



Planning Inspectorate  
Arolygiaeth Gynllunio

## Event Transcript

<b>Project:</b>	Frodsham Solar Farm
<b>Event:</b>	Issue Specific Hearing 1 - Part 6
<b>Date:</b>	2 December 2025

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FULL TRANSCRIPT (with timecode)

00:00:07:17 - 00:00:46:02

So the time is now. 1326. Apologies for the delay I had in my mind. It was 1330. Um, so it is, um, 1326 and this hearing is restarting. Uh, please, could a member of the case team confirm that I can be heard clearly, and the live streaming and recording have restarted? Thank you. Um, so, um, just taking stock of where we are in the agenda and the intentions for this afternoon, um, previously indicated that we would take some items in, might potentially take some items in writing, and I can confirm that we'll do that.

00:00:46:04 - 00:01:09:15

So, um, the further items will take in writing are, um, five I in relation to the national character areas and five J in relation to the residential visual amenity assessment. Um, would the applicant, um, advise that it's able to provide responses to those items in writing, please, Mr. Watson?

00:01:09:21 - 00:01:33:21

The applicant may say yes. Um, I might if you if I could be so bold as to suggest that if we do have time, I'm conscious of don't want to extend things too much today, but, um, that it might be worth having the discussion on the national character areas points just because I think there is still some point of discussion between ourselves and the council if we have time. Obviously this time we can do it in writing if need be.

00:01:33:29 - 00:01:49:11

Let's see if we have time at the very end of the day. Yep. Um, to go through this, but obviously sort of matters between the council and the applicant, then those can happen outside this event. Um, so, um, is the council happy to provide responses in writing as well on those points?

00:01:49:13 - 00:01:52:04

Michelle Sparke for Cheshire West and Chester Council, of course, sir.

00:01:52:06 - 00:02:23:29

Thank you very much. Um, right. So let's go ahead on that basis then. Um, I'd like to try and cover. So there are five items yet to cover this afternoon, plus, um, actions. So I'm proposing to try to get through. Um, uh, five e decommissioned. Timing. Five F decommissioning funding and five peak deposits before we have a break. Um, assuming that will be no longer than an hour and a half.

00:02:24:18 - 00:03:02:09

Um, and then, um, in the remaining time to go through, um, in the second part of this afternoon to go through five, eight grand conditions at the non-breeding bird mitigation area and then five K um, the pipelines. Um, and then, as I said, action points at the very end. So that's the intended running order. So, um, please bear with us hoping to do just the one break this afternoon so that we maximize the time, that should mean we don't need to do more than an hour and a half in each session, which is hopefully acceptable to everybody.

00:03:02:24 - 00:03:36:05

Um, indicate please, if there's a need to take a break early, then um, and I've suggested, um, and I'm sure we can try and accommodate that. Um, okay. So let's move on to item five. Um, proposing to carry on much in the same overall flow as we established this morning. So I'll go through, um, the wording on the agenda. And, uh, thank you to the colleague for getting this on the agenda on the screen.

00:03:36:17 - 00:03:55:15

Um, already the mind reading is working brilliantly. Um, so, um, decommissioning timing. So, requirement 20 of the draft development consent order includes that decommissioning works must commence no later than 40 years following the. Sorry. Just.

00:03:57:19 - 00:04:38:12

Yes. Um, includes that decommissioning works must commence no later than 40 years following the date of the final commissioning of the solar voltaic photovoltaic generating station. The Outline Decommissioning Environmental Management Plan includes that decommissioning will be expected to take between 12 and 24 months, and will be undertaken in phases. The council, in their written representation, requested that appropriate provision is made for both decommissioning restoration not just after the 40 year lifespan of the DCO, but in the event that a relevant part stopped generating or storing electricity, or as otherwise redundant reuse for a period of 24 months.

00:04:39:07 - 00:05:12:14

The council said that it expected that the decommissioned state would be completed within two years of the trigger for decommissioning to commence following, um, energy generation heating, or within 40 years after the 40 year, um, overall expiry date, whichever was sooner. Is that a correct characterization of what the counselor said? Thank you. Seeing nodding heads. Thank you. Um, so, um, very simply, um, we're considering whether the provisions are appropriate.

00:05:12:25 - 00:05:45:01

Um, and the, the DCO provisions, the development consent order provisions are appropriate. Um, to avoid unnecessary delay in return to the uses. Um, whether it's necessary to limit the duration of any periods where adverse impacts in any area would not be offset by the benefits of electricity generation or storage in that area. Um, and notice the related provisions in the Auckland Farm Solar Park order. Um as made um, which I won't go through, but which are listed.

00:05:45:14 - 00:05:50:00

Um bullet pointed in the data question. Um.

00:05:52:15 - 00:05:54:14

So let me, um,

00:05:56:08 - 00:06:05:01

I think there's an indication from the applicant that we made, um, be able to deal with this matter quite quickly. So I'll pass to the applicant for me for comment.

00:06:05:21 - 00:06:39:10

Uh, Mr. Fox? Applicant. Um, so. Yeah, so so I think you will see when you get to it that we did respond to this point to, uh, the local authority in our response to the relevant representation. And I think our starting point was that given the fact that the operational impacts of this scheme are actually fairly minimal, and given the benefits of, you know, a scheme being able to be in place for 40 years to be able to generate electricity across that entire period, um, which would be a benefit of not having such a control. Um, we have, given the nature of the question, noting it wasn't Oaklands.

00:06:39:14 - 00:07:16:27

Um, and um, has been discussed in a couple of other schemes. We will, um, be putting forward an amendment at deadline one to deal with this issue. So what we will be doing now is putting this into the outline operational Management plan. Um, a section in that plan which will essentially have its own heading, um, relation to time, timing of when there is a stopping of electricity generation. Um, and we will amend the to the decommissioning requirement to point to that section as was done on Manor Pass, which essentially says at the end of a period.

00:07:17:13 - 00:07:49:24

Um, explain the detail in a minute. But basically at the end of the period, um, that flows from the provisions in the, um, we would then have to decommission, um, the reason so that we want to put it into the OMP, rather than the provision, such as what's on the face of the Oaklands order, is that we feel that, um, there should be a bit more flexibility in this drafting compared to what's in the face of the DCO, and that is more appropriately done in the, um, the, um, and when I say flexibility, so it's not flexibility to a sale from the principal.

00:07:49:27 - 00:08:09:17

It's to do with, for example, that we don't think that such provision should apply, where the only reason we're not generating electricity is because the DNA is refurbishing Frodsham Cider station, the existing um, substation. Um, so we would be carrying on um, doing generating electricity. Um, but we can't.

00:08:10:07 - 00:08:13:00

Sorry. Could you just run through that final point again?

00:08:13:02 - 00:09:10:00

Yeah. So so that's to say that an exception to this would be where, um, SP energy Networks are refurbishing the existing substation, for example. Um, and also so where um, there's force majeure, majeure circumstances like bioterrorism etc.. Um, and now, um, what we're not proposing, sir, is that it would just say that there would still be essentially kind of what the Oaklands drafting is trying to get at this, there would be a, um, a what's the word? I'm looking for a notification, a continuous notification, essentially to the council to update them on what is happening whilst a force majeure event had happened, or whilst the substation is being refurbished so that they are continuously told whether we're going to be generating electricity again, and if after a certain amount of time we're not, then the kind of decommissioning requirements would kick in.

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So that's just to summarize. We'll obviously put that in drafting, but it's just to make the point so that we accept the principle. We just think the Oaklands drafting is a bit of a blunt instrument. When you

can see there are circumstances that you might want to have a bit more flexibility in terms of the council's point around, um, programme, the then, um, was, sorry, the decommissioning motor management plan, um, as per the version the procedural deadline he does provide that when we submit the dump for approval, it has to include a program within it.

00:09:44:03 - 00:09:56:29

And then that would be in the detailed demo. But obviously the requirement requires us to decommission in accordance with the demo. So that would secure that we deliver the agreed program. Um, so I think so that deals with the two points.

00:09:57:14 - 00:09:59:26

Has that been discussed with the client, the council?

00:10:00:18 - 00:10:18:14

Um, it was I discuss might be a bit too strong. We put it forward to them in terms of here's what we're going to say. I don't know whether we've had approval of it yet. Thank you. Sorry. So to be clear, that was just a program point at the point that I just spent five minutes talking about. No, we only made that decision in the last few days, and we looked at the agenda here.

00:10:18:16 - 00:10:22:02

Okay. Thank you. Um, so, um.

00:10:24:21 - 00:10:36:02

It sounds to me that that will certainly help to move things forward. So look forward to seeing the updates to the DCO and the, uh, Operational environmental Management Plan. So thank you. Um.

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And it'd be interesting to reflect on the security that that provides compared with having it in the DCO. Um, does the council have any initial comments or the concerns that it would like to raise, please?

00:10:53:15 - 00:11:25:24

Call for Cheshire West? Um, yes. I think the starting point was that content with the, um, opposition in the agenda to the Oaklands. Um, uh, again, it's sort of on the face of it. And going to the DCO can see, um, uh, you know, what's the intention is fairly quickly in terms of, um, decommissioning state, as it were, um, just a relatively small point. And look to see what the applicant is going to suggest as an alternative.

00:11:25:26 - 00:11:48:25

Um, uh, the small point on the likelihood that at the demo stage we may be expecting, uh, or would like to like to see habitat surveys, and the timing of when that is put forward is potentially, um, earlier than, um, maybe suggested by the applicant. Yeah. Okay.

00:11:57:20 - 00:11:58:22

Please do. Yeah. Thank you.

00:11:58:24 - 00:12:39:23

Um, so on that, on that second point, I'm not sure we quite follow. I think the general proposition is that when we submit the dump, that will have within it a commitment to undertake pre decommissioning surveys as per as it says in the outline. Um, so that that will happen, we will have to do the surveys before we can start any decommissioning. The the way that we were envisaging this operating is it's the OMP and the DCA reading together. So once once we've got to the end of the period in which the 24 months of no generation, generation of electricity, um, and there's not force majeure and there's not the substation being rebuilt or whatever.

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Um, then that's when we would have to submit the demo that then within it would have a program for the decommissioning works. And once that's approved, that's how we would have to carry it out.

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And then once that's approved, that triggers a two year period for decommission to be completed, something of that type.

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Whatever the program says for the decommissioning works. Yes. Yeah.

00:12:58:09 - 00:13:09:28

So, so so it's been clear that there is a there are defined timescales for each step. Yes, sir. So that decommissioning would happen within a reasonable period. There'd be security over that. Yeah.

00:13:10:04 - 00:13:21:29

Yes. In terms of what that exact time period would be, that's what we would be presenting for approval to the council. And if they didn't, if they said three years is too long, for example, then they wouldn't approve the plan. Yeah. So we'd have to agree with them.

00:13:23:06 - 00:13:35:22

Okay. So so, um, if the plan was continually not capable of being approved for whatever reason, and that could push decommissioning.

00:13:38:21 - 00:14:08:05

Backwards by an unlimited amount. That's. That's crossing my mind. So if it's a reasonable plan, if the applicant failed to put together a reasonable plan at any time, then there's a danger that decommissioning wouldn't happen in a timely manner. That that that flaw has just occurred to me as it is. What we've what we've just said, all the timescales we've just set out are reliant on the decommissioning plan being approved. And if there wasn't a

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a decommissioning plan that could reasonably be approved, then decommissioning would be delayed.

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Um, does that make sense?

00:14:19:00 - 00:14:54:01

It does. I think we'll take it away, I think. I think I was just I was trying to think that through in my head because obviously in that instance, yes. So the first instance would be that the LPA could, um, uh, refuse it, but then that still leaves you in that same situation. I mean, that has to be seen in the context that we do only have options for a certain amount of time. So it's not like we could just sit there and not do anything but appreciate we're talking about the pre pre 40 year period. Yeah we could take that away because I think we can look at specific processes specifically for this stage and that requirement potentially.

00:14:54:07 - 00:14:57:18

Thank you. Yeah okay. The non stop date or something similar. Okay.

00:14:58:13 - 00:15:04:25

So I don't get to academic but I'm just thinking through scenarios a little bit. Um anything more from the council on that.

00:15:04:28 - 00:15:11:13

Michele Cheshire West and Chester Council I think we'll wait to see what the applicant puts forward and then respond to that. Thank you. Thank you.

00:15:11:15 - 00:15:46:08

Thank you. Um, so if, um, the applicant could please provide this written response again, that I won't repeat this for each item. If for every item that we go through, both the applicant and the council and any of the parties contributing could please confirm their submissions in writing at deadline one that would be very helpful, please. Um, okay. Anything else on decommissioning timescales from around the table? No. Any. Any. Anyone online wish to raise anything in relation to decommissioning timescales?

00:15:48:12 - 00:16:24:00

Not seeing any hands. Right. Thank you. Um, in that case, let's move to item five F. Uh, decommissioning funding. Um, so let me, um, address this again, and I'm going to repeat a statement I made yesterday about president. Um, so in reference to president, um, to make the simple point that every proposed development needs to be considered on its own merit. Um, and to make a point that, uh, issues may not have necessarily been considered on previous projects.

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So we may be surfacing things that are relatively new. um. And to raise the point that the understanding of the importance of issues is likely to be improving from project projects. So I just I just want to make those general statements again, because I think they potentially applied to the discussions we're about to have, um, the applicant. Um, and I'll go through, um, in writing and the usual way the applicant explained that cost during the decommissioning phase will be covered by revenue generated by the proposed development through its operations.

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Um, the council said that the original undertaker its experience was on the other projects, for example, that the original Undertaker would often transfer a development once operational to another

undertaker or undertakers, and consider that there should be a robust mechanism for ensuring the funding for decommissioning is available in relation to future potential future undertakers. It would welcome clarification on the funding needed to carry out decommissioning, and how this would be secured from revenue generated by the proposed development.

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The council preferred that a decommissioning fund would be in place to avoid the need to resort to enforcement of decommissioning. Did the applicant or the council happy with that characterization? As a starting point.

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Mr. Watson? As a starting point, yes.

00:17:48:03 - 00:17:52:15

Thank you. And the council happy with that. Thank you. So, um,

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the concerns that we have, um, we know the lack of president, but then I do note the points that I've just made, um, uh,

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noting the council's concerns. Um.

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Certainly give, you know, certainly consider that those have merit. Um, and we would like to explore this matter, which is what we're doing. So. Um.

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Getting these things need to be worded quite delicately, but, um, there is the potential for uncertainty about the consideration that a future undertaker may have in the future. It may not be the applicant. So this is no, um, you know, no, no derogatory comments are intended of the applicant at all. Um, but the Undertaker may change, uh, quite substantially over time. Um, so there is a concern about the drivers such an indicator might have in the future. Um, that point in decommissioning, um, when, um, there may be no further income from the project.

00:19:02:20 - 00:19:19:02

Um, there are only the costs of essentially the cost of decommissioning, um, remaining on the table. Um, so, um, concerns about what the what the business drivers for such an undertaking might be in the future. Um, um,

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law could be relied on, Um, to enforce decommissioning. Um.

00:19:29:28 - 00:20:03:17

Driving such a process through law, um, could be a long and complicated and expensive process. Concerns about the potential for that, um, and whether, in fact, a lot of those concerns could be



sensibly addressed by establishing a decommissioning fund, um, that could be built from revenue generated by the proposed development in the way that the applicant has indicated. Um, obviously as a, um, as a mitigation, we'd need to pass the relevant tests.

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Um, and, um, would like to understand, um, whether such arrangements would cause the applicant any difficulty. Um,

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decommissioning fund provisions were included in the recommended order for Oaklands Farm, but the Secretary of State decided to remove them. But I've listed them here. Um,

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I'm not going to go through those in detail. Um, what I would say is that there is some precedent for such arrangements, for example, from onshore wind projects in Scotland, for example. So there is some precedent for similar provisions, um, on other types of casework. So, um,

00:20:54:14 - 00:21:12:01

I'm going to turn to the applicant. Well, let me now I will turn to the counsel first to you. So let's let's take in order. So, um, does the council want to expand on its thoughts? Um, what are the council's immediate reactions to the type of provisions that have been suggested here, please?

00:21:14:18 - 00:21:19:03

Uh, Cheshire West and the, um.

00:21:20:28 - 00:21:42:12

thanks. Thank you to the, uh, examining authority for, uh, suggesting including the Oaklands, um, some farmers as a as a potential, uh, discussion point and, uh, I think, yes, essentially, that's the sort of thing that the council would, uh, um, would be looking for. Um.

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Yes. Yeah. In terms of the, um, uh, uh.

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Putting a bit more meat on the, uh, the concerns, we know, you know, just even on the site, um, the, uh, the wind farm has changed operators, uh, 3 to 3 times since it was constructed. Um, and obviously, we don't know, as a local authority, we don't know the arrangements that are between those various, um, Parties, uh, in terms of their position there. Clarify there isn't a, um, a decommissioning fund in that case, but, uh, just just the principle of large scale projects, um, you know, changing hands and, you know, needing, uh, to make sure that there's appropriate provision for the decommissioning.

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Um, I don't know if it's a good analogy, but, um, I'm just thinking in terms of, uh, section 278 agreements, highways agreements. The authority would usually expect to, you know, developer even even if there hasn't been a change of, uh, um, uh, the ownership sort of thing, some sort of security in

terms of being able to carry out the works that are obviously necessary, uh, at the end of the temporary, um, commission.

00:23:07:03 - 00:23:07:18

Okay.

00:23:09:04 - 00:23:20:23

Um, I think in terms of the particular point about the, um, decommissioning fund, when it should be available to the local authorities. We need to consider that a bit further. Thank you.

00:23:36:06 - 00:24:07:09

Michele. For Cheshire West and Chester. Can I make one more point? Um, and and again, no reflection on the applicant whatsoever. But in, in experience of of the team around the table from the council's perspective, um, the companies that potentially operate solar farms, wind farms can often be shell companies. Um, special purpose vehicles. Um, and in terms of that element of those companies and again, no reflection on the applicant.

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Um, it is easy to wind them up where they have potentially limited assets. So whilst there are remedies available under the DCO in terms of enforcement. If there are no assets or limited assets behind those companies or future companies, and then it would leave the council in an untenable position. Um, and I just wanted to reiterate that, sir.

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Is covenant strength the right term?

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Yeah. Covenanting strength. So, yeah.

00:24:37:20 - 00:24:46:19

And that's it. I don't think there are any controls. Well, let's, let's let's just note those comments. Thank you. So, um, let me pass to the applicant, please.

00:24:46:21 - 00:25:25:27

Uh, Mr. Fox and applicant, um, and I'm going to try and phrase this carefully. So because I'm aware of what you've, how you've introduced this, um, but I think I'm also going to be quite strong and say that this is not something that we're going to agree to. So, um, I think that it would set I mean, we talked to our presidents, but it was present for the industry where it has not been required before. Um, we think that in the outcomes decision. The Secretary of State specifically considered this question and now take the point that it was in every case is different, but it specifically asks itself the question of whether there is a policy requirement for this and said that there isn't and that is not required.

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Um, I think some of the concerns that have been raised here about what it could be get transferred to another entity. That's why the Secretary of State has consent for the transfer of benefit. And whereas consent isn't required, it's for companies such as those that have, um, you know, electricity generation

licence. So they would obviously be a reputable, um, company. Um, so we don't think that there is necessarily policy test and whilst I do take the point, said that every case is different and perhaps things haven't been considered in the same way in each case, but the concerns that have been expressed by, by the Council and in the question are the same concerns that have been discussed whenever this has come up on other projects that the company that's been put forward is the applicant is the SPV.

00:26:10:15 - 00:26:42:05

Things could change. There's no certain concerns about there being no certainty, but ultimately that in no situation has such a requirement been put in force. So I think I do take the point that every case is different. But the core principle here of, um, you know, a private sector companies bring you forward to these projects. Um, and they're being decommissioned and that these concerns about decommissioning have been considered. I don't think that there really is a difference when it's the same core concerns each time.

00:26:42:13 - 00:26:59:12

Um, I would say, sir, is that similarly to Oaklands and not that there's a reason why it shouldn't be imposed, but for context is that we do have security requirements within, um, on the options with the landowners, and we can summarize the key principles of that. Um.

00:27:01:24 - 00:27:46:27

That security needs to be in place, and it's based on estimates from quantity surveyors. Um, and it's reviewed, um, every ten years. So those are some of the core principles in the property options. And I, you know, note from the discussion in the Oaklands recommendation report and decision letter, this discussion of the fact that it's helpful that these authorities and Secretary of State knew that. But they did then also go on to consider the policy requirement. So I just I think that, um, this argument has played out multiple times, and I think the principal of those arguments has been the same for each project, because every third of these year has been brought forward by an entity similar to the applicant, so that the concern, I think is the same, notwithstanding that the circumstances might be slightly different.

00:27:47:15 - 00:28:05:20

Thank you. Thanks for that summary. It would be very helpful to see the measures in place with the landowners, the current landowners, um, as you say, that did, that was, um, a factor in the Secretary of State considerations of the Oakland farm project. Um.

00:28:07:27 - 00:28:11:05

I think where we stand now. So I am I'm.

00:28:14:06 - 00:28:27:12

I think it may be worth if you haven't done so already. The applicant just looking at the reasoning in the decision letter for Oaklands Farm and and how robust that is. I won't go any further. Um, um,

00:28:29:06 - 00:29:02:10

I think this is an area potentially where understanding is developing quite significantly within the industry. Um, that is outside in many ways the considerations we have. So some of that is speculation,

I apologize. Um, uh, where we sit now. Um, uh, we are strongly minded to include such provisions in our recommended order. Um, and it would be helpful to develop those with parties through the examination.

00:29:02:12 - 00:29:24:17

So if there are, Um. There is a chance that the Secretary of State may adopt a different approach to what it has done previously. And I think in that event, it would help everybody if, um, the provisions were, um, as acceptable to the parties as possible. Should the Secretary of State make that decision? Should already be granted.

00:29:24:19 - 00:29:33:19

So thank you, sir. Sorry I should I meant to end on that point to say yes. We don't accept it in principle, but without prejudice to that, we will consider the drafting and make any suggested amendments.

00:29:33:21 - 00:30:05:02

That's very helpful. And and to help provide information around to support the applicant's position and would be helpful as well. That would help the Secretary date in the final decision. Thank you. Um, so that's the proposed way forward. So, um, if there could please be comments on the suggested wording, um, on or without prejudice basis. Um, if we could develop that and then, um, the other things that we've discussed. So, um.

00:30:51:15 - 00:30:55:07

Is the council content to provide some comments on the suggested wording?

00:30:55:09 - 00:30:59:05

Please show support for Cheshire West and Chester Council. I assumed we would be, sir.

00:30:59:07 - 00:31:09:21

So yes, thank you very much. Um, are there any other comments on, um, item 5G5F? Sorry. Um, from around the tables, please.

00:31:11:12 - 00:31:17:26

Now, uh, from, uh, people joining online, please. Any other comments?

00:31:19:24 - 00:31:53:16

No. Thank you. That's, um, helpful. Okay. Let's move then to item five G. Peat deposits. So let me introduce that again. Thank you for sharing the agenda. Um, the applicant has said that the solar array development would have a maximum power depth of five meters below ground level. And as such, there would be no impact upon any potential buried peak deposits. Um, and I quote which had been shown to be actually, I don't quite quote, I summarize, which had been shown to be at depths greater than five meters below ground level.

00:31:53:28 - 00:32:33:09

Um requirement 18 of the Draft Development Consent Order requires an archaeological mitigation strategy, including a required return scheme of archaeological investigation to be approved by the

relevant planning authority in consultation with Cheshire Archaeology Planning Advisory Service and Historic England. The applicant continues at. The Outline Written Scheme of Archaeological investigation, states that borehole survey will be undertaken in the southern, central and south eastern parts of the site to ascertain the depth of any buried peat and organic deposits, and to allow for the enhancement of the current levels of knowledge regarding the survival and composition of the peat deposits across the whole scheme.

00:32:33:11 - 00:32:36:24

Marshes. Is that a fair summary to commence the discussion.

00:32:37:12 - 00:32:39:29

About Mr. Foxton, the applicant? Yes.

00:32:40:01 - 00:32:43:11

Thank you. Um, um,

00:32:44:29 - 00:33:21:01

there are there's some quotations from what Historic England have said. Um, I don't think Historic England are with us. Um, but, um, let me set out my best understanding of what Historic England said, which is that the main archaeological interest of the site lie in the deep accumulation of sediments, including peat, with the potential to include important paleo environmental material. Um. It went on to say that while most of the peats were believed to be more than five meters below ground level and therefore below the level that would be impacted by the proposed development, it may survive at more shallow depths.

00:33:21:27 - 00:33:51:29

And separately, the Historic England suggested that the peak could be within 3.5m below ground level in some areas, which I note is less than the five metres suggested by the applicant. It considered that the impacts of the proposed development had been properly assessed, and that the impacts would be impact would be properly mitigated by the proposed archaeological mitigation strategy. Um Cheshire Archaeological Planning Advisory Service also submitted on these matters.

00:33:52:06 - 00:34:24:06

Um and said that at Ince Marshes, which is nearby, it was shown that peat lay within one metre below ground level, and it was not clear why peat had not been found at a similar level at the site. It raised concerns that drainage works could result in the exposure of shallow peat deposits. Um, I don't know, I don't think. Historic England and Cheshire Archaeological Archaeology Planning Advisory Service are here. But is there any reason for anyone to doubt what I've just summarised?

00:34:25:16 - 00:34:53:20

Shell spoke for Cheshire West and Chester Council. Um, we have, um, Mark Lee, who is the development management archaeologist and team leader for Cheshire and effectively is also, um, representing both Cheshire West and Chester Council and the Cheshire Archaeology. Really hard to say with the Scottish accent. Sorry. Planning Advisory Service is online. I hope somewhere, Mark She's there.

00:35:00:00 - 00:35:00:20

I don't see him.

00:35:01:11 - 00:35:03:10

We might have to come back to you and return, sir.

00:35:03:18 - 00:35:10:08

That's fine. That's absolutely fine. Um. Uh. Thank you. So, um. Uh.

00:35:12:12 - 00:35:45:26

Let's carry on. The council has also submitted on this and referred to a recorded depth of alluvial deposits and peat to over ten, ten meters below ground level in marshes. Um, I'm questioning whether there's a typo between the Cheshire Archaeology Planning Advisory Service one meter and the council's ten meter at the same location. Um, it said that investigations for the proposed development were carried out up to five meters and showed an absence of peat on the site.

00:35:45:28 - 00:36:17:27

Investigations. It suggested that the investigations might have been within a paleo channel of the Mersey or Weaver, where Pete never developed, and that Pete could allow shallower depths in and surveyed parts of the site, and the council went on to support a proposal for a future programme of geo archaeological investigation, and said that if deep intrusions such as drainage ditches proved necessary, as where Pete was detected close to the surface, a programme of archaeological observation and recording may also be required to inspect the open cuts.

00:36:18:07 - 00:36:44:05

The council said that the assessment of peat deposits required for the discussion, including any implications for the natural environment and climate change or peat management issues. It considered the wording of the DCO requirement and the approach outlined in the outline, etc. were appropriate. Um, I'm guessing colleague is not online to confirm or otherwise comment on that.

00:36:44:07 - 00:36:59:00

Michelle Sparke on behalf of Cheshire West and Chester Council. I think he's got some problems logging into the session. Okay. Um, one of our colleagues is just speaking to the case officers. Okay. Um, I don't know if you could give us just a minute to get him in.

00:36:59:02 - 00:37:02:25

Yeah. Of course. Yeah. Um, well, we may.

00:37:06:10 - 00:37:40:09

I'm wondering if we might take it. I was going to. I was going to break after these three items, but let let let's see how we get on in terms of connecting your colleague. Um, I think I think the major concerns here are not so much about the mitigation that's been proposed. Um, unless other parties have comments about that, um, the concerns are more about understanding the potential impacts. There seems to be, um, conflicting information about, um, the level of the top of the peak below ground level.

00:37:40:25 - 00:38:11:21

Um, it obviously bears across the site, it would seem. Um, but, uh, And there seem to be concerns that the ground investigations undertaken so far were perhaps unfortunate locations where the people might actually not have been present because of previous features. Um, so, um, that is the main thrust is to understand what is the reasonable worst case assessment of impact on the peat.

00:38:12:05 - 00:38:50:10

Um, have we achieved a position where has the applicant achieved a position where there's sufficient information to allow that to be determined? Um, um, if there is disturbance to the peat, what are then the potential implications for archaeological harm? Um, and, uh, does that harm potentially require more mitigation that's been put in place? I would reiterate that the concern is to understand the extent of potential harm and impact at the moment in the basis of what appears to be uncertain information.

00:38:51:00 - 00:39:30:25

Um, so there is a there's a suggestion of various things that might be required to try to clarify what the level of the top of the peak might be at different locations, to bring all that different information together. Just to give us a little bit more clarity. Um, um, perhaps an opportunity in doing that to deal with some conflicting information about the Ince Marshes and other known information, perhaps an ability to bring in information on levels of the peat that have been established on other developments in the area that that, um, information that might have been become available since the application was submitted, etcetera, etcetera.

00:39:31:15 - 00:40:10:03

Um, so, um, there's a suggested, uh, suggestion of how the top of the peat might be clarified, whether the applicant can help further with that. Um. And then to look at those reasonable worst case impacts, um, and, um, to consider if it is at a high level, there's rather more need to be done in terms of mitigation from bypassing, etc., etc.. So, um, I realize I've been through all of that without your colleague potentially hearing it, which is maybe not very helpful, but is your colleague connected?

00:40:11:00 - 00:40:20:04

And Michelle Sparke for Cheshire West and Chester Council, sir, it doesn't look like he is okay. Um, but we've I've taken notes and we've got notes of the meeting. Oh.

00:40:20:26 - 00:40:21:11

Yeah.

00:40:22:19 - 00:41:01:09

Uh, just from discussions I've had with Mark, I know that, um, he is, uh, satisfied with the outlines, uh, written statement of investigation. Uh, and, and that the, um, investigations that would be carried out. Uh, and I think also not again, not wanting to speak for Historic England, but getting a um, a full core, um, assessment, uh, down, um, uh, through, through, through the site is, is an important aspect, which I think the applicant is, uh, is including.

00:41:01:11 - 00:41:08:16

So I don't think it's so much that the principle of it, it's, it was just if you needed more information. Mark.

00:41:08:18 - 00:41:22:17

Okay. That's very helpful. Thank you. Um, so let's not delay proceedings. Let's, um, leave the council to respond in writing, if that's okay. Would the applicant like to respond to the the concerns make sense? Yes. Absolutely, sir. Yeah.

00:41:22:19 - 00:41:54:05

Um, Mr. Fox applicant. So just now you want to focus on impacts just to briefly say, um, in light of the agenda item, what we will be doing is amending the definition of the ground investigation and assessment strategy to specifically reference peat investigations as well, just so that it's being considered as part of the overall ground condition strategy. Um, because that the whole point of that strategy being a strategy is because nothing sits in isolation. It all relates to all the other ground condition activities that are happening.

00:41:54:11 - 00:42:15:24

Um, but what we have, uh, here with us today, sir, is, um, Gavin Campbell is the, uh, service director for land quality at SLR consulting. And what was, um, Wardell Armstrong? Um, who, um, is our expert on this matter? Um, and he's going to, um, kind of give a summary of our position on on this.

00:42:16:05 - 00:42:16:27

Thank you.

00:42:18:03 - 00:42:56:29

Thank you, Mr. Fox. Gavin Campbell, on behalf of the applicant. Um, what's the thought to do initially is just as succinct as possible. Go through the the investigation data we've got basically for the project. Um, there's there's always been a numerous ground investigations for those projects over many years on the site and adjacent to the sites. Consequently, there's a lot we know about the geology on and adjacent to the site. Having said that, it's clear that the geological interpretation is based on point to point interpretations, so we will never know everything that is getting an understanding of confidence in what we have, basically.

00:42:57:01 - 00:43:27:02

So I'll provide a brief summary of the of the data available. First of all, the project specific data. This is in the order of 60 investigation locations that have been carried out over about five phases of investigation. Um, each phase has a different aims, subject to what we were trying to or the applicant was trying to understand at that time in that area. Um, the results are all included in the application document 97.

00:43:27:23 - 00:44:07:23

In summary, they comprise eight trial pits, three Covid tests in the non-breeding bird mitigation area. Um, primarily these were to describe the soils and investigate their engineering characteristics. Contamination status. With the view of the non-breeding bird mitigation area concept designs, that area clearly was not good to have because of the presence of the dredging in that area. There were 14 Burrows and Hand trial pits in east of the site, known as Wild Fowler's Land um to investigate the shell, the geology and formed foundations, options appraisal, chemical testing, etc.



00:44:08:05 - 00:44:40:17

um and also with with peat as, as a question mark, because one of the reasons for for that investigation was that some of the historic BGS burrows indicated that there was a risk of peat. So that was a reason for these 14 burrows. There was also standpipes was put in for groundwater monitoring as well. There was an addition to that, nine shallow bores Within the same area of the site as part of a pitch reconnaissance survey with one of our peat specialists.

00:44:41:25 - 00:45:24:24

There was another phase 23 burrows in the non-breeding bird mitigation area. Once again, to further investigate geological variation contact status not really from a peat point of view, but more from the engineering aspects of the mitigation area. And lastly, the four burrows in the two option best areas to invest primarily to investigate the contamination status. I think from memory as a result of some public consultation as well. In addition to the the physical and visual works, there was various lab tests, geotechnical, um, contamination and testing carried out and also a, a regime of, of groundwater level monitoring, uh, instigated.

00:45:26:04 - 00:46:01:13

Um, so that was that's basically a fairly concise summary of the project's specific investigations. In addition to the. In addition to that, there is a fairly decent database of third party ground investigation. From a geological perspective, the key ones are fraudulent wind farm, which we worked on 2023 2024. So there's soils, boreholes, rotary boreholes, um, corn plants, trace seeped test boreholes, um various laboratory tests and geotechnical testing.

00:46:01:23 - 00:46:32:12

So that is a quite a good data base, um, which includes deeper boreholes as well as the shallower ones. There's also a set of BGS, um, historic BGS, Boral logs, um, of quite, quite some age. Um, not the best quality perhaps, but they are there in the database. Um, and lastly, the Runcorn CO2 pipeline development, which crosses a site.

00:46:32:15 - 00:47:13:01

There's a suite of burrows in that project database. Summarized quite nicely in the Geo archaeological database assessment for that project, um, which looks at all the data. So in essence, there's a lot of geological data. Project specific or third party that we have at our fingertips. Not to say there's still gaps. Um, and I think in summary, there's probably over 100 barrels or trial pits or CPT tests, information that we could call upon to interpret the geology in terms of depth of investigation and the Pete's, um, the project specific investigations.

00:47:13:09 - 00:47:47:29

They were generally excavated to depths of up to six meters to a ground level. Um, none of the these projects were barrels proved, Pete. Um, the results of the third party investigations, some of which, as I said, are deeper. Um, I think the deepest is probably about 42m or something like that. They do suggest, uh, heat, not just a single burn. They suggest the pizzas in two layers. There's an upper layer and a lower layer. Now, the upper part is not proven beneath the site, but is recorded to the southwest of the site.

00:47:48:01 - 00:48:27:08

Now, as I said, geology interpretation is based on interpretations between points. So there is potential for in the southwestern, uh, area, if you like. So for some of the shallow peat to still be present, I don't think that could be discounted. But effectively the investigations and the of all boreholes so far do not indicate the shallow peat. They do however, indicate as I think everyone's aware, there is likely deep peat under the development. Um, probably in the order of depth ranges of something like 8 to 12, 30, 14, 15m or something like that.

00:48:27:23 - 00:48:28:12

Um.

00:48:32:06 - 00:49:06:21

From our interpretation of of all the data. We're confident that the the will be no or only very limited potential for any localized peace disturbance within excavations or interaction by foundations of the project onto the beach. So I think we're happy with that and firm on that, though the questions are quite specific in request. You're drawing to show the level of any Pete's locational levels of which Pete hasn't been found. Uh, comparison of the levels compared to underside of foundations, excavations, etc.

00:49:06:23 - 00:49:41:28

and indicative locations of future ground investigations. That is something we will produce and we're on with producing. But there is a lot of data. We're not quite there yet, basically. So it will be a plan that we will produce. One question with that, because there's two levels of Pete's. Would it be possible to have two plans if I need to? Because I want I want to basically put a plan. It's easy to understand by all parties. It may well be there's too much data to put in one plan. So if it's possible to be one plan, um, that's the main bit on the the data if you like.

00:49:42:00 - 00:50:16:02

And the interpretations in terms of there was a question regarding geological uncertainties, um, regarding the level of peat and to be disturbed in construction. That's a, uh, depends on the many factors. For example, the frequency of the site investigation points, how deep they are, the methods and site investigation. Some methods are more accurate than others. Um, CPGs, for example, they can pick up organic deposits very well, but your organic deposit might be organically and not peat.

00:50:16:04 - 00:50:55:03

So you've got to consider all these sort of nuances the age, quality, accuracy of the soil information, The BGS information, um, which indicates a repeat there in certain areas adjacent to the site. Um, the actual logs of these are very, um, uh, deficient in terms of accuracy because of their age, as you'd expect. So you need to consider all these aspects and then the interpretation, if logs don't have, um, accurate grid coordinates of location or level in many respects, specs, unless you've got good reason to use them, you sometimes have to discount that to the data source.

00:50:55:14 - 00:51:34:19

Um, and the other aspects of the interaction is the likely disturbance from the different construction activities. You know, where the foundations are likely to be, um, in terms of the or considered opinion and the frequency of the ground investigations, we're confident it's appropriate at this stage to have a good confidence level in the nature of the ground conditions beneath the project area. The and the

absence of the debt. This will be further demonstrated when the the drawing or drawings are finalised and issue issued um either later this year or early next year.

00:51:35:24 - 00:52:20:06

Um the drawings will also include um the ground investigation, additional ground investigations that we talked about. Um, in terms of the impacts. We're confident that there's no minimal impact. We're we're Peters presents at depth. Uh, it's already under significant, um, depth of supervised deposits. It's preloaded to a degree. And any impact that the the loads, the low light loads of the projects are going to deliver to the ground and then get transmitted to the depth of the peats are going to be minimal and we think insignificant from the permanent works.

00:52:23:08 - 00:52:52:15

One through six sets out the Open Construction Management Plan, sets out the mitigation for peats, which includes use of low pressure piling machinery of detailed site investigation prior to construction identifies any shallow depths or depths less than five metres, so there is mitigation in place already coming in the back of additional site investigation that we've already talked about and will present on a on a drawing due course. So that's everything I've got.

00:52:52:28 - 00:53:25:12

Uh, so thank you. That was a very comprehensive response and grateful for that. Um, we don't want to create additional work, um, unnecessarily, but I think, um, um, given the conflicting reports we have about, um, peat levels, um, given the nuances of the two layers, um, and, um, that there's a, um, obviously a geographic aspect of this understanding the different levels at different locations.

00:53:25:28 - 00:53:58:04

Um, um, very grateful for the applicant's response to two drawings would be fine. Um, but please don't go any further than is necessary just to give a level of confidence over the information that is available on the level of the peat. Um, and I guess there is a concern about how much ground levels might be changing and whether that might be more likely to, uh, end up with peat closer to the surface than it is currently. So it's just it's to understand some of those nuances a little bit as well.

00:53:58:22 - 00:54:11:18

Um, it sounds to me like a very helpful way forward. Could I just push you a little bit in terms of which, Deb, what sort of what deadline you might be aiming at? It sounds like deadline one isn't achievable, but, um, I think the deadline one.

00:54:11:20 - 00:54:13:17

Yeah, the deadline one. We were aiming for 22nd of.

00:54:13:27 - 00:54:17:04

Going for deadline one. That's very helpful. Okay. Thank you.

00:54:17:06 - 00:54:38:15

And so could you just. Just if it wasn't clear from, um, I should have started. This is. Obviously, this is all in the context that with our design parameters document, we don't go beyond 4.5m just for

everyone in the recording. Essentially just the benefit of what's been found versus the levels that we would actually be impacting.

00:54:38:17 - 00:54:46:18

Yeah. Thank you. Is that is that 4.5m below current ground level or final ground level?

00:54:49:05 - 00:54:51:28

Because the ground level may vary from what it is currently.

00:54:54:11 - 00:55:05:03

Andrew Russell for the applicant. Um, well, we say um below ground, maximum depth of foundations below any ground. Sorry.

00:55:08:01 - 00:55:13:01

We don't specify the difference between the current ground level or the proposed ground level.

00:55:13:14 - 00:55:14:25

I wonder if there might be a case of.

00:55:14:27 - 00:55:17:20

Just to clarify that or be it.

00:55:19:24 - 00:55:28:24

There's nowhere where we're going to have foundations, where we're suggesting that we will change ground levels, and that would be development in and of itself. But I think that could be the point. Yeah, that.

00:55:28:26 - 00:55:29:11

Might.

00:55:29:13 - 00:55:29:29

Be. We may as well.

00:55:30:12 - 00:55:31:05

Thank you.

00:55:51:15 - 00:55:55:18

Um, thank you to the applicant. Anything for the council to add at this point.

00:55:55:20 - 00:56:00:01

Michelle Spark for Cheshire West and Chester Council. We now have Mark Lee on.

00:56:00:03 - 00:56:00:18

Okay.

00:56:00:25 - 00:56:04:21

I don't know whether it's worth just asking if he has anything else to say at this point.

00:56:04:23 - 00:56:09:24

Let's, let's, um let's go ahead. Mr. Lee, please.

00:56:12:10 - 00:56:12:29

Good afternoon.

00:56:13:01 - 00:56:15:23

Good. Can people see me? Okay. And hear me?

00:56:16:08 - 00:56:48:20

Yes. Thank you. Can I? Can I just, um, thank you for joining us. And apologies for the difficulty in getting through. Um, I'm guessing you missed a lot of what we covered, but, um, um, the the main, the main thrust of the discussion was for us as the examining authority to get a better understanding of the levels of the top of the peat across the site. Um, uh, within our detailed agenda, we've set out, um, some potentially conflicting information about what the levels might be from various sources.

00:56:49:05 - 00:57:23:22

Um, which is just giving us concerns about the level of understanding of the top of the peat, the potential for it to be disturbed. Um, and then following on from that, if any additional mitigation might be required to buried features such as drainage or foundations, etc.. Um, I'm going to summarize a little bit that the applicant has given us an overview of the investigations it has carried out and other investigations in the area, some of which are historic, some of which are more recent, and has said that it is confident that the peat wouldn't be disturbed.

00:57:24:03 - 00:57:55:27

Um, nevertheless, the applicant has agreed to produce drawings that that in accordance with the detailed agenda which hopefully you've seen, um, which would set out, uh, summarize the known levels of the top of the peat in different locations, um, both for the upper peat layer, which it believes may not be in place across the, the site, and the lower peat layer, which I think I'm correct in saying, has been suggested at eight metres or more depth.

00:57:56:11 - 00:58:30:02

Um, but for it to provide that information and for us then to be able to reflect on that and the potential for harm to archaeological deposits that may be within that peat. So that's, that's that's where we've got to. Quick summary. I'm not seeing any dissenting heads. So that's good. Um, basically the council has undertaken to provide a written response to those matters when the applicant has produced its information, provided its written response to all the matters that I've just described and that are set out in the agenda.

00:58:30:12 - 00:58:45:07

Um, it would be very good to have the council input, presumably through yourself, um, to, to where we're then at. So that's, that's a summary very quickly where we've got to and it's whether you've got any other comments to make on that approach please.

00:58:45:11 - 00:59:28:24

Well no, I mean I heard the um, the, the earlier summary, which did seem to, you know, be very comprehensive and provide the necessary information. Um, I don't want to give too much information at this stage. So if it is too much, do do stop me. But my my starting point for the interest, um, was the work that was done at the nearby development at the Ince Marshes on the Resource Recovery Park, where we recovered a sequence of deposits extending to a depth of about ten metres, and that comprised the, um, a lower peat, which began accumulating in the early the immediately after the last ice age.

00:59:29:21 - 01:00:02:04

Um, that was interrupted at about 6 or 7000 BC by a deposit of alluvium. And then another peat began accumulating until that was in turn sealed by the more recent alluvium. Um, and just to be clear, the the interest in that was not so much that we thought we were going to find archaeological remains in that deposit, although that that is not would not be ruled out if there was widespread disturbance.

01:00:02:15 - 01:00:22:28

But it was the potential of analysis of that deposit to shed light on the past environment, the development of the environment, which I think would be considered to be a broadly acceptable archaeological aim, what we might call paleo environmental work, as part of a programme of archaeological mitigation.

01:00:24:26 - 01:00:57:02

Those deposits were looked at and analysed and gave us quite a good sequence of, um, what had developed. And there were radiocarbon dates. There was analysis of the peat, um, and the pollen contained in it. But the deposit, the sequence had been, um, secured in quite a sort of, um, rescue situation. So it wasn't ideal basically. But it did give us a picture of the broad, um, picture in this part of the estuary.

01:00:57:06 - 01:01:27:20

And, um, so obviously when this, this proposal came in this. Our initial response was informed by the information that we had from Ince Marshes and whether this this development had the potential to add to to that information should the deposits be disturbed. And, um, in the original environmental statement which is referenced in the agenda. I think that's um.

01:01:27:23 - 01:02:09:28

App 00044, isn't it? Um, the archaeological consultants gave a very full picture of what was available, the information that was available at the time, um, and that that much of that was summarized by the earlier contribution. Um, but there at that time, there hadn't been much intrusion into the deeper deposits, and there was quite a lot of uncertainty about what the deposits were that were there. It did suggest that there wasn't peat within five meters of ground surface, present ground surface, which seemed to me to be very odd because at its marshes, um, there was peat for me to down under the alluvium.

01:02:10:00 - 01:02:44:24

So obviously the environment was changing or the nature of the deposition was changing. Um, in quite a, quite a restricted area. And, um, I noted that and this isn't a criticism of what was done because it was perfectly acceptable at the environmental statement stage that the ground investigations have been quite limited to, um, I think there were two there was a report by Wardell Armstrong, um, that looked at the peat with, with limited probing to depth where they weren't able to locate it.

01:02:45:04 - 01:03:16:18

So at the ES level, um, I felt there was quite a lot of uncertainty about the nature of the peat, um, whether there was peat close to the surface, whether there wasn't And whether in fact, if we didn't find it close to the surface at one location within the proposed development area, we might find it close by, perhaps because the peat had been eroded by a former channel of the River Weaver or the river or the Mersey, which is something that would be quite possible.

01:03:17:10 - 01:04:07:03

Um, I think and that's why I think, um, myself, in consultation with Historic England, suggested that, um, the appropriate and appropriate programme of mitigation or advice was, um, in addition to some minor archaeology, which I think is covered in the draft requirement. Um, to look at the ridge and furrow and record some of the industrial structures, that it would be helpful to obtain a single core from the deposits to the base, um, and just establish exactly what was there, but at the time it would have been quite difficult to work out where to put that, because of course, there was all this ambiguity about where the peat was and how it was deep.

01:04:07:05 - 01:04:38:22

It was. That question was partly addressed by a report that was produced in connection with a separate but very nearby development, the Runcorn spur for the high net CO2 project. And I know when I spoke with when we spoke with Michele earlier, there was some suggestion that that document could be provided to to the, um, to the examination. I'm not sure if people have had a chance to see that.

01:04:39:00 - 01:05:17:08

Um, the reason it wasn't presented earlier was that, um, it was a pre-application document and wasn't a public document until the, um, the Runcorn CO2 application was actually submitted. That report was produced by um, the specialists at Oxford Archaeology North, one of the major archaeological units in the country, and it did provide quite a lot more information about the nature of the deposits within the development area, because they produced a couple of transects.

01:05:17:10 - 01:05:36:16

Well, a number of transects, I think 5 or 6, two of which were crossing the um proposed solar farm, um, in a north south direction. And they did suggest that there was peat at varying levels, um, across the site. Um,

01:05:38:03 - 01:05:49:07

and that report, I felt, and I think Historic England felt as well, would be very useful in locating a single core to

01:05:50:22 - 01:06:32:11

obtain a clear picture of the the depositional sequence and crucially, you know, where there might be peat. Um, at the lower level, which we accept is across the site, but at the upper level. And if that recommendation was felt to be appropriate to fulfil the condition, um, the advice would be that that core and the peaks within it would be subject to an initial assessment and to see their state of preservation and what was in it and if appropriate, um, there would be full analysis, um, to look at things like pollen, macro fossils, the charcoal.

01:06:32:24 - 01:06:45:20

Um, specifically to inform the past, the, um, the past environment. So that's my summary, I suppose, of of the approach. I'm not sure if that's clear or helpful, really.

01:06:45:29 - 01:06:54:01

I think I was able to follow the majority of it. Thank you. Yeah. Um, it would be very helpful if you could provide that in writing, if possible.

01:06:54:03 - 01:06:54:24

Absolutely.

01:06:54:26 - 01:07:10:01

Um, yeah, a deadline one. Um, that would be very helpful. Can I just kind of just question whether. Um, so I'm trying to understand the potential for harm to archaeological deposits. If I'm reading it correctly, that's not something that you're concerned about at this time.

01:07:10:16 - 01:07:11:12

In the sense.

01:07:11:14 - 01:07:13:25

In relation to deposits in the peat particularly.

01:07:13:27 - 01:07:44:12

Yeah, in the sense of, um, what we might commonly understand as archaeological deposits such as, you know, structures, um, settlement remains or perhaps even, you know, human remains like Lindholm, Lindow Man. Um, I think we accept that, um, it will be very difficult to mitigate that given the level of intrusion that is going to occur from the settings for the, um, the array.

01:07:45:00 - 01:08:28:13

Um, there might be a question if they, if the development was to involve deepening the ditches for drainage purposes, and we were to find that there was peat, um, within about a meter of the ground surface, as there was at Ince Marshes. But that could be addressed by, you know, a watching brief during any works like that. But I think and I think this is reflected in the comments that Historic England have submitted as well. Um, the main impact would, would be um, or the main potential, perhaps more accurately for the site would be to provide information on the past environment in the locality through that analysis.

01:08:29:02 - 01:09:10:06



Okay. Um, so, um, I'm trying to understand whether we're in the grounds of, uh, needing to understand, you know, requiring information investigations to understand potential harm to archaeology, which is which for which a particular approach is regarded into particular approaches around that in national policy, or were more in the realms of, um, almost a benefit of the project, of providing information on historical conditions which are not part of mitigation, but which are a of a wider benefit in relation to the historic environment.

01:09:10:08 - 01:09:15:11

I'm trying to understand because because we potentially need a slightly different approach for each of those cases.

01:09:15:16 - 01:09:58:27

So I understand that that that comment and I think, I think it's, that's a perfectly um, I can see that that's, that's, that's a compelling, um, division between those two things. And, um, I think interpreting the proposed environmental work would fall into that second category that you have outlined. And I suppose, to be honest, it might be argued that, and people have argued this with past developments where we've sought a paleo environmental work, that there isn't a huge impact on the peak deposit in totality across the area.

01:09:59:13 - 01:10:31:17

Um, but my understanding from, um, discussions with Historic England and the regional science advisor, um, is that it would be appropriate in, um, instances such as this, um, to seek that sort of paleo environmental work that we are, um, recommending, but that that would be the advice. It's, you know, um, on the interpretation of the NPF and thank you.

01:10:31:19 - 01:10:38:22

So, so, um, we have slightly different policy for national infrastructure, the national policy statements. There are a lot of parallels. Yeah.

01:10:39:11 - 01:10:40:04

Sorry. Yes.

01:10:40:06 - 01:11:10:18

Um, I think if possible, it would be useful to have your comments on that in writing as well about about those two different needs. Um, the extent to which we're looking at potential harm to archaeology and the concerns in that area, the extent to which we're looking at the benefits of the proposed development in terms of increasing the understanding of historic environmental conditions, for example. So if you were to address each one of those, so I can get a good sense of where the concerns lie and therefore how we need to be addressing those matters.

01:11:10:20 - 01:11:11:27

Is it is that reasonable?

01:11:12:21 - 01:11:16:01

Absolutely, yes. I'd be able to do that. Really? Yeah.

01:11:16:13 - 01:11:17:07

Thank you.

01:11:17:12 - 01:11:29:26

And I would if felt appropriate. You know, I will discuss that with Historic England because they've, they've been very much, um, in favour of the approach that I've outlined today as well. Really? Yeah.

01:11:29:28 - 01:11:49:03

Thank you. That's that's very, very helpful. And that will just help us help to guide us going forward through the examination. So grateful for that. Um, thank you for joining us. Apologies again for the delay. We're nearly wrapping up on this point, so if you'd just like to stay on line just for a minute or two, that would probably be helpful. The applicant wants to make a comment.

01:11:49:10 - 01:12:24:27

Thank you sir. Just just a couple of quick points. First of all, just in terms of the the data from the, um, the Runcorn pipeline, just to confirm that the Campbell's plan will incorporate the data from that. Um, the second point was just just to reference, um, in the outline written scheme of investigation that you asked us to submit a yes, 29 at section 2.2, we do specifically commit to geo ecological investigations in order to ascertain the depth of buried peat and organic deposits, um, across southern, central and south eastern parts of the site.

01:12:25:07 - 01:12:55:27

Um, and the scope of that is to be agreed through consultation with um CPAs and Historic England. And of course, in retirement, 18 Historic England are consulting on the archaeological mitigation strategy. So in terms of your two boxes, to the extent that that investigation not only identifies, you know, helps increase knowledge in the area, but also identifies that it's a shallower depth than we expected. And obviously, that would then feed into the archaeological mitigation strategy pursuant to requirement 18.

01:12:55:29 - 01:13:26:16

Um, and as I said earlier, um, and as Mr. Campbell said earlier, we already have within the Kemp general mitigation measures to essentially avoid impacts to peat. So I know you said at the start you weren't worried about characterizing impacts, but I think that's a characterization of the baseline. But our position is that essentially through doing the relevant surveys pursuant to climate 18, the WSI and the ground investigation strategy will be able to know enough in more detail to be able to employ the mitigation measures we've already committed to.

01:13:26:19 - 01:13:28:07

Okay. Thank you. Um.

01:13:30:13 - 01:13:48:07

Just to invite the applicant to perhaps, um, potentially update as necessary if it becomes clear that there is significant benefit from improving knowledge of historic environmental conditions, that those are brought out so that we can properly consider those in the balance.

01:13:48:18 - 01:13:54:25

Thank you sir. I think we will particularly look to try and get clear statements in the SEC on this point.

01:13:54:29 - 01:14:27:25

Thank you very much. Um, anything else around the table on these matters related to Pete? Um, nothing around the table. Anything else online? No. Thank you all for your contributions there. I think as planned. Will take a break. Um, um, so we'll adjourn for a short break. Um, I'm going to suggest 15 minutes again. So, um, I think we're making good progress. So if we if you if you could come together again at 1455, please.

01:14:28:11 - 01:14:29:06

Thank you.