



Planning Inspectorate  
Arolygiaeth Gynllunio

## Event Transcript

<b>Project:</b>	Frodsham Solar Farm
<b>Event:</b>	Issue Specific Hearing 1 - Part 5
<b>Date:</b>	2 December 2025

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FULL TRANSCRIPT (with timecode)

00:00:07:15 - 00:00:37:28

The time is now 11:30 a.m., and this first issue specific hearing is restarting. Uh, Robert, could you confirm that I can be heard clearly in the live streaming and recording have restarted. Thank you very much. Um, I'm going to start just firstly for apologizing for the noise from downstairs. We have we have asked if it could be dealt with. Um, it seems to be problematic to deal with it. Um, hopefully it's not disturbing anybody. Um, I think it's for an exercise.

00:00:38:00 - 00:00:55:23

If somebody wants to do some exercises. By all means. Um, so hopefully it's not disturbing things. Um, let's crack on as best we can. Um, we're now could could the agenda be shown on the screen again, please? The detailed agenda. And we're item five. Be.

00:01:06:08 - 00:01:07:28

Just wait for that to come through.

00:01:20:03 - 00:01:24:24

Just to reiterate, if the gender could be shown. Detailed agenda could be shared. Please.

00:01:28:26 - 00:01:36:27

Right. Let's. Oh, I think it's appearing. There we go. Thank you very much. If we go down to Fivb, please.

00:01:42:18 - 00:01:55:06

There we go. All right. Thank you. So, as I indicated earlier, um, uh, I'd like to take item responses to item five. Be in writing, please. Is the applicant content to do that?

00:01:55:11 - 00:01:59:20

Miss Fox mouth applicant? Yes. Can we just make. I just want to make two quick, reassuring points.

00:01:59:22 - 00:02:02:19

Just please. Yeah. Very quickly. Thank you.

00:02:04:19 - 00:02:42:13

Um, Mr. Russell, for the applicant. Um, I think the key point that we want to make, really, is that the access tracks that are constructed at the construction phase, for the purposes of the construction, would remain in place for the operational period and also be used for the decommissioning period. We wouldn't be removing any construction tracks at the at the end of the construction period. The only minor exception to that would be very short sections, maybe of temporary access tracks, leading, for example, into the non-breeding mitigation area or simply into the construction compounds.

00:02:42:18 - 00:02:45:07

Hopefully that helps give a bit of context.

00:02:45:19 - 00:02:59:11

Um. Thank you. Please still respond to the items listed. Thank you very much. Is there is the council content to respond in writing? Thank you. Um, let's move on. Um.

00:03:08:09 - 00:03:38:25

Item five C. Um, just in terms of, um, timings and running order. Um, uh, I'm intending to go through five C and five D in this session and then to take lunch. Um, and then to progress, um, with five e after lunch. Um, so it may be that lunch isn't for an hour or perhaps slightly longer, depending on the progress that we make.

00:03:38:27 - 00:04:09:26

I hope that's, uh, acceptable for everybody. Um, so five c, let me introduce it. Um, again. Um, the detail is there in the, um, in the detailed agenda. So the applicant has said that underground cables may either be removed from site and recycled or left in situ, and that this will be determined at the time of decommissioning. So not yet committing to whether they've been left in place or removed.

00:04:10:04 - 00:04:14:21

Um, um, there are um.

00:04:17:12 - 00:04:49:10

The concerns around this are, um, at a high level there in terms of, um, making sure that the impacts are correctly mitigated for both cases where they are left in place or removed. Um, and, um, for us to understand that what the potential impacts would be in each case and what the mitigation would be in each case, and that's all dealt with, been dealt with properly. So the detailed questions which I will go through, um, entirely before I answer, ask for responses.

00:04:49:18 - 00:05:27:14

Um, number one, could the applicant set out with the design of the cables would mitigate potential impacts at the time of decommissioning. So is there anything that should be done now and conduits have been referred to, for example, um, for the DC, the smaller cables. Um, so are there design commissions now design issues. Um, are there detailed design matters that could be considered, that are being considered at this stage to facilitate a reduction of impacts during commissioning? If the cables are removed and that stage, um, if they are removed.

00:05:27:22 - 00:06:11:20

Um, um, what are the potential impacts in relation to soil quality, ecology, the water environment, etcetera, etcetera. Because obviously there's the potential for disruptive activity, um, if the cables are removed. Um, and that's at a state when the, um, a lot of the environmental mitigation will have matured for some time. Um, so, um, It would be helpful to understand that a little bit more. Um, I'm aware of Environment Agency, um, potential concerns in relation to whether cables being left in place could be considered buried waste and complications around that.

00:06:11:22 - 00:07:00:08

So it would be helpful to hear from the Environment Agency on that matter in due course. Um, and if the cables are left in place, are there any potential issues in relation to future uses of the of the site? Um, so to explore those issues and ask the applicant to respond on those initially, um, do any of the issues that are set out also relate to other underground installations, such as piling and drainage? Um, and what is the position in terms of leaving those in place, removing them? Pros and cons of either approach and, um, have the effects been fully considered? Um, and then just a general point three about any of the concerns from the agency or the council.

00:07:00:26 - 00:07:10:04

So, um, hopefully that's reasonably clear. Um, does the applicant, um, have any initial response, please?

00:07:12:06 - 00:07:16:26

Thoughts about the applicant? I'll bring in, um, Mr. Russell to actually respond to that.

00:07:19:28 - 00:07:52:15

Mr. Russell, for the applicant. Um, so we note at 2.4.2 of the outline decommissioning Environmental Management Plan, PD two oh 19 um, that cabling is likely to be removed from the site, uh, and recycled on decommissioning, and that the cables would only be left in place where the damage caused by recovering them would outweigh the impacts.

00:07:53:04 - 00:08:38:03

Um, of. Uh. Oh. Sorry. Sorry. The damage caused by recovering them is considered to be greater than the environmental impact of recovering and recycling those, because obviously there are benefits in associated with recovering and recycling. So, um, to kind of confirm this, um, approach, and we revised the plan at um, procedural submission B, um, we set out that the, um, the, the point where we produce our final decommissioning environmental management plan, we would include a benefit impact analysis of those impacts, setting out our preferred approach and allowing the council to understand our rationale, um, for that position.

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And we feel that, um, it's closely aligned to what the government intended, um, in terms of paragraph 210 69 of MPs and three where, um, it's clear in that paragraph that it's recognised that there may be instances where there are benefits to leave infrastructure in place rather than removing it. But nonetheless, you know, we are taking the base case of us removing, um, the development components and considering that and we'll come on to end state in a latter question.

00:09:26:02 - 00:09:57:24

In terms of, um, whether the design of the um, underground cables would mitigate the impacts, um, at the time of decommissioning, we've already talked about the, um, conduits associated with the DC cabling. There's the, um, point that I've also raised about cabling being located in those grassland areas, rather than beneath more structurally complex habitats, and also the approach we're taking to crossing the ditches and watercourses across the site.

00:09:57:29 - 00:10:24:15

I think a final design point that's relevant is also the then the high voltage cables, which are the 132 kV cables going to Frodsham substation, which are supposed to be above ground and therefore clearly wouldn't have the same level of impact, um, as removing the low ground cables. So I think there are a number of design related considerations that are relevant there.

00:10:26:18 - 00:10:28:07

In terms of, um,

00:10:29:28 - 00:10:49:03

how how the either the retention or removal of cables could affect some of the disciplines that you've talked about. Um, and I may not list them all here, but I mention a few. We've already described ecology. Probably don't need to talk about that again in terms of the location of those cables. Um.

00:10:49:12 - 00:10:58:19

So can I just. So just to be clear, we're not just talking about the DC cables as before. We're talking about cables in general not being located in the areas.

00:10:58:21 - 00:11:29:07

Yes. Yeah. Correct. I think we're the emphasis I think whilst the title of this is Underground Cable removal, you talk about other underground structures as well. So but I am focusing on all cable types when I, when I, when I mentioned cables. So, um, how are we mitigating or managing soils. Well um, the outline soil management plan, um, which we have provided, ARP 141, includes a series of measures that would be relevant to this point.

00:11:29:14 - 00:12:05:10

Um, and that's also the need to follow that is identified in table five five of the Outline Decommissioning Environmental Management Plan app 138. Apologies. That's the old reference actually. Um PD 2019. Um, so what we are committed to is restoring soil profiles, reseeding using appropriate species, and ensuring soil quality is safeguarded and vegetation cover is effectively restored. So, um, the principles as we talked earlier, I think are well established in terms of soils structure themselves.

00:12:06:11 - 00:12:29:18

Um, cables and conduits would be, uh, buried to approximately 0.8 to 1.2 meters. Um, and that's illustrated on our, um, on the plans submitted with the application. Um, so in a scenario that they were left in place, there would be a depth where they would not prevent the ploughing, um, or other agricultural activities occurring.

00:12:31:22 - 00:13:32:00

From a um, water quality perspective. Um, um, my broad comment is we believe that this sufficient controls within the outline Decommissioning Environmental Management Plan and its requirement to have a groundwater and surface water management plan, um, that the implementation of best practice for best practice measures to protect groundwater and surface water would be imposed in terms of waste. Um, you've already alluded to the fact that the Environment Agency may want to comment on this, and I believe that the there isn't a definitive position that's been set out by the Environment Agency in previous applications or indeed in their in their guidance, but they very much I'm sorry, I'm

almost speaking to the Environment Agency and they can speak for themselves in a minute, but it's they are likely to take the the position of taking the best practical environmental option.

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And when considering whether or not an activity needs to be licensed from a waste perspective, um, and they will obviously need to ensure that if you were to leave cables or any other infrastructure in place that that would impose a risk to, to human health or the environment. When we're talking about cables. Um, we are talking about largely inert materials. Um, and I think there are a lot of examples around the country of where where redundant cables are left in place and don't cause environmental harm.

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Um, and so our position at the moment, we think it's probably likely if we had to go down that route. Um, we don't consider it to be a license for all activity. It's not a big point. Ultimately, we are talking about something that would happen in 40 years time. Regulatory position may have changed. A view would have to be taken at that point. If we were going to leave it in place, it would be incumbent on us to make sure that if it was a license of an activity, that license was in place. If we couldn't get that license, um, then we would have to remove the cables.

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Um, it's a very simple, um, regulatory position.

00:14:51:16 - 00:15:23:11

Final point, um, where we talk about the removal of drainage infrastructure piles, concrete foundations, etc. um, very much the similar levels of controls would apply to those different pieces of infrastructure. And our base case is that these pieces of infrastructure would be removed. We will come to the decommissioning end state in a little while. Um, and some conversations that we've held with the council on that point. That's sufficient for now.

00:15:23:13 - 00:15:24:28

Thank you. Um.

00:15:34:01 - 00:15:37:17

I think I'd just comment at the moment that, um.

00:15:42:03 - 00:16:12:08

The waste licensing Issue. Um, I think that may be a good example of where mitigation by design at this stage could be helpful, um, to help deal with that. Um, both in terms of the materials used, both in terms of the ease of removing cables from conduits, for example. So just an observation on whether, um, um, there's a potential for design mitigation from that point of view. I think it would be helpful.

00:16:12:20 - 00:16:45:16

Um, the the outline department. Sorry. Excuse me. The outline decommission environmental plan. It would be helpful if that referred to the potential for cables having to removed for waste licensing reasons, as well as for reasons such as the damage from recovery outweighing, etc.. So just just to

have that clarification would be helpful I think. Um, I am going to come to the Environment Agency first, if I may.

00:16:46:14 - 00:16:56:24

Are they with the Environment Agency? Comment on this matter. And I'm thinking particularly in terms of the licensing waste licensing issues, please.

00:16:58:20 - 00:17:31:28

Morgan hangman, on behalf of the Environment Agency here, I think this is one will take away and get back to you for deadline. One, just in regards to our position on waste licensing and how we classify cables and infrastructure left in place underground post decommissioning. In regards to the other aspects related to groundwater and contaminated land, I would like to pass over to our groundwater contaminated land specialist.

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Thank you.

00:17:36:22 - 00:18:23:12

Susie Bates and Groundwater contaminated and specialist for the Environment Agency. And Um, we I welcome the applicant suggestion to complete a benefit and impact analysis to determine where the cabling should be removed or retained. Um, we expect this assessment to consider the potential impacts to groundwater from leaving the cables in situ. Um, and the assessment should follow best practice and current guidance at the time of decommissioning. Um, allowance should be made at this stage for cable removal, should it be later deemed necessary, so that the method of installation doesn't mean that it cannot be reasonably achieved? Um, and we expect these matters to be addressed in the Decommissioning Environmental Management Plan.

00:18:23:17 - 00:18:33:12

I think that's largely what the applicant has said, but it's just confirming those that the impacts to groundwater will be considered, not not just the ecology impacts.

00:18:34:01 - 00:18:39:13

Thank you. That's helpful. Um, anything else from the Environment Agency, please?

00:18:41:22 - 00:18:50:02

Now, could the Environment Agency set out those points in a confirmation? A written confirmation at deadline one, please.

00:18:52:18 - 00:18:53:22

Sure, we'll do that.

00:18:54:08 - 00:18:57:24

Thank you very much. Anything from the council on this, please?

00:19:02:29 - 00:19:05:09

Um, yes. It was it was just, um,

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a couple of small, small points. Really. Um, one was my understanding. Sorry. Uh, my understanding is that, um, when contractors or suchlike, um, might come across a cable underground, they have to test whether it's alive or dead cable. So it's if the cables are being left in the underground, there's a longer term issue for any post, uh, land use, uh, concern. Um, uh, that was um, and the second point was really about, um, which might be cutting across what you were saying, saying about having the information up front, um, at this stage.

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But, um, I'm just wondering also whether it could be something that, um, the design approach, um, design approval process stage requirement six. You know, we get some clarity as to the design, um, that is being proposed in relation to some of these structures.

00:20:10:06 - 00:20:36:04

Thank you. That sounds like a very helpful suggestion in terms of, um, being explicit about cable removal matters. Um, for the design being set out at that stage when more detail is available, for example. So that sounds like a very helpful suggestion. Any response from the applicant to what the Environment Agency and the council have just said.

00:20:37:07 - 00:21:11:13

About the council in terms of the agency will take away the wording that we added about the benefit analysis, to make sure that it's clear that it's considering all impacts, not just ecology. And on the council's point. We'll take that away with the rest on that we're discussing there. It's either something that we will or both something that we can deal with by putting some text into the Kemp. And we might want to look at something around the design principles. Given that the design requirement refers to those design principles, they need to be a statement about how we comply with those principles being part of that approval process.

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So we've taken the points and we will take away the how best to present that.

00:21:17:01 - 00:21:20:02

Thank you. Just bear with me a moment please.

00:21:47:25 - 00:22:20:22

Okay. Any any other comments on item five C from around the table? No. Anybody online please? No. All right, let's move on to item five. D um, decommissioning end state. Um, yes. Thank you for sharing the agenda on that. Um, so the applicant has stated that the purpose of the Outline Decommissioning Environmental Management Plan was to set out how environmental mitigation monitoring will be delivered during decommissioning.

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Um, it recognizes the potential long term duration of the operational phase before decommissioning would be undertaken, and noted that various final measures during decommission would accord with relevant legislation, regulation, standards and best practice in place at the time of decommissioning.



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The council have considered that. Does that has a series of general summaries? Faithfully represent what the applicant has said?

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Just for the purposes of starting the discussion, I guess I'm just checking I haven't mischaracterized.

00:22:59:05 - 00:23:01:27

Andrew Russell for the applicant. Yes. Broadly, yes.

00:23:01:29 - 00:23:36:05

Thank you. And the Council considers that the Atlantic Commission Environmental Management Plan should provide more detail at the end state of the site after decommissioning. Other council are happy with that summary overall. Yes. Thank you. I'm seeing nodding heads. So, um, uh, I am going to read through what's in here. But I think this this sets out the matters that we're grappling with. So, um, yes. Recognize decommission would be a long time into the future, potentially. Um, and, um, should deal with the legislation, etc.

00:23:36:07 - 00:24:14:05

in place at the time. There's no other approach that could sensibly be taken. Um, but it does raise a certain amount of uncertainty. Um, and it's whether we can, uh, help deal with that uncertainty in a progressive manner between now and decommissioning happening is one of the things that we're grappling with. Um, one of the mechanisms of doing that. Um, and there may be better suggestions, um, would be to have, um, a description of the end state of the site, um, as is currently anticipated.

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Um, um, to bring all of that together in one document so that there's a, that a clear shared understanding of what the end state should be. Um, so that, um, parties have a good understanding of that now. Um, and then to, uh, as part of that. For that to be a document to help focus decisions made during detailed design, construction, operation, maintenance that may have a bearing on decommissioning, um, decommissioning can be made easier or more difficult, um, through decisions that are made earlier in the process, which was, I hope is an obvious comment to make.

00:25:01:06 - 00:25:26:18

Um, so, um, would having a decommissioning end state help provide a focus for um activities carried out before then to be properly carried out, such they help to mitigate any effect at the decommissioning stage? Um, is one of the things that, um, we're trying to grapple with. Um, so, um,

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and would, would help to potentially avoid quite a big jump from what's currently anticipated, with no visibility of any change to that until decommissioning starts. So it would help to keep the understanding of what decommissioning would entail, what the impact should be carried out, and to maintain that at sensible intervals before decommissioning starts. Rather than doing nothing between now and the start of decommissioning.

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Um, so it's proposed, um, as a potentially sensible approach. There might be better approaches to deal with the uncertainties, there might be better approaches to make sure that, um, appropriate measures are taken between now and decommissioning to mitigate the impacts. Um, so, um, that is presented as something, as really a means to help inform the discussion rather than anybody else. And that rather than anything else. Um, so, um.

00:26:31:20 - 00:26:38:28

Would, um, the applicant like to respond on that matter first, please.

00:26:42:00 - 00:27:13:07

Uh, Mr. Russell, for the applicant. Um, I suppose as a principle point, um, we consider and I'll come to a bit more detail, we consider that actually we, we set out, um, quite succinctly, but but probably in unnecessary detail. Um, the end state that, um, informs the impact assessment, but also what people would anticipate to see at the end of the end of the project.

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Um, and then again, I suppose a high level in principle point is that let's explore this a bit more, because I might also be missing the opportunities, but, um, not entirely convinced that, um, interim

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measures of reporting, Voting or assessment or anything like that would necessarily help us get to a better point at decommissioning, as opposed to setting out clearly what we intend at the beginning. Picked up on a couple of points that we've just discussed, and I'll come on to those. So I think there are some improvements that could be made to the the construction management plan and the operational Environmental Management Plan to perhaps facilitate what you're what you're considering here. But ultimately it boils down to the decommissioning environmental management plan.

00:28:04:18 - 00:28:48:24

Um, so if I can return to the let's see what we're calling the base I've referred to as the base case, um, in a preceding response. So we've got two paragraphs, 2.4. 2 to 2 .4.4, um, in the Outline Decommissioning Environmental Management plan, which summarizes our position, I think 2.4.2 could be expanded slightly, to give a little bit more certainty on what we're doing. Um, and by that, um, we state that all solar PV modules, mounting poles, aboveground cabling, inverters, transformers, base equipment, um, solar substation fencing would be removed from the site.

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And I note that that doesn't include foundations, access tracks where they're not currently located, bridges where they're not currently located, drainage works. For example. The the intention of that first line is to effectively say we will remove everything from this site at the point of decommissioning in terms of physical engineering works. Um, and that is the principle

00:29:16:05 - 00:29:46:25

of us applying for a temporary consent. So I think it's important that we maintain that as a base situation and to ensure that we are actually delivering, um, what what we have said we're doing in

terms of a temporary development. We then go on in the subsequent paragraphs to describe how the landscaping works across the site would remain in place. Um, and also. We refer to the, um, leaving the um, missive paths in place.

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But the very important point here is that we do not control what happens after the end of the decommissioning period. That's a landowner matter. We wouldn't want to mislead anyone, um, about what would happen after that point in time. Um, so at the moment, we can't provide any reassurance on that further than saying that we would leave those items in place. We think it's reasonable to anticipate that things such as the non-breeding bird mitigation area would remain as they are.

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Um, and ultimately that to an extent is controlled through the Town Down the Country Planning Act, anything that you were going to come along and do to that area, which would involve an engineering operation. Material change in use would require planning permission. Uh, it's probably without going into too much detail within some of the revisions we made to our documents. A procedural deadline. Be. We're also talking about integrating some of the management measures within the site as part of the management plan for the site.

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Um, I was just going to come to, I guess, on the landowner point. Um, ultimately, we've got landowner agreements, which you'll appreciate. Um, also dictate that we should be returning the land back to the state that it's in at the moment. So ultimately, that may override any other, um, desire of the applicant or the council to take a different position.

00:31:26:09 - 00:32:03:05

We had a conversation with the council only a week ago. As a result of your questions. Um, and in that conversation, we were talking about cabling and the benefits environmental benefits are potentially leaving or dis benefits of leaving cables in place. And we also did touch upon other types of infrastructure as well because the same principles could apply. So, um, we are we are content to make sure that it is very clear within our documents that an alternative decommissioning state could potentially be agreed.

00:32:03:17 - 00:32:31:15

Um, and in order to ensure that it's very clear what we are going to deliver at that point of decommissioning, and in order to help the council approve that decommissioning plan, we're suggesting that we will integrate into the Decommissioning Environmental Management Plan, a commitment to provide a an illustrative plan with some details on it Of what that end state would look like at that particular point in time.

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So just to be clear, is that proposed to go into the outline plan currently or at a later stage?

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That's at the point that we submit our detailed plan. We we had a brief exchange on that, and I'm not sure whether I think we left it that poorly. Think about that further. Sorry. Mr. Friston would think

about that a little further, but, um, we felt it wouldn't necessarily be helpful for anybody at this stage to effectively draw a plan of the site that shows what the site is like at the moment, which is our base case. And it's if that varies at all, really.

00:33:02:12 - 00:33:11:19

And just to be clear, it's something like that. And the commitment to produce that plan will go into the outline just at the plan itself would follow within the detailed dump. Okay.

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So I think I think that's most of the points, um, that we wanted to make on that. Um, we understand the principle of what you're trying to achieve through that question. At the moment, we don't necessarily see whether the benefit of any interim documents being submitted improved. We will be very interested to hear the council's opinion on that. Um, and we can react in due course.

00:33:41:29 - 00:33:46:11

Yeah. Let me give you my view on that first. Um.

00:33:48:18 - 00:34:13:06

And in part, this comes from personal experience of decommissioning. Um, what it is a long period of time between potentially between now and decommissioning happening. Um, along that route, there'll be lots of decisions that the applicant makes in terms of the detailed design, in terms of the operation, the maintenance, major replacement, other activities. Um.

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Those

00:34:18:10 - 00:34:54:00

it is good practice in decommissioning for those decisions to consider the impacts during decommissioning. Um, because they can have quite a significant impact on on what sort of that's an important they can have a bearing on the impact of decommissioning. Um, and it's good practice to ensure that decommissioning is taken on board at those various stages. Um, also, the condition of the site will vary over time.

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The regulatory framework legislation will vary over time. So, um,

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it appears to me that it would be helpful that, um.

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The end state is updated as the legislation is updated as the condition of the site changes. Um, because that would help to refine the plan into something that's probably a little bit more representative of what's finally going to happen. And it would give some, um, assurance that decommissioning is being properly considered in all of the all of the decisions that have been made before that time. So that's, that's the intention of making these suggestions of having the interim statements so that that plan is the plan that the decommissioning environmental management plan, or the end state that's referred to

is up to date along along the way? Because it is, I would have thought, quite likely to change over that time.

00:35:59:23 - 00:36:31:13

So that was the intention of suggesting the interim updates. And it may if the if the end state is completely within the the outline decommissioning environmental management plan, then perhaps it would be an update of that decommissioning environmental management plan at various stages prior to decommissioning. I'm not suggesting anything like every year or anything like that. Appropriate, It intervals. There may be better ways of doing it, but it's. I'm suggesting that for discussion.

00:36:31:15 - 00:36:34:06

Really? I'll come to the council in a moment.

00:36:50:13 - 00:36:55:00

And if the applicant wants to go and consider further, then that's absolutely fine. But.

00:36:55:08 - 00:37:30:12

Sorry, sir. Um, yeah. Mr. Russell, for the applicant. Um, understand the principles, so that's very helpful. Um, setting setting that out. Um, I think it'll be our suggestion that, um, in terms of making sure that decommissioning is appropriately considered at the different stages of the project, we do introduce within the Outline Construction environmental Management plan. I think that was already alluded to in the previous comment about making sure that we do document, um, considerations of decommissioning at that very early stage and set out what's in our mind as we're designing it.

00:37:30:28 - 00:37:35:19

Then in terms of changes that could occur during the operational period.

00:37:35:27 - 00:37:48:21

So, so sorry. It may be that needs to be in the outline Environmental Outline Operational Management plan, which will be the document that's referred to prior to decommissioning.

00:37:51:04 - 00:37:53:08

So I think we were getting to that both. I think that.

00:37:53:22 - 00:37:54:20

It may affect both.

00:37:54:28 - 00:37:57:10

Yeah. Sorry. So I was going to say we.

00:37:57:18 - 00:37:58:03

Could go across.

00:37:58:09 - 00:37:58:24

Strategies.

00:37:58:26 - 00:37:59:18

I've just done it again.

00:37:59:24 - 00:38:41:03

Um, at the point of construction, we set out what we consider to be the factors that we've taken into account to ensure that decommissioning can be undertaken successfully and with the least environmental impact at that point in time, hopefully in 2027. Um, we then will have an operational environmental management plan, and I think it's appropriate that we, um, I can't think of the wording right now, but I'm pretty sure it's, um, it's fairly simple that we'll be setting out that if there are any modifications that arose as a result of operational activities on the site, um, that at that point there would be a consideration of impact on decommissioning and that would be clearly set out.

00:38:42:05 - 00:39:14:24

As for the changes to the regulatory or legislative framework which could influence, um, decommissioning. Absolutely. Take that point. Um, and we have made it clear in the decommissioning environment outline decommissioning environmental management plan that that does need to be conducted in accordance with the the um, the the relevant guidance legislation at that particular point in time. I, I accept the premise of things will change in that 40 year period.

00:39:15:29 - 00:39:23:09

How relevant something a piece of legislation changing five years into the project when we're looking at something, 40 years in the future,

00:39:25:00 - 00:39:37:01

I'm not convinced. It adds a huge amount in terms of environmental safeguards and in protecting the environment. Um, we're open to, to discuss that, but, um, that's a starting point.

00:39:37:03 - 00:40:10:10

So please, I also just want to add I want to kind of also get back to the how Mr. Russell started his, his summary, sir, which is that I think I can I can understand that the changes in legislation, changes to kind of the baseline environment might affect the way that you carry out decommissioning activities. Um, but ultimately what we're committing to is essentially removing everything but the vegetation, all the built infrastructure would go and we are required through the dump.

00:40:10:21 - 00:40:54:23

Um, the last sentence in paragraph 2.4.2 and also a landowner agreement to return it to the landowner so they can use it for its original use. So I think I can see where you're going in terms of thinking about, you know, designing the infrastructure and keep it updated in a way that means that you can when you decommission it, you can do it in the most environmentally conscious way, I suppose. But to me, that is more about the activity of taking things away because of the overarching commitment, which is that we have to take those things away and ensure that the land is able to be used as it currently is, for decommissioning, with a couple of exceptions that are in 2.4.3.

00:40:55:10 - 00:41:25:01

So I think that's what I'm starting to concern. So in terms it feels like where your mind is going is about what the land will look like and how design decisions we make now will affect that. But the ultimate commitment is that we take everything away, and it goes back to being able to be used for agricultural use. And so changes in legislation and policy will just affect the the kind of the how of the removal, rather than necessarily what I think your major concern is. What will the plan look like once it's taken away?

00:41:25:21 - 00:41:57:21

Um, thank you for those responses. Welcome to the council. In a moment. Um, very helpful, I think, to set out the consideration that would be given to decommissioning at the earlier stages and, and, and setting that out in the camp, the OMB, etc.. That and that sounds very helpful. Thank you. Um, I can think in terms of updating the description of the end state in the damp weather that should be updated along the way.

00:41:57:23 - 00:42:33:04

I can think of what ifs, you know what if there is legislation which would bring a very different approach to the consideration of waste, which which meant that, um, perhaps things could be easily left in the ground. What if, you know, there might there might be changes that have direct implications For um for the described in the state, there may not be, but if there are indications, it would be very. I would have thought helpful that all parties can see that the thoughts in terms of what the end state looks like has changed.

00:42:33:06 - 00:42:51:26

And to see that in a very simple way. Um, but I'm not I'm, it's maybe one thing just to reflect on by ourselves as well as others, but, um, it's just is that a useful thing to keep updating? Would it create a lot of work? It doesn't feel that way. But, um.

00:42:52:17 - 00:43:23:05

I should say at one point and this is this partly relates to the item we talked about before lunch. And to the extent that we are undertaking, um, a major replacement campaign. And we have to be notifying, you know, within that, we could say as part of the notification that we, you know, acknowledge how we're taken into account of decommissioning because it's those major replacements where you have a difference in between times where, you know, replacing a panel or two because they're broken for whatever reason, that's not going to have so much of an issue.

00:43:23:07 - 00:43:30:00

Yeah, I may be getting too academic on this. I'm not quite sure yet, but I'm sorry. So there's another.

00:43:30:24 - 00:44:11:16

One. Maybe, maybe. Final point to to consider as you're agitating over this point. Um, is something that myself and Mr. Friston had discussed in that what we want to try and avoid is confusion for the members of the public as well. And different members of the public will have different priorities. So if we say we are now leaving in a permissive path, that might be bad for someone, good for someone else. Hmm. Um, it just reflecting on the last, was it 48 hours, the, um, environmental improvement plan that's come out from the government? Um, you know, such such changes in policy direction could happen.

00:44:11:18 - 00:44:44:10

That means that the landowner suddenly feels it's much better to let this entire site go wild. Mhm. Um, and I think that to try and react to that throughout that period could, could be less helpful for members of the public, which ultimately this whole system is there to try and protect. Um, but should we leave it there now? I think we could have a we could have a good hour's discussion about this, probably, and still be in the same position. We just need to make sure that what we do present is what we think is the right thing for the for the project.

00:44:44:12 - 00:44:49:01

And I don't think we've we've I think we're touching upon anything that's particularly insurmountable.

00:44:49:20 - 00:44:53:07

Thank you. So any comments from the council, please?

00:45:00:13 - 00:45:31:28

Laura Hughes from Manchester Council. Um, just to make the point about, um, the decommissioning, um, and state and we would be supportive of, of having that update throughout the process. Um, throughout the operation of the solar farm. I'm sorry. Um, just to point on the fact that the land will be just returned back to what it what it is now at the end of the solar farm operational period. The fraudulent wind farm would have, um, finished, and the obligation to maintain sales, uh, two, five and three would have finished.

00:45:32:00 - 00:46:01:03

Um, so those those pools on sale, three that are created by the wind farm won't be the end state. Won't be the same, basically, as was what the baseline is now because the obligation to retain those those pools in South Re and the obligations to manage wind farm mitigation sales to and five would have ended. So we would find it very useful if um the the decommissioning and the state could be discussed well in advance of, of the decommissioning.

00:46:01:05 - 00:46:16:26

So that's a that appears to be a very good example of needing to take into account changes to the end state and seeing that being considered at various stages. Yes. So it would be would the Council be able to respond to this general point in writing. Add the things that have just been discussed, please. Yeah.

00:46:16:28 - 00:46:45:29

Of course. Yes. And just one more point as well. On the on the non-breeding bird mitigation area, there is discussions with the RSPB. We we understand about the retention of that. So it although it would be a hand hand back. So the responsibility of the solar farm of the applicant might end the, the and it probably would be more developed on what is handed back between the discussions with the applicant and the RSPB. So again, it will be useful to have that updated through the operational life of the solar farm.

00:46:46:25 - 00:46:49:25

Okay. Just bear with me a moment.



00:47:11:13 - 00:47:13:14

Any final comment from the applicant, please?

00:47:13:27 - 00:47:16:21

Yes, sir. Mr. Russell, for the applicant. Um,

00:47:18:09 - 00:47:53:29

just to chat with missus, um, about some of those points. Just in case we've misunderstood them. So in terms of the wind farm decommissioning and the fact that they've got, um, scrapes. Is it the scrapes within cell three or felling two there? Yeah, I thought so. So, um, that sits within our non-breeding bird mitigation area. And so the design, which we ultimately get approved through our landscape and ecological management plan and the non-breeding bird mitigation strategy effectively sit over the top of that, um, windfarm mitigation.

00:47:54:01 - 00:48:19:09

Sure. That's going to be a topic of discussion later, but, um, at the point that the wind farm is decommissioned. Therefore, those scrapes remain in place by virtue of them being controlled through our development. So they would still be in place for that. For that. So that doesn't change the kind of decommissioning end state in terms of our statements at this stage. Um.

00:48:24:13 - 00:48:25:26

There was another point.

00:48:26:07 - 00:48:27:24

That moment.

00:48:27:26 - 00:48:56:19

Sorry. Yes. RSPB so, um, yes, we recognise that the, the, the council and RSPB have identified that if it's possible to retain the non-breeding bird mitigation area in a state where it's managed for the benefits of birds when the solar farm is decommissioned, um, that would be a good thing. I don't think the applicant disagrees with that. It's just not within our gift. And to secure that at the moment from a landowner perspective.

00:48:56:25 - 00:49:28:15

But to add to that said, that obviously the point in time that we decommission decommissioned and that's established in mitigation area, as Mr. Ross said earlier, in terms of in planning terms, to change it to anything else before. I'm sorry, just and also to add that, um, to the extent that the MVM is in the area of the triple C draft and we've introduced the deadline. Um, that might be means that it would be part of the management scheme. And essentially there's a whole new legislative regime that would apply to it, which we can't change.

00:49:29:03 - 00:50:04:06

Okay. Thank you. Um, I'm going to raise I'm going to raise a related point that's not in the in the detailed agenda. So, um, it's in relation to, um, what happens after decommissioning, um, to what the landowner may do to, um, return it to previous uses, etc.. Um, and how that's dealt with. Um, so I'm not going to ask for responses now, but obviously over time certain habitats will develop.

00:50:04:24 - 00:50:11:01

Um, we've got breeding bird mitigation areas, etc. that are currently in place. Um,

00:50:13:00 - 00:50:53:06

to what extent should we be concerned about the landowner then reversing a number of those things to return to current uses? And is the council satisfied that would all be controlled by other processes? Should there be things within the order that deal with those things? Um, um, it's territory that I've, um, stepped into before. Um, and never been quite satisfied at the approach. But, um, I think alongside the other things that had been suggested, it would be quite good to have an understanding of that from the applicant and the council's point of view.

00:50:53:08 - 00:50:56:28

I'm not going to ask for detailed responses now. Very quick response.

00:50:57:00 - 00:51:28:24

Yes. So I think because I think I want to make this point quite strongly that this is a temporary consent. We've we will decommission the scheme and then we will be there no longer we're controlling that decommissioning Commissioning. Once it is handed over to landowner landowners. We are not there anymore. The applicant is no responsibility. No control. Um. It is completely up to the landowners, and the planning and protected species regimes would work as they are, and I think so we would be pushing back very strongly on any suggestion that there's any other controls in the DCA, because there is no longer any development to be mitigated.

00:51:28:26 - 00:51:43:09

Thank you. So so, uh, if that position could be set out, if the council's I'm not going to invite you to respond now, but hopefully the point is clear. Um, so just be helpful to get statements on that, please. Um.

00:52:05:25 - 00:52:08:08

Sorry, sir. I think we have a hand up from the environment.

00:52:08:12 - 00:52:10:04

Yeah. Thank you.

00:52:29:15 - 00:52:32:21

Right. The Environment Agency, please.

00:52:34:23 - 00:53:07:03

Morgan Harrington, on behalf of the Environment Agency. Beyond what we've already mentioned regarding buried cabling, decommissioning waste and groundwater. We are currently engaging with the project team in regards to proposed new crossings for this development and whether certain aspects of their um, host operation need to be considered.

00:53:07:13 - 00:53:44:21

We're also currently reviewing the project teams hydraulic modelling, but I can confirm so far that we've found that they've been taking a precautionary approach to flood risk over the lifetime of the development, but we will be getting back to them and ourselves as soon as we can. Regarding our thoughts on the crossings that they're proposing, we have accepted as reasonable that new crossings that are proposed when existing crossing is in place, where there is betterment, that we are okay with those remaining in place.

00:53:44:23 - 00:54:03:12

We aren't just considering crossings where no previous crossing was in place, and an entirely new crossing is being put in. We will try and get back to the applicant earlier, but we will ensure that we have our positions summarized in deadline one.

00:54:05:08 - 00:54:23:15

Oops. Thank you for setting that out. Um, you've touched on some things that are broader than decommissioning. Um, if there are implications of crossings being left in place or removed at decommissioning, it would be useful to have the agency's input on that particular point.

00:54:23:27 - 00:54:25:12

Sorry, sir, may I interject?

00:54:25:14 - 00:54:27:15

Yes, and the applicant would like to comment on that.

00:54:27:17 - 00:54:55:06

Um, Andrew Russell, for the, um, applicant, um, within our relevant representation back to the Environment Agency. And I would have sympathy for them. Maybe not quite work through all of it. We are essentially committing to removing crossings where they are not in place at the moment. So we would only be leaving in place existing crossings if a later date. I think this comes to the point we decide to leave them in place. We'd have to look at the environmental impact of that.

00:54:55:11 - 00:55:16:28

Yeah, so I can understand the complications of crossings and increasing flood risk elsewhere and those types of issues. Um, so very interested to see how that develops. Um, any other, um, points in relation to decommissioning and state, please. Around the table? No. Um. Anybody online, please?

00:55:18:19 - 00:55:49:07

No. Right. Good. Um, so that completes item five D of the agenda. Um, we've made good progress. Thank you. Um, so, um, proposing now to adjourn for lunch. Um, and that we recommence, um, at 1:25 p.m.. Please, if you're watching the live stream, be aware that the live stream might stop. And to view the restart, you might need to refresh your browser page.

00:55:49:12 - 00:55:50:03

Thank you.

00:55:50:05 - 00:55:50:15

Sir.

