from, it was probably that southerly direction that probably took some of the focus at that time, and again in terms of what helped inform that process or shape where we got to and the the options we went through, I think as you haven't got there isn't a plan to hand that probably is the easiest, but as you sort of move sort of down towards Middleton Stoney, from from sort of or even from the rail line south, you've got a there's a series of woodland blocks and a slightly undulating landform. Now those woodland blocks were quite important and relevant in terms of I think limiting views, particularly to the to the south. So again, from my perspective, what I was flagging at that time to the rest of the team was, you know, if we if we keep these woodland areas here and we sit development to the north, then clearly that's going to help in terms of limiting the influence to the south.

Speaker 2

And if we can build in new woodland areas that connect with those, that will Also help, so hopefully that probably deals with most of your issues. But but in terms of, I think I think the options that we went through they're very much probably summarised in the in the DAD document, in the design approach document, which I think is 5.5A, and I think in there you've got a series of different scenarios, all of which we fed into, all of which we had an influence over, and probably at that time all of which had merits, pros and cons. Be it sometimes it might have had more pros and cons in, or more pros in landscape terms, and other times it was in rail or other operational requirements.

Speaker 1

Okay, thank you. That that's helpful. So in terms of

Speaker 3

oh yeah, I just add Ben Holmes while he's planning for the applicant just just briefly to add because you you made the point about about options to consider different heights, and the heights are are clearly constrained by the parameters on the parameters plan, and they are dictated by AOD heights, and they and they vary. Those AOD heights clearly vary considerably across each development zone. So those those heights were chosen directly as a result of the advice of mr. Jackson and clearly the analysis of of visual impact of one of the one of the core issues. So and not only do those AOD heights vary significantly, but but clearly there are variations in then building heights as well in different different locations. So, Zone A is slightly lower, and as we discussed yesterday, there have been changes to the scheme, lower building heights on the western parts of the site.

Speaker 1

Thank you. That's that's helpful. And in terms of where I would find that, in terms of that evidence, that's in the the design and access document that you referred to.

Speaker 3

I think that evidence is in the yeah design approach document, the core document. Yes.

Speaker 1

So I suppose in terms of that and the building heights, leaving that to one side, what was the approach in terms of the extent of the development, and how was that sort of fed in from a landscape point of view? Were there options looked at that involved slightly less footprint in terms of the overall spread of the developments?

Speaker 2

mr. Jackson, for the applicant, yeah, I think there were various options. I think, and again, the rest of the team looked to me just in terms of what my considered view was in terms of where those extents should be limited to, or where they could be limited to. I mean, and again, what governed that was, it was again, it's the the likely implications of you know how you might move that development area or the or the height of the building. Quite often, be it heights or extents, there isn't there isn't a sudden change in terms of a mark step, either in terms of the effects or or the benefits. So quite often it can be quite incremental. So which means that there is a sort of judgement call or a professional professional judgement to make. I mean, what I would say about again in just fairly simple terms about this this particular development are the levels and the heights are particularly important. I think to to to fully understand and to have a have a proper handle on. For instance, you know the the rail the rail area. Sits below the existing ground levels by between around five metres and 13 and a half metres. So your existing where that rail terminal sits is in place is 13 and a half metres below existing ground levels. And and again, I think you've also got to understand again in terms of trying to understand how the heights and the levels work and how it how it might be perceived or seen or what the impacts are going to be. Even the the airfield, the adjacent airfield, the level you know that isn't. You often think of airfields being flat. That changes in level quite markedly from our our boundary on the western side or the or the east say the eastern end of the runway is at approximately 123 metres AOD. Getting a little bit technical, the airfield rises to 138 metres AOD. So you've got a 15 metre rise as you move almost from our site bound at the end of the runway to another part of the airfield site, and that's and then if you take into account how how much below that the rail terminal sits in. The actual again, if you follow through the parameters that we've we've set, the heights of the cranes, the top heights of the gantry cranes, actually sit below the highest point of the runway. So this is this is the top part of the cranes actually sits below the runway further to the west. So again, it's and again around the all around the western side of our site and development area, all of those levels are lowered. It's the same on the eastern side of the site where the levels are generally lowered, not quite to the same extent. But if you imagine that both eastern and western sides, because it's effectively like a valley with the Ashgrove Brook running down the centre from north to south. You know the the outer faces that are probably closest to B430 on the eastern side and closest to Haveford Park on the western side. Those levels are cut down, and then we've obviously incorporated Some bunding or mitigation mounding beyond that as well. So I think it's quite it is very important in terms of trying to understand ultimately how it's going to be perceived and its effects in landscape visual terms. That that I think everybody gets a decent handle on how it how it's going to sit in that landscape.

Speaker 3

Sir, could I just add again to him if that's okay, Ben Holmes O'Shaughnessy is planning for the applicant. If I can just take you to the design approach document, which you've already been referred to. In that document, we we include a section on scheme evolution, section three. Now that section specifically seeks to explain, at a high level, the evolution of the scheme from from an initial master plan that's presented in that document from April 18 up to the submitted plan. So it it selects a series of illustrative master plans as they have been produced over that quite lengthy period of time, and shows sort of options considered and how the scheme evolved. mr. Jackson has referred to obviously the

containment. We discussed yesterday about the containment to the northeast and west, and he's talked about how the southern part of the site evolved. And I think there are two two principal reasons and drivers for how the southern part of the site has formed in the final design, and they're the issues Mr. Jackson has touched upon. But they're also the highway solution that has finally been arrived at, and we can go into more detail as to why that is if you would like me to. But noting the the interrelationship between the Middletonstonia relief road and the Hayford Link Road, but clearly there were lots of issues that were driving that solution, including traffic from Heyford Park and the impacts that had on Middleton Sony, and clearly that that solution and that and the approach that solution is something that's been agreed with the with the councils.

Speaker 1

Thank you for those. Thank you for for that. I was going to turn to the council actually, and just sort of ask whether you had any sort of particular concerns, issues, or in terms of the way that the the LVIA has sort of fed into that and the documentation that has been submitted.

Speaker 4

Thank you, George Gurney, speaking in behalf of the councils. I think I'll turn to my landscape colleagues in a minute. But before this, kind of refers back to the point I made yesterday about justifying the quantum of warehousing based on the operational needs of the of the rail freight terminal. Because I think paragraph 5.177 of the NPS sort of makes it clear that there has to be a balance between the effects on the operation of the rail for interchange versus the landscape of visual effects. So I think what would be quite useful is to understand if what the operational effects would be if the reductions to either the the quantum of warehousing or the height of the warehousing units, what operational effects that might have. But for. More sort of specific landscape comments. I will see if any of my colleagues want to join.

Speaker 5

Hi, Drumbreit from Oxford County Council. Yes, I mean we are aware of the design. What is called the the dad? We always call it the dad document. The the design evolution there. I think what I would like to note is, I think in all the schemes, it always it doesn't seem to change in size. It's it's an iteration of different versions within a particular footprint, an orientation of buildings. That's what what it seems on on the little images, and that the mitigation is very much like it always came with bunding around it. So I think that the bit we are missing is what happened before that. What Mr. Jackson just tried to, you know, alluded to, is that there was obviously a process before that, even with the site selection, and you know, can it be done? And I think we are, as you're aware, from our relevant representations, we are always asking question: How has the landscape character influenced the design of of this site? And we never had a very satisfactory answer so far because I think what we were expecting was to say actually because the northern part of the site is in a different landscape character area, which requires more openness, wouldn't it then be more suitable to say should the buildings, for example, in the north and bit be lower? Now, I'm you know I'm saying that partly, but also recognising from what I just heard, with all about the the different levels, could the applicant maybe give us some pointers where to find all that information? Because I must say I have been trying to understand all the levels of the site and what's happening and how much is being where it is being lowered and where it's being filled in, and and how big, how high the buildings are, but it's not very easily accessible. And if that could be provided, I think that would be very helpful for us to understand better, actually, what the visibility might be from some locations, because we are obviously concerned about the impact of of the scale of the development.

Speaker 1

Thank you for those. I think we probably share some of those those concerns, but if I pass that over to you in terms of sort of the the question about sort of where that documentation is and sort of sort of signposting some of that will be enormously helpful. I think,

Speaker 6

Sir Alexander Booth, on behalf of the applicant, we can certainly provide a note which serves to signpost both the XA and indeed the County Council around the various pieces of information. For our example, as regards building heights, and for example, as regards impacts, and when it's said by the county council that they are not clear as to what will be visible, I mean, in that regard, you will be aware that extensive series of photo montages and so on has been provided, and viewpoints have been agreed with the county council. So I just make that point very briefly before turning to mr. Jackson again, and in terms of the reference to paragraph 5.177 in the NPS, I do just have to note the substantive comment in there because, of course, what that states is that in taking decisions, the Secretary of State should consider whether the project has been designed carefully. We say it has, taking into account or taking account of environmental effects on landscape and siting, operational and other constraints, to avoid effects on landscape or to minimise harm. Now, Sir mr. Jackson has spoken to the approach, which we say does minimise harm, but I think also I just do want to step back for a moment because this is well an SRFI is necessarily a significant form of development, and the XA will take a view as to whether or not it is realistic to anticipate that all harm may be eliminated in landscape terms, particularly given the constraints of where facilities such as this must be sat, because it's acknowledged that they have to sit on a relatively on one of a relatively number of one of a. On a few sites that have access both to the rail network and to the strategic road network, and in those circumstances, it's important to hark back to. I say, particularly in the light of something mr. Broad said before lunch, he talked about this as being wonderful farmland and essentially this being the nadera development. So, in terms of landscape impacts, the NNPS, as mr. Jackson has emphasised, I mean that identifies a tiered approach to landscape. We have nationally designated landscapes, we have sites proximate and in sight of nationally designated landscapes, and we have sites identified in local policy. Now we are none of those tiers. So, as a matter of general principle, this is a site of a type which will cause the least possible landscape impact, and that is even before we get to other matters. And I'll let mr. Jackson speak to these later on. But so, I mean, of all the SRFIs that have been consented in the UK, this will produce provide the greatest amount of green space of any of them, 60% Similarly, I mean, what's said is, well, the buildings might they be smaller? I mean, to take West Midlands Interchange, for example, I mean, there the buildings were up to 30 metres in height, not the 24 and a half metres we have here, and that was a site in the green belt. So, so I do want the debate as to landscape impacts to sit within the relevant national policy context, because otherwise there's risk of an assumption of harm which isn't merited by that contact. But so, I just pass back to mr. Jackson and mr. Holmes if there's anything further they'd wish to add in that regard. mr.

Speaker 2

Jackson, for the applicant, just just two very quick points following up on the landscape character Matter. I mean, the majority of the the site area and the main site area does fall within the estate farmlands landscape character area, which is the one that I referred to earlier or before lunch. So that is well enclosed, or includes reference to being well well enclosed and well treed and and with with quite a preponderance of woodland, so the majority falls within that. It's only the the sort of northwest corner that is principally going to be green space anyway that falls within that more elevated sort of plateau landscape, and that's shown on just just for reference if you want to see the extents of the landscape character. So it's ES figure 7.5. I haven't got the app reference, but it's ES Figure 7.5. And what I would say, just on that, you know, I think certainly our approach using woodland, woodland belts, woodland blocks certainly fits comfortably with those characteristics of that estate farmlands landscape character area, and then also just quickly, just in terms of the the levels and the information on the levels, I believe that there's effectively what I refer to as an isopacite drawing, which sets out how the level how

how high the levels go up or down. I think there's. Again, I haven't got the reference, sir. But I believe we can let you have that in due course. But I think that's in the construction environmental management plan, sir. So again, in terms of looking at the levels, and then I suppose finally also just in terms of the levels, we also have the illustrative landscape cross sections, which again are taken from various points around the site, which show the relationship of the buildings, the floor areas, to the existing land levels as well. So, there's, there's, again, we can provide some more pointers or whatever. But, but I think there's quite a lot of information there that sets it all out.

Speaker 1

Okay, thank you.

Speaker 3

So, if I may, apologies, I don't want to. I don't want to labour the point and repeat the point, but it's clearly a really important matter that you've raised. I just want just want to add in, and I'm partly I am partly repeating what mr. Booth has already said, but clearly the NPS requires us to strike the appropriate balance here, and we talked about this yesterday. It requires us to maximise the economic benefits of this scheme whilst minimising the the harms, and that that is always a careful balance. And what we've tried to do and set out in the application documents is how we've gone about that balancing exercise. So we we don't see it as simply as can you just take some floor space away, and that will have less harm. It will have less harm in some rigour hubs, but it will also have less economic benefits. So we are we are in the application trying to seek to make the appropriate balance. And what we say is that the impacts of this scheme are appropriately managed and mitigated, and we think the impacts are acceptable and far and away outweighed by the economic benefits. Of this scheme, meeting those key policy tests of the NPS, we start with there is a compelling need for SRFIs throughout the country.

Speaker 1

Thank you. I was going to move on to mitigation because I think we'd started to sort of touch onto that, but I think at the corner of my eye, I saw mr. Broad possibly put his hand up.

Speaker 7

Thank you, sir. If you will allow me just a slight deviation in a sense, if this was just a group of warehouses that was being built in the Charwell area and not a strategic one, or next to the rail, it would be turned down under policy ESD 13, mainly because that says development will be expected to respect and enhance the local landscape character. It also says proposals will not be permitted if they would cause undue visual intrusion into the open countryside and be inconsistent with the local character, so those parts of policy SD 13 from Charwell should have made this not appear. But as I said, I was going off on a bit of a tangent because this is an SRFI, which is looked at in a slightly different way, but I was rather pleased that the applicant has provided me with the argument I was trying to make earlier. He was talking about when they were talking about landscaping, looking up from the site to the airfield, and the fact that the airfield, the end of the runway, you could well, I think unless there was an aeroplane on there, you wouldn't be able to see it. But it is right on the edge of the plateau, and on the other side, he stopped at the railway basically, and didn't go further east up the hill to look at the hill, the problem is not looking from the ground. I mean, he was talking about looking at this site from the south, for example, through the trees, and I still dispute that you could, you know, you'd still be able to see a 23-meter-high warehouse even looking through the trees, because unless you're in the forest, you know. But further back, you would see the roof of that over the top of the trees. Because I don't know any trees, even Leylandi, that never go that high. Looking from the north, and again, you've got to remember, you're looking from ground level, and you look south, you would definitely see a horizon that no longer is what it is at the moment, but would be shed roofs. And then you have to go up the hill to the new developments that are coming on the airfield site, and imagine

living up there. Now you're looking down, as he quite correctly said, into the valley, and that's really one of the big issues with this particular site. It is in a valley, so on both the west and the east, if you approach or look anything from those hills, you look down almost into a plan view of these these proposed developments, which means, of course, that there's nothing you can do to mitigate that, because it's the lay of the land. Which is why I kept saying you need to look at it in 3D, Not 2D, and I was I noticed that the CPRE in the document they have submitted to you already. We concur with the view given in the summary section of the response from Charwood District Council that for this SRFI, there is potential that collectively the sum of all the harms may outweigh the gains that may be forthcoming. To which I reiterate here. And when you were talking about whether it's significant harm or mild harm, I mean I used to find this really annoying on planning, because to me harm is harm. It's extremely difficult to try and decide whether it's some degree of it, but if, if as the applicant has already said, it is significant harm, that really is something to be taken into consideration in a valley site. Thank you.

Speaker 1

Thank you, mr. Broad. I wasn't going to ask the applicant to respond to any of those directly because, actually, I think that's probably moving into my next set of questions in terms of mitigation. Actually, I think so. I think it sort of takes us into that. But the applicant may choose to pick up some of the points that you made. But in terms of of mitigation. I think I think what would probably be held, and I've sort of got two aspects to this. One is the mitigation around the roadworks, etc. But I think perhaps if we could just start with the mitigation around the main site and sort of the landscape design rationale that sort of underpins that, and then perhaps we can then go onto the roads afterwards. But let's deal with the main site first,

Speaker 2

mr. Jackson, for the applicant, so, sir, in terms of mitigation, I mean, really, the vast majority of the sort of landscape and visual related mitigation is what what we refer to as embedded mitigation. So that's sort of designed into the into the scheme, and I would say it does take into account the sort of the the levels, the plateau levels, the levels of the buildings, the heights of the buildings, and and the mounding in particular. So I think it's that that combination of of matters that have shaped the way I feel as though the scheme has been mitigated and and assimilated in in into the landscape. So again, with the actual mitigation mounding that's around the perimeter, I mean, generally to the to the western side, we have a green corridor that varies between 50 and 120 metres down the down the boundary with the airfield. That allows us with both with lowering of land levels for the for the floor floor plate for the building, and also this mounding to provide significant visual screening of the simply the lower parts of the buildings. So any views from the airfield side will be certainly substantially screened. It will be the top parts of the building that are buildings that are visible in the in the early years certainly the lower level sort of activity surrounding the buildings the service yards the car parking areas and all those activities that are going going on around the within and around the development will be substantially screened. I think that's also the case on the eastern side, so a slightly narrower belt of, or a green corridor down the boundary with the B-430. Again, that's sort of 40 to 50 metres in width. So again, still significant. Again, still with some mitigation mounding and planting. So we've got we've got sort of mitigation mounding and planting down both the western and eastern sides. On the northern side, again, if there's some further mounding, probably less so because that's that's also coupled with the lowering or significant lowering of the land levels for the rail terminal. So the rail terminal is going to sit very low within that position. So, but again, there'll still be some mounding. I think again. So, again, just as a reference, the rail terminal area will sit at approximately, I think, 111 metres AOD. Like I say, up to 13 and a half metres below existing land levels. The proposed mounding on immediately north of that rail terminal will be up to a circa 127 metres. So again, there's almost 16 metres difference if you combine the lowering of the land levels with some mitigation mounding. There's also some noise mitigation on top of that. So certainly the rail terminal area, rail terminal area will be substantially visually screened from from the north and

from Ardley. So from Ardley, you won't see the activity at all within the rail terminal. The gantry cranes will sit at sort of 1:30. So again, the the combination of the mitigation mounding to the north of the terminal and the Ardley Wood and the existing woodland planting beyond, again will provide significant screening for properties in that direction. The area where there's more green space and it's probably more more natural in terms of the mitigation, mounding, and combination of that with woodland planting is towards the south. So on the southern side, where we've got the Hayford Park Link Road, we've got a very broad landscape swathe there. So we've got up to about 300 metres wide there of landscape proposals that will combine some mounding, a considerable amount of planting and other habitats, and and will also be be important in terms of providing an attractive landscape route for the Hayford Park Link Road in. So that was a key consideration there. So I think just in in terms of mitigation, it is it's a combination of you know it's not just the mounding.

Speaker 2

I mean, again, the the NPS makes it clear that mounding and lowering of land levels is one of those tools that you have in terms of landscape and visual matters in terms of mitigating a scheme. But I think it's we like to see it in a bit more of a an all round. Position aligning well with the levels of the the buildings, the heights of the buildings, what we wanted in terms of biodiversity net gain and other habitats.

Speaker 1

Okay, thank you. Just picking up on sort of the mounting and the aspects of the mounting. I think the S sort of identifies that in general they're probably going to be sort of steeper and slightly different to the slopes that you're going to get at the moment. And then certainly from our US side, it's clear that there are some quite sort of open views across the site, which the mounding is going to sort of sort of hide to a certain extent in terms of sort of removing that sort of openness and depth that perhaps you get. How's that sort of fed into so have the the mounds themselves been sort of assessed as new features within the landscape?

Speaker 2

Good question, sir. Sorry, mr. Jackson from from the applicant. Yeah, I think there's always a bit of a challenge with, particularly with mitigation mounding, and again, it's balancing a whole host of factors. We're keen to assimilate them as positively as we can do in the landscape. So again, we we've inevitably got some steeper slopes, just because we want we want to achieve the heights in certain places. So inevitably, there's some steeper slopes. They're generally on the inner-facing, inner side, sort of development-facing side of the any mounding mitigation. Generally, the outer slopes are much softer. Again, there will be some steep areas in places, but much more varied. So again, probably the outer slopes will vary from one in three to about one in 10. Again, the devil is often in the detail in terms of when you get to that sort of stage where approving all the earthwork proposals in terms of softening, rolling over the tops of mounds, softening the the toes of the slopes, and and adding a degree of variety to those slopes. So, again, I think we've got the again. There's a balance. You can't go put in in very soft, soft sloping mounds everywhere and achieve what you want to achieve in terms of heights, without possibly compromising significantly in terms of area. So, I think we've, again, as part of that design process, and I think we've struck the right balance, as I see it, from a landscape and visual perspective. I would say, just in comparative terms, we've probably got the. I think the size and scale of the mounds and probably the slopes on this scheme probably are less so than on some of the other SRFIs I've been involved with, sir. But yeah, I think it's a case of striking striking a balance, and I think we've got that variety there. And again, when it's coupled with the planting, certainly the planting once it begins to establish on the mounds makes a vast difference in terms of how they sit in the landscape.

Speaker 1

Thank you. Again, just sort of quick follow-up in terms of you mentioned about sort of the delivery. How how is the details of the mounding, etc. Excuse me, sort of controlled, and what's the mechanisms within the DCO would sort of enable those to be delivered to the discussions that we've had.

Speaker 2

I'm afraid I might pass the book here, sir.

Speaker 8

Laura Beth Hutton, for the applicants. So, requirement 11 in Schedule two of the DCO secures the provision of landscaping, so that landscaping can't no component of the development on the main site can can commence until a landscaping scheme for that component has been submitted and approved by the the local planning authority,

Speaker 1

and that includes the provision of the bunds and all that. As I saw, all in terms of landscaping, that includes the whole sort of plethora or everything that we've just been discussing.

Speaker 8

Laura Behrton, for the applicant, that's correct, sir. And the requirement goes on to state that the scheme has to be carried out in accordance with the parameters plan and also the habitat management and monitoring plan, and the bunds and the heights of the bunds are, of course, also on the parameters plan.

Speaker 1

Thank you, and I think I might see the answer. But in terms of the implementation of that, how does that sort of fit in, particularly with sort of the phasing that we spoke about? You may well have mentioned it yesterday. Apologies if I've

Speaker 8

Laura Betherson for the applicant. So the the phasing requirement, which is requirement four, sets out the the comp. Essentially, on the main site, and so then no component of the authorised development, and there's a list of what those components are, can commence until the phasing for that component has been submitted, and so the landscape works are listed as one of those components.

Speaker 3

Sorry, Ben Homes, on site, plan for the applicant. We discussed yesterday. We ran through the anticipated phasing of those, but but clearly that requirement requires those details to be submitted and agreed.

Speaker 1

Thank you. I've got nothing else on sort of the mitigation measures, but I was going to again see whether the council had anything that they particularly wanted to to raise in relation to the mitigation and what we've just discussed.

Speaker 9

Thank you, sir. Sean Fleet, Cherwell District Council. Just going back over requirement 11 for the landscaping landscaping works. Just mindful that in the opening paragraph there it also starts no component of the authorised development. On the final line, it actually goes must include details of all proposed soft landscaping works. Just double checking how that requirement includes the buns. I see on Part B it does include importation of materials, but it's a point of clarity. Thank you, sir.

Speaker 1

Thank you. Yeah, I think that'll be helpful just to clear that up.

Speaker 4

Sorry, apologies. Can I just add a section there as well? We'd also like to understand how this interacts with requirement 13, the earthworks requirement.

Speaker 8

Laura Bethanson for the applicant. So there's a series of requirements clearly dealing with components, different elements of the of the site. So the way that requirement four works is to set out what the components are. The following requirements then either refer to a part of the development or what is actually a defined term in in part two of schedule two, a component of the authorised development on the main site, which is those that are listed in in requirement four. So requirement 11 and 13, for example, which is the earthworks requirement, are talking about those components of the authorised development on the main site. So anything that is commenced of that list of components needs to be phased, approved, agreed, etc. in accordance with those relevant requirements. Going to the comment around the soft landscaping works, that the end of that requirement is talking about the scheme needing to be carried out in accordance with the parameters plan, the habitat management and monitoring plan, and in accordance with the landscaping principles established in the main site design approach document. So it's a number of things that the scheme needs to comply with, and the addition of the soft landscaping was to make sure that all of those things were captured, bunds specifically, I think, are listed in requirement nine, which is the long list of things that need to be approved in respect of detailed design, where the bunds fall within the component concerned. I hope that picks up whole points.

Speaker 1

It does. That's helpful for me, and I can I can see how that that sort of tracks through. Does that answer the questions that that the council had?

Speaker 5

Hi, Drum Breit from Oxfordshire County Council. Just a point of clarification. Just, I mean, I'm not. I haven't digested the DCO requirement document, so I forgive me if I ask something which is which is in there. But as I understand it, the DCO is seeking approval for the parameter plan, not for the illustrative master plan. Now, the parameter plan only shows the mounding; it doesn't indicate any planting. So, the DAD for the main site includes a you know includes some information on what the scheme should provide, including a design code with different elements, but they are-I mean-they all say the right things. But I see a difficulty that they are not actually firm enough to be to. To hold somebody into to account to meet those because it's it's quite vague in places. So I just wonder whether it can clarify some some of these you know alleviate some of these concerns. Yeah, yeah,

Speaker 1

the applicant could that be helpful.

Speaker 8

Thank you, Laura Beth Hudson, for the applicant. I think we would say that's a combination of requirements 11 and 12, which again, requirement 11, and I won't read it out, but it's it's got that sort of first paragraph that I've alluded to about the scheme needing to be carried out in accordance with various documents, which includes the design approach document. There's then a list of things that need to be covered, which does include location, number, species, size, layout, method, tree support,

plant protection measures, etc. etc. And requirement 12 then is specifically the habitat management and monitoring plan, which deals more with the ecological principles and green infrastructure.

Speaker 10

If I could come in, Andrew Cox, Chairwoman District Council. I think we're aware that there are some significant visual effects that are being mitigated by both bunds and the planting, and my question is around if there is mitigation critical planting, then shouldn't that actually be on the parameters plans, and shouldn't the LVIA go into sufficient detail to explain exactly where the bunds are performing that effect of mitigating otherwise significant effects? I think there's potentially a gap here because what we're really looking for are the design principles, and the dad is very good at explaining, I believe, a particular design solution. But there's an acknowledgement that the design may change, that the scheme may evolve differently within different parameters, and I just wonder how we can be sure the council that what is, if it's consented, what we get given, we can manage accordingly. Because what we're talking about is a significant volume of planting, and I would point out that the planting may actually have adverse effects that haven't been acknowledged in the LVIA, particularly because of planting on bunds and the difficulty actually implementing that. That's a known issue in the landscape.

Speaker 1

Thank you. I think there's probably quite a bit in in that, and I think it would be helpful. I think certainly that was a question that I had in terms of the landscape mitigation that we've discussed, with the fact that it is all an illustrative scheme. How might and could that change as we go forward, or are the principles fixed? And if they are fixed, you know, perhaps sort of responding and sort of giving the council some sort of clarity on how that works,

Speaker 8

Laura Bethusson. For the applicants, I think just start with the parameters plan, which fixes various elements of the development on the main site. That does include the bunding, but also the area which is fixed as landscape and green infrastructure, including the strategic mounding, drainage features, mixed habitats, and biodiversity enhancement. So that is fixed by the parameters plan. So the green that you see on that on that plan, which is document 2.5, is secured, and that area will not change. I think we then go to again, as I've said, the requirement itself secures the principles which are in the design approach document, but also ultimately need to be approved by the local planning authority. Sir

Speaker 3

Ben Holmes O'Shaughnessy plan. Just, just to briefly add that that sort of hierarchy of control parameters plan design approach document follows exactly the same hierarchy has been applied and consented and Implemented East Way, and actually we go we go further here. It's now a design approach document rather than rather than a DAS as it previously was, and the details set out are further here. And we've here got the habitats monitoring and and management plan, which which. Really controls the ecological enhancement, which is, which is hand in glove with the landscape mitigation because it it delivers those ecological enhancements.

Speaker 1

Does that help the council in terms of some of your questions and comments? I suspect a lot of this might well come through the the local impact report anyway, so we'll probably end up with the opportunity to sort of perhaps sort of perhaps opportunity is the wrong word, but we will revisit revisit things in in some shape or form. I suspect, but that might sort of help you in terms of of what you've got. In terms of just looking at the agenda, I had sort of various questions on photo montages. I'm proposing that I might drop those to written questions because my next set of questions is on residual impacts, which actually sort of seems to be where the conversation seems to be naturally flowing. So I don't

seem to want to interrupt to sort of ask a few sort of questions on montages now. So I think it sort of makes sense to sort of perhaps sort of move on to residual effects. But before I do, I see mr. Broad has his hand

Speaker 7

up. Thank you to John Broad, CPRE. Just in the interest of reducing carbon, if it's not already written in, can the applicant, if this is approved, applicant build the buns from the site, so reducing the amount of material taken off site and then brought back on, so they use the material that they dig out for the foundations, for example, to build the buns, and then they can use the wonderful topsoil that they're going to destroy, put it on top of the buns as well. Thank you.

Speaker 1

The applicant may wish to may wish to respond to that, I suspect.

Speaker 3

Well, very quickly, Ben Holmes, oxides planning. The aim absolutely is for an earthworks balance on across the side. No, no import or export of material.

Speaker 1

Thank you. Okay, in terms of then sort of my my next set of questions, really on sort of residual effects, and it's really to do with the the woodland and the trees that are proposed. And I think you've been sort of suggesting metres sort of heights between seven to 10 metres after about 15 years seems to be what I what I've read. And I suppose really sort of what is the assumptions that this will definitely be achieved? You know, species, soil conditions, exposure, planting density-all those sort of variables. How certain can you be that those sort of measures and metres will be achieved, given you're obviously relying on that to offset your sort of final sort of assessments,

Speaker 2

mr. Jackson, for the applicant? Well, you've certainly picked up on the variables there, sir. I mean, I mean that's what that's what it will ultimately come down to. Is will be you know it'll be the soils management strategy how how that sort of how the soils are placed and and cultivated and making sure that we've got the right species in the right locations. I mean again everything there's nothing to suggest that that isn't possible or shouldn't happen. I mean and certainly the heights we're talking about, I think on the montages. I think we we tend to model on bunds, typically seven to nine. The 10 metre, I think we probably mentioned 10 metres. I think sometimes we we we're slightly more cautious, aren't with the the bunding. And again, that's that's based upon experience of other of other bunds in the past, and planting sometimes it can take a little while to to establish the early years. But again, that is you know that's a fairly robust and appropriate sort of height levels for the sort of planting that we're proposing in terms of native species and a an appropriate mix of native species. Again, it will be critical that the ground conditions are right, that the soils are right, and that we've got the right plants and they're well maintained afterwards. But there's nothing to say that that shouldn't happen here.

Speaker 1

So, sort of on that 15-year sort of period. Have you sort of assumed 100% success rate or a 90% in terms of your in terms of your assessments?

Speaker 2

Yeah, mr. Jackson for the applicant. I mean, just in terms of the, we wouldn't assume 100% success rate. I mean, again, but we would expect the initial probably five years to include for replacement planting. So anything that is dead, dying would be replaced maybe after, maybe after the first five

years. You may you may take a view because if certain species are establishing well, whether you need to replace all the plants at that stage. So I would imagine as part of the management and monitoring proposals, there will be review stages. But certainly in the early years, anything that is dead or dying, you'd look to replace, and you'd probably want to know why you're replacing it, why it's dead or dying as well.

Speaker 1

So just that sort of, because one of the other questions was sort of whether you've looked at that. But what you're saying is that within that sort of five years, the monitoring would sort of just look at whether plants have sort of not become established or need further supplementation to to make them grow bigger or whatever it might be, or to. To replace ones that have not necessarily taken in the way you expected.

Speaker 2

Yeah, I mean, first and foremost, you want to get the right species, the right right species in the right places. I think if you then find that you've got some casualties again for for for reasons that you're not aware of, then I think you'd need to investigate. You know, sometimes it can be the whole host of reasons in terms of maintenance or aspect or you know drainage or whatever. So ordinarily, if you get the species right in the first place and the soils are all prepared well and then they're looked after well, it should be fine. But equally, you know, in my experience, you do end up with casualties. And again, providing they're manageable, and yeah, they're replaced in the early years.

Speaker 1

Thank you. I've just got one final question, but before I do, is there anything the applicant or anybody else has in terms of that sort of mitigation and the residual effects and how that would be brought forward?

Speaker 4

Yeah, George, getting the Oxford Council. I'll hand over to mr. Cox,

Speaker 10

Andrew Cox from Cambridge Children District Council. My question was around year 15 being a sort of single point in time, and there may be no single scheme-wide year 15 because the construction and habitat creation are phased. Hence, what I would have thought is more important is the actual age of the planting when the residual effect is assessed. Year 15 should be measured from installation of the planting parcel relied upon by the specific receptor, not from commencement of unrelated phase. And if buildings can be occupied before associated mitigation is installed or effective, the significant effect may continue for the construction period plus the further establishment period.

Speaker 2

mr. Jackson, the applicant. Yeah, I mean, in terms of the photo montage work and the residual effects we've done, I mean, essentially we have had sort of based that upon 15 years post planting. So it's 15 years. Once that planting has happened, if some of the buildings have occurred earlier without the planting, I mean, sometimes buildings will occur, sometimes before, sometimes afterwards. I think, in terms of providing a fair assessment, that's the basis that we've gone with as we've gone elsewhere. I mean, we've drawn upon the phasing plan, so we know which bunds are in when and what buildings are likely to be in at that stage. But essentially, in terms of what you see for the montages, it will show 15 years of planting growth as opposed to 15 years from either the building or anything else being in position.

Speaker 1

Okay, thank you. My sort of final question was really actually to sort of move away from. I know we've done a lot of talk on the main site, but we've really sort of not really spoken about a lot of the other developments, which, as we heard, just there are sort of ends up in their own right. So, in terms of those elements, and that I mean by the the works to the M40, the various relief roads, etc. What what are the perceived landscape indications of those at 15 years?

Speaker 2

Well, in in landscape terms, I think we we don't see them being significant effects. Again, I haven't got the the judgments in front of me, but I think in relation to the Junction 10 works. and probably the idly bypass. I think again the residual effects. I would imagine we're sort of minor, moderate, or moderate adverse effect. I think what we've done with both the junction works and the sort of the various sort of road links and the idly bypasses, we have looked closely at those in terms of the landscape treatments. So they're generally all in broad landscape corridors. We've got again we've got mitigation mounding where it is beneficial. So again, with the Ardley bypass, we've got that on the Ardley side of the of the Ardley bypass. So again, that will be very effective in terms of screening views from the nearest properties. That will probably have the double benefit of also screening views beyond to the to the motorway, the M40. So again, so in terms of the Ardley Bypass, again broad green corridor, we've got woodland planting. We've got a mix of habitats, but we've got woodland planting and hedgerows. I think in terms of the Middletonstonely relief road, again we've looked closely at that in terms of how that sits in the landscape, because again we've got some mitigation mounding woodland planting to both knit the road corridor into the existing landscape fabric. So where we've got existing woodland along the the Gaggie Brook, we've got new woodland planting that you know begins to tie that corridor in. So again, in terms of. Avoiding just straight continuous strips, we've tried to knit together some of the existing woodland with proposed woodland associated with the hedgerows and the road corridors. So again, they've been closely looked at in the same way that the main site has.

Speaker 1

Thank you. That was all the questions I had in terms of landscape matters. I think I suddenly saw mr. Nostrand's hand go up. I wasn't sure mr. Broad sort of put his hand up, but mr. Nostrand, if you could go first, and then we'll get.

Speaker 11

Thank you very much. I'd like to comment on the point about photo montages and visualisations, if that's all right. So the applicant has produced a number of visualisations of the likely impact of the warehouses. That is document APP 255, and those documents tend to show a quite wide view of of the site from quite some distance away, and I'd like to highlight that one area that seems to be completely overlooked in those visualisations is the Artley to Hayford bridleway. There is a bridleway that starts at Artley Station, crosses a stream, then across some some fields, another stream, and then over to Hayford. And just to give the examining authority a sort of an idea of what that looks like today, it's it's beautiful agricultural land. You've got a little forest here, a little wooded area that is home to some some deer that you can see on certain days. These photos I took them just a few a few weeks back, and you can see the the sheep here grazing all all visible from the from from that footpath. Also, some very beautiful individual trees in the in the landscape here, that are a prominent feature of this area, and we really don't have any visualisations of what that area would look like with the proposed warehouse development. We we do have this illustration that was produced by by Mount Park, but I think it would be helpful to maybe have a close-up view of what that would look like for someone who today is walking on the bridleway between Hayford and Ardley. What would they be seeing in in the future when they were walking on that distance? So, so that's my I guess my question to the to the applicant whether that they would be able to produce some visualisations of what that looks like, and just before

the applicant responds to that, perhaps if I could request that if mr. Booth would refrain from making any further personal attacks and instead focus on the subject matter of the hearing, that would be helpful. Thank you.

Speaker 1

Okay. In terms of the montages, I think there are additional montages potentially being additional ones being prepared, which I think the council requested in their relevant reps. I think, which was going to be my question actually, which and from where? Those montages that are in the application, I suspect, have already been agreed with the council between. So those locations were identified. So there's been a discussion going on. So I'm sort of answering for the applicant here, but I'm explaining sort of our understanding of the position. There may be more that the applicant wants to sort of add at this point.

Speaker 6

Sir, very briefly, yes. I mean essentially the position is that both, as regards the photo montages and viewpoints already before the examination, and as regards the new ones, those have all been the subject of agreement with the authorities. I mean, in terms of the particular bridal way, the Ardley Hayford Bridleway. I think I'm going to pass to mr. Jackson on that one.

Speaker 2

Yes. So just very quickly on that one, that's the Bridleway that crosses through the main site. So at the moment it crosses through the main site. Clearly, that's going to be diverted around the site. So there won't be effectively a view from that route because it's being diverted around the western side of the site, beyond the on the airfield side of the perimeter bunding. So again, I mean it isn't appropriate to do a montage from a route that's being diverted.

Speaker 1

Okay, that that's fine. What I think I probably can say is I think that location is probably on our list to want to do as an access required site visit because we've not been through the site because I think we had a little bit difficulty figuring out how to get in through that bridleway. So that is a location we will look at as opposed to perhaps needing a montage. But we will make sure as an ASA whether that's part of the the airside whether that's something we do as an accompanied route. Perhaps a little bit of guidance from the applicant as to how and where we can access all of that. Perhaps yourself, then we can we can do that, and then we can observe, in effect, what you've been you've been highlighting to us.

Speaker 11

Absolutely, and just in terms of the access difficulties, for unknown reasons, I think some of the some of these difficulties are that for unknown reasons, the landowner has chosen to permanently disable some of the gates along the the bridleway. This has previously been reported to the council and also is found on the the appropriate council portal. But unfortunately, it has not yet yet been resolved. And so, so walking on this bridleway involves crawling over these gates that have been permanently blocked off by the landowner, so that that is a difficulty that may encounter. Okay.

Speaker 1

Well, it may be there are alternative ways in if we're looking at central hub location, and we can walk it through and connect to it somehow. But I'm sure we can, in discussion with that. I think we'd be keen to see those locations. Thank you for that, mr. Broad.

Speaker 7

Thank you, sir, John Broad, CPRE. I was just going to-I think this is probably already covered. You, in the previous discussion, you were talking about the planting of trees, and you were sort of skirting round the maintenance, and it just crossed my mind, especially when it was mentioned about doing maintenance of the trees from the moment of planting, and I wondered what the contract is that the applicant will set up in order to replace any trees or whatever that's been planted if it dies and a replacement is put in place, so I presume there is some sort of maintenance contract within the documents, but I bet it's not along the lines of what Charwell Council just said, which is it starts, it goes for a period, but it starts from the moment when the thing is planted, and I wondered whether that would also include, if it was a replacement, does the time start then from the replacement as well?

Speaker 1

Thank you, mr. Broad. I think the answer is probably within some of the wording of the requirements, but perhaps the applicant might be able to just just to clarify that.

Speaker 8

Thank you, Laura Beth Hutton, for the applicant. Yes, that's right. This is covered by requirement 12, which is the habitat management and monitoring plan and biodiversity net gain, which secures the ongoing management and maintenance of the green infrastructure. And I believe it has a management period of 30 years.

Speaker 1

Thank you. Well, if that's the case, I have nothing further on on landscape. So that

Speaker 7

sorry, sir, John Broad CPR. I notice there's also mentioned lighting in this heading.

Speaker 1

Yes, that's right. We have no questions at this stage. Apologies on on lighting, but there are some questions that we'll be posing in our written questions about lighting and the implications of that.

Speaker 7

If I could just throw in a quick one, I mean, obviously the the lighting will be tried to be interesting. Thank you. I appreciate that.

Speaker 1

I think we'll stop that. I'm not just throwing in a quick question. I think our questions are quite well thought through and whatever. So I'd like to. I'm looking at the clo. We probably do need to switch as long as we could.

Speaker 7

Just a quick point. Can the lighting be 2,000 kelvin lighting for bird life? Again, so

Speaker 1

that's noted. That's on the recording. We can we can take we can check our questions when we pose those in terms of our written questions next week. So I think that brings to the end landscape and visual matters. Just confuse here, looking into a little bit more on everybody else in the room. I understand that the representative from the council may need to disappear at 4o'clock. Who's dealing with minerals and waste? I think we were hoping we might be a little bit further on the agenda, so it wouldn't need to come to this.

Speaker 4

Apologies, it was it was ground contamination.

Speaker 1

Ground contamination. There we go. Right. Apologies. So that's groundwater matters. Okay. If that's the case, then what I suggest is that perhaps we don't do socioeconomics at this stage. We bring up the groundwater side of things. If that if that's okay with the applicant, just so that we can make sure we got the representative from from the council here, and I think we've still got the environment agency online, who I know wanted to to speak on that as well. So I think that's mr. Hazel. Thank you for for your patience in getting to that, mr. Booth. Is is that okay if we rejig the agenda just yet to make that work for personnel?

Speaker 6

Sorry, I'm just staring into the void now. I can't see anything in the sun, but I'm. We'll move the people to my right, and we'll make sure that we can speak to groundwater now. If you just give us a couple of minutes.

Speaker 12

Sorry, I'll just undo my. It's okay. If you can do about half past three, that'd be great. Because then we can have a natural break. Yeah, sure. So I'm undoing my swat round.

Speaker 1

Okay. Yeah, we never think maybe if it comes to bloody government new business. I think we're all ready. I think everybody's got their necessary experts in place. Okay, that's the case. We'll move on to to what is now well groundwater item. I've gone three point whatever number it might well be now. So over to you, mr. Rigby.

Speaker 12

Thank you. So we're now at item. Can everybody hear me? I can hardly hear anything coming through this microphone. Thank you. We're now going on to item 3.4, which is groundwater, and we have questions to ask about PFAS chemicals, sometimes referred to as forever chemicals. PFAS being short for per and polyfluoroalkyl substances. Assess. of the impacts of PFAS chemicals in watercourses and groundwater, remediation of known contamination and the mechanisms to secure this, groundwater monitoring and remediation, and pollution prevention measures. So relevant documents are the Chartered District Council relevant representation, which is RR024, the Environment Agency relevant representation, which is RR042, Chapter 11 of the Environmental Statement, which is APP179, the Construction Environment Management Plan, which is App 189. There's also the applicant's responses to the representations from Charlemagne District Council, Environment Agency, and Oxfordshire County Council, which is at PDA009. We may possibly refer to the draft development consent order, which is APP139, and the last relevant document I have down is the applicant's comments on relevant representations from individuals about PFAS and the applicant's response, which is document 9.1, Part Two, Paragraph 2.44, which is in PDA 007. So, I've got down Charwell District Council, Sean Fleet wishing to speak, Environment Agency, Alex Hazel, Susie Bates and I think it's Sean Sean Holland, and also Greg Elphick representing mrs. Charlotte Harris for the Gallos Brook Group. The here, thank you very much, sir. And I also had down a lady called Kelly Holden White representing the North Oxfordshire Residents Association is she with us? No. Right. Okay. Fine. Thanks. So, firstly, to Charwell District Council, I have a question. In paragraphs of 311.2 to 311.7 of the representation, Charwell District Council refers to recent developments in relation to PFAS chemicals and the possible need for a wider examination of the impacts of PFAS chemicals. And I quote: "There is, though, a new issue regarding the potential existence of forever chemicals. It's been noted that levels of PFAS,

commonly known as forever chemicals, have been recorded in some of the surrounding watercourses. The full impacts of these readings are under investigation, and the council is actively seeking to establish full details of where PFAS chemicals may be found and what, if any, imp. There may be as a starting point for this work. The council is taking a precautionary approach on sites in the general area currently under consideration. And finally, the council is not identifying the application site as an origin point of the chemicals, but using source path receptor modelling, the council is mindful that the application site, to some as yet unknown level, may factor into any wider examination of the impacts from PFAS chemicals. So, if you could articulate your current position and concerns you may have on this subject, please.

Speaker 9

Thank you, sir. Sean Fleet, Cherwell District Council. I have with me my colleagues Tony Brummell. Tony,

Speaker 12

sorry, can you speak close to the mic? Yes.

Speaker 9

I have here with me my colleagues Tony Brummell and Neil Whitten, who specialise in these matters of drainage and the contamination points. So, if I may pass over firstly to Neil to talk on the PFAS point. Thank you.

Speaker 13

Hello, Neil Whitten, Choa District Council Environmental Protection Enforcement Manager. PFAS in the Upper Heyford area is a was well. I think at the time when the reference to the document that you mentioned, it was still very much an emerging issue, and we have raised representations on such to the applicants who have provided a further report, which I believe you should probably have seen with regards to PFAS on site. Is that right? Okay. Ah. Okay. So we received one in. That's the emerging one that they're working on the issue. Okay. So yeah. So we are aware that they are working on the issue with regards to PFAS at the site. Sorry, just to clarify the question: Did you just want a general explanation of the PFAS in the area, or

Speaker 12

I just wanted to know whether things have moved on since your representation? Yes. What if you have any particular concerns other than awareness of the issue,

Speaker 13

with regard to the levels of PFAS at the site and the end users and the end point, I believe it is going to be a low risk or a negligible because, from what I've gathered from further testing, the levels are lower, and it won't be a long-term exposure to those on site. It's not a residential site, so it is a much lower risk area for regards to PFAS.

Speaker 12

So, if you could perhaps say, what do you think the way forward is in relation to the proposed development, and what additional information do you think is needed?

Speaker 13

I believe that the applicants are working further at the moment to provide us with more information with regards to reports and possible remediation that might be required on the site, so I couldn't. I think the site can be remediated. There is remediate to to resolve that and other contamination issues that may

be present on site. But I think there is. I think it's a draft report. So there is. Yeah, can you pick up? Sorry.

Speaker 9

Certainly, if I can, Sean Fleet, Cherwell, District Council. It's certainly something that.

Speaker 12

Can you speak up, please? Sorry, I can't hear

Speaker 9

you. Yeah, I move the box a bit closer. It's certainly an issue that we've become aware of in the last few months, and it's publicly acknowledged that there is this matter of PFAS within the wider environment around Hayford, the site, Ardley. This sort of unknown area is under consideration, so it's there are thoughts around where it originates, and a lot of focus is on past activities in the surrounding area, we have raised that with the applicants and said, can they look into the site? Can they actually start to see what are the specifics of what's coming into and being affected within the SFRI site? And they have engaged with us on this, so they are talking to us. They are undertaking the appropriate surveys, and it is an evolving piece of work which is live at this time. So we've had sort of indications coming through from the applicants that the scale and magnitude of the problem is one that we believe we can work towards a solution on this, but the detail. Of that solution, what does it specifically mean in terms of the treatment measures, the mechanisms for stopping ingress of any pollution, controlling anything that's come off-site, dealing with anything that's within the site? That is the live discussion that we are currently going through. So it would be premature at the moment, for the authority to say we have agreed something, it will be this. The magnitude is that. We aren't at that point where we can sort of quantify things that agree. We do believe, though, that through the process of the examination over the next six months, this is something where there is a will to sort of focus on this, and we think we can make substantive progress. And during the examination deadline periods, we think we can reach a point where we can actually have a methodology in place that can probably be secured through the requirements, if necessary, and actually facilitate the development. If this is something that the examining board wish to recommend. Thank you.

Speaker 12

Thank you very much. Before I go to the applicant and to other parties, I'd like to put questions to the Environment Agency, please, and I think we can hoover up the responses altogether. So, to the Environment Agency, in your relevant representation, you say that the groundwater monitoring plan lacks detail, and you refer to the lack of a clear mechanism to secure remediation of known contamination. And in your relevant rep, you also express concern about a lack of consistency and clarity regarding groundwater effects, which have been considered in the assessments. Presumably, that's residual effects following the assessments of the impacts, groundwater de-watering, and pollution prevention methods. That there isn't enough detail there. So, would you care to follow up on that, please, and comment?

Speaker 14

Cesar Bateson for the Environment Agency. I think there are quite a lot of points to consider there. So, perhaps if I start with the PFAS, if that's okay. The applicant has acknowledged in their document PDA 009 that ground investigations undertaken to date have informed the preliminary assessment, and that further targeted investigations are required. And we may come on to discuss that later on on the agenda. However, PFAS or related contaminants are identified during any future ground investigations at the site, we would require the applicant to commit to a review of the conceptual site model and to reassess the potential risks from PFAS to future site users and the environment. If required, they would

need to commit to further mitigation or remediation, if an active pollutant linkage is identified, the excavation and movement of the large or material will be carried out under an environmental permit, which will come with its own monitoring requirements. So, following the submission of the this document PDA 009, the applicant has, where the applicant has explained about the groundwater monitoring strategy. I'm now comfortable with what has been proposed because that will relate only to the linkages from the new development, and a robust groundwater monitoring and leachate monitoring plan will be part of the environmental permit. It may be that if PFAS is or or related contaminants are identified during the future investigations, the applicant would probably like to assess whether the source is from an off-site source, and we can discuss this with the applicant in terms of whether remediation is required. We do note that the conceptual site model presented in phase the phase two geo environmental assessment, which is at 289, should be revisited as some of the potential linkages in the conceptual site model include PFAS and related contaminants, but has not included testing of these contaminants yet. I think the discussion on the conceptual site model comes up a bit later on in the agenda. I don't have the information about the new issue relating to PFAS chemicals in watercourses surrounding a site that's been mentioned by Cherwell District Council, as it seems to have come to light fairly recently. But I'm happy to liaise with them if that would be helpful to get a clearer understanding of the. Local issues and reply with the written response in due course.

Speaker 12

Thank you. I think that would be helpful if we can get some coordination on this. Thank you very much. I'll now hear Greg Alfick representing mrs. Charlotte Harris for the Gallusbrook Group about PFAS contamination. Thank you.

Speaker 15

Thank you very much. I'm here to speak for the Gallusbrook Collective. We're local residents, Upper Heyford, Lower Hayford, and I'm personally a resident of Steepleston, very close to the Upper Heyford Air Base, Format Air Base, and a proposed development site, our concern was raised sometime in April 26 when we became aware of very high levels of contamination with PFAS in test results released by the Environment Agency, and that concerned us in terms of other developments, not necessarily just this one. As a result of believing that further testing was required, we were trying to encourage that to be taken place by the Environment Agency, CDC, and anyone else responsible for the area. We felt that that was probably a little bit tardy, so the Gallusbrook Collective has done some crowdfunding and has commissioned a lot of groundwater and soil testing in the periphery of the Upper Heyford site. And in due course, it would be the intention of the Gallisbrook Group to submit a wealth of documentary evidence, including the testing that we commissioned, hydrology reports, and other sort of collations of research for the medical harm that PFAS may be causing in the future. I was a little bit perturbed by the description of the risk being low. We. we think our test results, which have been the highest recorded anywhere in either soil or watercourses, the highest in the country, are a great cause for concern. And because the Upper Hayford Plateau feeds various watercourses and the aquifer below, as it goes downhill with gravity, the adjoining site for the OXSRFI is going to be affected as well. So we would be asking the examination authority to be very clear about what level of testing, where, and what those results will mean in due course, and if necessary, the applicant to put in appropriate remediation. So that's our position.

Speaker 12

Thank you very much.

Speaker 1

Yes, sorry. Just just a quick question referred to submission of additional information, do you know? Do you know when? Only reason being is, of course, once you submit that to us, it'll give the applicant the

opportunity to comment, the council the opportunity to comment. So we get we get sort of comments on on that information and your position. That comes in too late, then we we don't really get that opportunity. So if you know when that will come in, that will be helpful.

Speaker 15

We've got a number of reports to work with already, and I brought with me a presentation which I think was far too long for this audience, which will be part of the bundle. So, in a matter of weeks, certainly, probably by mid-October, we would have our very first round of documents with you. Hopefully,

Speaker 1

okay. What I'd urge you to do is have a look at our Rule Six letter, which has got the timetable in, and deadline one is the 13th of October. Thank you. Yes, I've got too many deadlines in my mind. 13th October. So if you could submit it at that, that will be enormously helpful to us, and I think I suspect to the applicants and other parties as well.

Speaker 15

Yes, undertake to do that.

Speaker 1

Thank you.

Speaker 12

Thank you. So if I could ask the applicant to respond to the three submissions you've heard, please.

Speaker 6

Thank you, Sir Alexander Booth, on behalf of the applicant. Well, yes, I think we can try and draw some of those strands together. In the first instance, I'm going to look to mr. Harley, sat to my right, who will address the question of PE first.

Speaker 16

Thank you, Miss Booth. Thank you, sir. Yes, so hopefully, can shed some light on on much of what you just heard, and following up in almost in the wrong order from what mr. Fleet said opposite. So the applicant clearly aware of the local context regarding PFAS, which was raised through a number of relevant representations, which you all have seen, sir, and which you've you've heard about from other interested parties, and and has formed a topic of discussion, as mr. Fleet says, in our in our regular meetings with both Oxfordshire County Council and Sherwell. So, PFAS is a relatively new but increasingly common issue, and and that's not just here; that's that's everywhere, and. Clearly, an issue of some local interest and concern, and you'll have picked up on that in relevant reps, and you'll have seen our responses. We are aware of the data produced by the Gallusbrook campaign and the data released by the EA, and all of that's clearly relevant to the local context. But it's important to stress that's relating to off-site water sources and other sampling locations, but clearly relevant to the context, and as has been mentioned by others around the table, that PFAS contamination has been recorded at significant elevated concentrations in the Gallus Brook and its tributaries, and they lie west of our site, so they are off site and they are to the west of our site. There's a consensus, and I don't think it's controversial to say this, sir, but it's a consensus that it's the historic activities on the former airfield which are the source of PFAS locally, and that being found in the local environment, particularly where there are pathways from a fire pit training area on that site or on the former site, which will have seen regular regular use of firefighting foams, and and those foams are one of the many products that include PFAS products and forever chemicals, as they're known. And I won't be attempting the full the full version, so it's PFAS as far as as far as I'm concerned. So over the summer this year, in in that

context, and partly in response to conversations with the local authorities, the applicant has undertaken surface water and groundwater monitoring on our site, so we can now add to the wider understanding and data, which we will do. So I'll explain when and how shortly. I can confirm PFAS has been detected in the surface water on site, albeit at much much lower concentrations than those seen in the very high levels at the Gallusbrook. And I can give you some comparative data, and I hesitate to read numbers out, sir, in this format, but I think I will because I think it's instructive to just the differences that we're talking about. So on our site, sampling over this this summer, we've recorded the. This is I'm referring here to the maximum total PFAS concentrations at the samples found. So the highest concentration we found on our site was 0.39 micrograms. For context, and I had to look this up, sir. You may know, so apologies. A microgram is 1,000,000th of a gramme, just for just for context. So we're at 0.39 micrograms. The EA data, and I assume I'm referring to the same EA data that colleague across the room was. They they their data showed 2.296 micrograms per litre, so we're at 0.39. That data showed 2.29, and the Gallus Brooks data, and I'll be corrected if I'm wrong, showed extraordinary levels at 42, and between 42 and 43 micrograms per litre. So 0.39 as compared to 42 or 43. So the highest concentrations on our sites, to save you the quick maths, are over 100 times lower than the highest level seen seen in the Gallus Brooks. So there's there's clearly a difference, but PFAS is present, and we we now have data which we can submit, and as I'll come on to how and how we intend to do that shortly. Groundwater testing has found only trace levels at some locations from within our site, and then many locations actually no PFAS at all was detected in the groundwater. So it's primarily a surface water thing on our site. So it's clear that PFAS on site are considerably lower order than those levels seen in the wider vicinity, and our conclusions. And I'm so as you'll have appreciated from yesterday.

Speaker 16

I'm a planner, but my engineer colleague is with me. So, to the extent you need more technical information, that's available today. But just to say that that difference is a consequence of just different hydrological pathways and relationships between our site and the watercourses that feed it, and other parts of the vicinity and other watercourses. So the levels seen represent a negligible risk in our assessment to human health, and present no increased risk to control waters. In terms of mitigation, and I've nearly finished here, the mitigation for this now known contamination is essentially the same as we would undertake for other forms of contamination. So our submitted application already makes provision for remediation of any contamination encountered, relying on a range of standard assessment, risk assessment, management, and remediation or mitigation methods to either treat or remove Contaminated material, and with appropriate standard, similar solutions and approaches, the mitigation measures that we can secure through the Kemp would equally deal with PFAS. So, in that regard, the presence of PFAS, while not to be ignored, clearly has no material implications for our proposal in terms of construction or operation, nor for environmental or human receptors on site or off site. So, the application has prepared a technical note. The council has seen a copy of that technical note. We shared it with them in the spirit of the collaborative work we're doing generally with the councils. But I appreciate you having. So our intention, as as referred to in our covering letter, is to submit that that works subsumed into an updated ES Chapter 11, and it may may well include a new appendix, but essentially a new an updated ES chapter which incorporates the PFAS evidence. So that will be before you and and the wider examination. That's all I wish to say, sir. But thank

Speaker 12

you very much. That's great. I just have one quick question: Is this issue similar to the asbestos issue, where it gets worse when you move things? Is it are figures likely to change when you're moving excavators and machinery and all that kind of stuff around and mixing things up? I think my colleague mr. Robinson will help you with that one, sir. Thank you.

Speaker 17

With PFAS, Richard Robinson, on behalf of the applicant, with PFAS, the pathways are still being more and more understood at the moment, but it's very different to asbestos. This is more of an environmental risk than an airborne risk.

Speaker 12

I understand that. I was just thinking about the disturbance factor, because at the moment we're talking about readings that you're taking in a relatively stable environment. But once you get building, it's not going to be like that, is it?

Speaker 6

Can I just perhaps jump in there, and I'll be put right if I'm wrong by either Mr. Robinson or Mr. Harley. I think the consideration or the anticipation is that the PFAS is—it's not on our site. It's not generated by our site, and so any works that we undertake on our site are not anticipated to materially increase any sort of risk or difficulty, because, as Mr. Harley's been identifying, as matters currently stand, we're seeing very low levels, and some cases trace or nil levels, and then 0.39 being the largest. So there's not much to disturb. We don't think. Fair, Mr. Harley.

Speaker 12

Thanks. Will you be able to make that in your posterior submissions? Yes, I can

Speaker 6

recall that in the pressing segment. But if there's anything further, I'm say I'm not the engineer. Mr. Robinson is the engineer. No, that's fine. Confirm that.

Speaker 17

There's an element of it that will be free in the water flowing through site, and some will soar up to silt in the rivers. But we will consider both of those and how they will be dealt with in for what's needed for the development.

Speaker 12

Thanks very much. Great time.

Speaker 1

I think that's probably a good time for us to take a break. However, before we do, just can have a little chat amongst ourselves to decide what we're going to come back to on the agenda. Given we've gone round in circles, just so that everybody's clear what we're going to discuss, and it doesn't come as a surprise to everybody.

Speaker 11

Could I make one comment on PFAS?

Speaker 1

Of course. Sorry. Yes. I think I can.

Speaker 11

Thank you. So my name is Philip Nostrand, and I am the founder of the Stop the Trojan Horse Community Group. And on the topic of PFAS. I just wanted to point out specifically that the national network's national policy statement requires environmental risks to be probably understood before consent is granted, and it's not something that needs that can be left to be discovered after major

earthworks have begun. Now, the applicant claims that PFAS levels on the site are, and I quote, considerably lower than some of the levels known to have been found at other sites, but we still don't have the underlying contamination mapping. We don't know what that means for construction. We don't know what it means for groundwater. We don't know what it means for surface water risks, so and I just wanted to build on the work that the Gallesbrook Community Group has done. The group has actually submitted a legal opinion to the local council regarding some developments very nearby that addresses this topic of PFAS contamination specifically, and it points out four things that must be present. One is a PFAS baseline survey, and I understand you're working on that. Then there must be contamination mapping, pathway analysis, and a clear mitigation strategy. And essentially, the conclusion is that these matters cannot just be deferred until after planning permission has been granted. The proposal involves extensive earthworks, drainage infrastructure, ground disturbance across a very large site, and it has two streams, as we discussed before, draining from the airbase area that is known to be contaminated, so obviously the groundworks could mobilise PFAS into groundwater or surface waters. So our position is that the applicant has not provided sufficient baseline evidence for the examining authority to conclude that PFAS risks at the site have been identified, that they've mapped and mitigated before consent is granted. So I invite the examining authority to conclude that the environmental assessment required for development consent has not been satisfactorily completed at this time.

Speaker 12

Thank you. I presume you'll include this in your submissions. Yeah. Thanks very much indeed. Thank you.

Speaker 15

Yes, I mean rather bold statement to say that the contamination comes on from elsewhere.

Speaker 12

Sorry, could you give your name, please?

Speaker 15

Sorry, Greg Elphick for the Gallesbrook Group. The statement that the contamination comes from elsewhere is probably valid. I would suggest, but the mechanism might not necessarily be just by watercourses. The fire retardant foam that was used on the airbase was dispersed over a massive fire pit, which created aerosol plumes, which has the capacity to travel very many kilometres. So there could be large unknown quantities on the soil depositions for up to 10 kilometres around the Upper Haveford Air Base, so we would contend that you should be doing soil tests as well as the water course testing. But when I was listening earlier to the sheer scale of the earthworks to sink the railhead, you're going down into the water table, I would imagine, if not getting very close to the underlying aquifer, and we don't know what's going on at those levels at the moment. So we would be reassured more if the testing included all aspects of potential contamination and boreholes down into the aquifer to see what is actually going on underneath the development site. Thank you.

Speaker 12

Would you care to respond briefly for the applicant?

Speaker 6

So I suppose we've heard from two individuals. I'm not really sure that it's appropriate for me to respond on the hoof to that. I think, to the extent that the applicant, well, firstly, it's not accepted, and indeed it's not suggested by the authorities that what the applicant is doing is in any way deficient. But I mean, obviously, this is a matter that we take seriously, as Mr. Harley has identified. What we've done

is to undertake preliminary analysis, and that has identified the very low levels that we're talking about what we can certainly commit to is the fact that we will be undertaking further analysis, and we're going to liaise with the relevant authorities and also with the Environment Agency, and ensure that the approach that we adopt is the correct one. But I wouldn't want to get into the specifics of it now.

Speaker 12

Thank you.

Speaker 6

Thanks. Okay. I think, in fact, actually, Richard, Richard, mr. Robinson is going to come back briefly on those matters.

Speaker 17

Yeah, just come further to that. We've done extensive ground investigation across the site, which is typical for a development like this. We've sunk boreholes, we've done trial pits, we've done shallow boreholes. We've not done the PFAS testing, but that that suite of testing has now been added to that. We know where the groundwater is, we know the depths of the aquifer, we know where the underlying basal layers of confining layers are. We do know the environmental setting from a geological and a hydrogeological setting well. We know the flow of groundwater. We know the flow of the inferred groundwater gradient. So so we're comfortable that we understand that environmental setting.

Speaker 12

So will that be secured in a revised CEMP somewhere?

Speaker 16

Thank you, sir. That's a helpful prompt because the one document I didn't say when I described to you what we're going to do at procedural deadline A is Kemp. But I should say, as I think I did. The standard process we will go through won't be wildly different from what we said we would go through before we knew we had PFAS in the context of how we would deal with contamination in general. Yes, we will update the camp to make sure it's fit for purpose with the new information we've now got about. So just

Speaker 12

needs to retweak them.

Speaker 16

Correct.

Speaker 12

Thanks. Right.

Speaker 1

Okay, I think that probably concludes that issue. If you give us 30 seconds, we'll reveal what we're going to discuss next. That was easier than I thought, actually. So I think what we'll do, given we've been sort of talking water bits and pieces, it seems logical to sort of perhaps sort of move on to flood risk next after the break, and then we'll then go back to socio-economics and minerals and waste, and then the development consent order. Although we will take a view when we get to the break while we're here, just whether the development consent order might be something that might move to written questions, because that would sort of work probably well. Because I think there's certain issues on

flood risk and socio-economics that we need sort of people in the room on. But again, we'll see how the timing works.

Speaker 6

Sir, thank you very much for that. Just to remind the examining authority that our flood risk witness is indisposed. Has had a personal emergency. We did contact Pins about that.

Speaker 1

You did, which is not to

Speaker 6

say that the topic can't go forward. And mr. Harley and mr. Holmes are going to do their best, and they're going to be able to speak to a number of matters. But in terms of a detailed position, we may struggle to provide the detail that would normally be expected, and we may need to take matters away in writing. That's all I look to flag. Okay, bear with me.

Speaker 1

Perhaps it wasn't as easy as thought. Yeah. So actually, given that information, it probably would have been helpful to have your colleagues, much as I'm sure your standings are able to answer their questions if we ask. But perhaps we won't do flood risk, and we'll leave that to written questions and do it that way, and then we'll go back onto the agenda, and then start again with socioeconomics when we come back after the break. Is that okay? I appreciate you may have had somebody who may well have been spending the day with us to find that out. But yeah, yeah, and and I think we got the EA in line. Is that are you okay with that approach as well? That we will deal with flood risk in terms of written questions, just to enable us to get through the agenda.

Speaker 18

Alex Hazel for the Environment Agency. That sounds fine, sir. On the call, we've got Sean Holland, our flood risk specialist. If there's anything that Sean would like to say, I'm not quite sure. I'd just like to check with her first before we we decide on that one, Sean, would you like to raise anything?

Speaker 14

I don't think so. I think our comments are pretty minor from the Environment Agency on Flaglers anyway, so I don't think we would have had a huge amount to discuss. So we're happy to take them all away in writing.

Speaker 1

Okay, thank you for that. That that's much appreciated. So on that basis, what I suggest we do is we take a break till 4o'clock, and when we come back, we'll move back onto the agenda and pick up the socio-economic questions, if that's okay.

Speaker 4

Apologies, just for clarification, did we say we're moving the development consent order to written questions now?

Speaker 1

We will see where we get to, but that might be a subject that might fit with really written questions, make the development consent order. Yes, but we'll see. Hopefully, we'll get it covered, but we'll just see see where we go. Yeah. Thank you for clarifying. Okay. So this hearing is adjourned till 4pm.