

**Mallard Pass\_ISH1\_11 July\_PT1**

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FULL TRANSCRIPT (with timecode)

00:00:05:26 - 00:00:33:00

Okay. Good morning, everybody. It's 10:00. Think the clock on the wall over there is a little bit slow, but think it's past 10:00 on my watch. Think what we'll do is get the clock adjusted if we can so it can be not quite as slow as it is. But anyway, it's 10:00 and time for this hearing to begin. Just check that everybody can hear me. Okay. Thank Thank you. And can also confirm that the live streaming and recording of this event has commenced.

00:00:34:29 - 00:00:58:14

Good. I'd like to welcome you all to this issue specific. Hearing this is part of the examination of the application by Mallard Solar Farm Limited for a development consent order for the proposed Mallard Pass Solar Farm. My name is David Cliff and I've been appointed by the Secretary of State with the lead member of the panel to examine this application. And I'll now ask my colleague and fellow Parliament member to introduce himself.

00:00:59:22 - 00:01:03:21

Good morning. My name is Mark James and I've also been appointed as a member of the panel.

00:01:05:05 - 00:01:47:08

Thank you. Together, we constitute the examining authority for this application. We're currently examining the application following which we will report to the Secretary of State for the Department of Energy, Security and Net-zero who will be responsible for making the final decision. Also present today are Michelle Gregory, who is the acting case manager. Over to my right, along with Ben Chan and Josh Waldron from the Planning Inspectorate case team and ask them any questions you have about the administration of the event, etcetera. Just dealing with a few housekeeping matters for those attending in person, can everyone please keep their phones to silent? The toilets are located some through the door on the left hand side.

00:01:47:10 - 00:02:18:14

I think there might be some of the ones around that corner as well. And there's no fire alarm or any planned tests for today or indeed, don't think there's no planned test for this week. There's a fire escape behind me to my left. And also the other fire escape is back towards the main entrance on the right hand side. Uh, it feels a little bit warm in here to me, so I've asked for the aircon to be bumped up a little bit. But if anybody starts to feel particularly uncomfortable, then do let me do.

00:02:18:16 - 00:02:21:20

Let me know. But hopefully you can get to be a little bit a little bit cooler.

00:02:25:18 - 00:03:01:16

Okay. Moving on to the logistics and agenda for this hearing and this hearing, Will is on the scope of the proposed development needs, site selection and alternatives, and it will generally follow the agenda published on the National Infrastructure Planning website last Tuesday, and that has been helpfully displayed on the screens. Thank you for that. I'll come back to the agenda and ask if there's any questions on that a little bit later on in my introductions. The agenda is for guidance only and we

may add other considerations or issues as we progress, but I think generally we will stick to what is in the agenda and the running order.

00:03:01:18 - 00:03:20:28

There's a little bit of crossover today with, I think what we'll be discussing in the morning and in the afternoon this morning, we'll be concentrating on the scope of the proposed development and then this afternoon needs site selection and alternatives. Unless we've finished the first element slightly earlier, in which case we'll start the second element and after before lunch.

00:03:23:19 - 00:03:59:17

And will conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. But if the discussions can't be concluded, then it may be necessary for us to prioritize certain matters and defer other matters to written questions. And we may also choose to hold further issue specific hearings in the week commencing 25th of September in accordance with the examination timetable. And like likewise, if at any point you feel you can't answer a question or require time to get the information requested and let me know or let Mr.

00:03:59:19 - 00:04:35:02

James know, and it's possible that we can let you provide that response in writing, if that is needed at today's hearings being undertaken a hybrid way or a blended way, which means that some of you are present in the room today and there are others who will be joining us or who are joining us virtually online using a Microsoft teams. And we'll make sure that whoever you have decided to attend today, you'll be given a fair opportunity to participate. A recording of today's hearing will be made available on the Mallard Solar Farm section of the Planning Inspectorate website as soon as practicable, practicable after the hearing is finished.

00:04:35:04 - 00:05:04:09

And with this in mind, please, can you speak clearly into the microphone and stating your name and who you represent each time you speak? And if you're not at a table with a microphone, I think most people want to speak. Ah, but if you're not, if you're not, there is a roving microphone available as well. So please wait for one to be brought to you before you speak. And the microphones operate in the same way that they did for those present at the plenary meeting and open floor hearings. Just press the button when you're speaking and turn it off when you're not speaking.

00:05:08:00 - 00:05:39:01

And for those who want to ask questions, who want to speak virtually, then please put up your your hand and be patient with us. But you will be spotted and we'll make sure that you have an opportunity to say what you want to what you want to say. A link for Planning Inspectorate's Privacy Notice was provided in the notification for this hearing, and we're assuming that everybody here today has has read that and established establishes how this establishes, how the personal data for our customers is handled in accordance with the principles set out in data protection laws.

00:05:39:03 - 00:06:16:22

And please speak to Remember the case team if you have any questions about that. Moving on to the purpose of the hearing and. The hearing today is to address matters and questions identified by us through our reading so far of the submissions to date, including the applicant's documents, including written representations, responses to questions, local impact reports and comments on all those things. And we consider it to be it would assist us in our examination for matters relating to the scope of the proposed development to be examined through a hearing in order to ensure that the nature and the scope of the proposed development is clearly explained and understood.

00:06:17:02 - 00:06:27:04

And we also consider that matters relating to need, site selection and alternatives would also benefit from all representations and questioning, taking into account the numerous representations that we have received.

00:06:28:21 - 00:06:29:21

On these matters.

00:06:32:07 - 00:07:04:28

And just a general word on a specific hearing. It's not the intention for specific hearings to open up all the matters under a particular topic. We will. Obviously, we've got the agenda and we've got questions that will flow from the agenda and the particular purpose of the hearing today, plus the other issues, specific hearings during the week is for us to ask particular questions about particular matters that we want all the representations on. But it must make clear there might be representations provided in writing, which we're not covering this week. That doesn't mean to say they're not important, and that doesn't mean to say they wouldn't have necessary weight in our in our decision.

00:07:05:00 - 00:07:07:18

So just to make that that clear and.

00:07:09:19 - 00:07:40:15

Now moving on to introductions. I'm going to ask all those of you who are participating and wish to speak in today's meeting to introduce yourself and when state your organization's name could introduce yourselves, stating your name and who you represent and which agenda item you wish to speak on. And if you're not representing an organization, please confirm your name, Summarize your interest in the application and confirm again, confirm the agenda item you want to speak on. And could you also state how you wish to be addressed? Mr., Mrs. Doctor, Miss, etcetera.

00:07:41:01 - 00:07:50:19

And if we can start please, with the applicant and the advisors and.

00:07:52:06 - 00:07:53:26

He was leading for the applicant today.

00:07:55:16 - 00:07:56:23

Sir Matthew Fox.

00:07:56:25 - 00:08:27:16

Senior associate at Mason's Legal Advisors to the applicant. This morning I'm joined by Gareth Phillips, partner at Pinsent Masons. And to my left, Robert Pyle, his director of design, and Ben Crute, Associates in Landscaping, visual Master planning design at Design, and also online. We have Sai Gillet, a director at Humboldt, who'll be speaking on some of the scope issues. We have more colleagues who will join us this afternoon.

00:08:27:20 - 00:08:30:28

We're given the room on the table. They will join us and I'll introduce them then.

00:08:31:00 - 00:08:42:28

Okay. Just so I know that everything's working online, does Mr. Gillet just want to show his face and introduce himself? Just very briefly, just so can make sure that everything is working. And sometimes it's quite nice for those people just to show their face so everyone can see who they are.

00:08:44:01 - 00:08:47:08

Good morning, sir. Yep. So it's representing the applicant.

00:08:47:21 - 00:09:06:21

Okay. Thank you. You're coming through loud and clear and we can see you as well. So that's helpful. Thank you. Okay. Thank you, Mr. Fox. If we can now turn to the local authorities. And if we start in the order, I've got them here. Lincolnshire County Council. Mr. Willis.

00:09:10:04 - 00:09:25:19

Yes. Good morning, sir. My name is Mark Willis, the applications manager representing Link to County Council referred to me as Mr. Willis, and I'm here today to answer any questions if or specific questions on any of the items on the agenda.

00:09:26:22 - 00:09:38:24

Okay. Thank you. And you're coming through loud and clear as well. So thank you for that introduction. Uh, we can now move on to Rutland County Council and Mr. Johnson, please.

00:09:39:19 - 00:10:04:14

Thank you, sir. My name is Mr. Johnson. Just as that, um, with me, I've got, um, Nick Thrower, senior planning officer, Um, online. I have Ingrid Hooley, who's our head of sustainable development in place, and I also have Julie Smith, who's our Highways engineer, and we're all here to answer any specific questions that may come up.

00:10:04:16 - 00:10:11:18

Okay. Let me just make a note of your last two representatives that don't think they're on my my list.

00:10:11:20 - 00:10:13:21

He just say it's Ingrid Hooley.

00:10:15:12 - 00:10:22:05

Who's our head of sustainable economy and place. And then.

00:10:22:19 - 00:10:24:00

Actually, I've got her. Sorry. Yeah.

00:10:24:02 - 00:10:29:12

And then Julie Smith, who is a highways engineer.

00:10:29:21 - 00:10:31:00

Right. Okay.

00:10:45:26 - 00:10:46:15

Okay.

00:10:47:12 - 00:11:06:23

So it's just going to say we are not online at the moment, but we do also have Mark Andrews, who's our chief executive, who may speak right at a point later on. And that would be with regards to the need section and consideration of the benefits of the proposed development.

00:11:06:28 - 00:11:09:10

Okay. Thank you. That's helpful to know. Thank you.

00:11:13:08 - 00:11:19:16

Okay. And now moving on to District council. Mr. Jordan.

00:11:20:27 - 00:11:34:16

Good morning, Phil Jordan. I'm the development management and enforcement manager at South Stephens District Council. I'm happy to be addressed as Mr. Jordan and here to answer any questions on behalf of the council.

00:11:35:07 - 00:11:35:24

Okay.

00:11:36:16 - 00:11:37:09

Thank you.

00:11:40:00 - 00:11:56:03

Okay. And now I'll move on to Mallard Pass. Action Group. And Mrs. Holloway, you're leading this action groups representations again this morning. Good morning. And if you'd like to introduce yourself and also who will be assisting you today as well, please.

00:11:56:22 - 00:12:07:20

Good morning, Mrs. Sue Holloway. I'm the chair of the Mallard Pass Action Group. And joining me today and supporting is Ian Halliday on my left and Tony Orvis on my right.

00:12:07:25 - 00:12:08:17

Okay, Thank you.

00:12:14:25 - 00:12:24:25

Okay. Thank you. And we have, I understand, three representatives of parish councils here today. And first of all.

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

The rival Paris Council.

00:12:30:29 - 00:12:31:25

Miss Christie.

00:12:34:07 - 00:12:39:25

Oh, hello. Yes, I'm just here to observe on behalf of the parish council.

00:12:40:24 - 00:12:44:11

Okay. Thank you for informing us of that. Thank you.

00:12:48:04 - 00:12:52:13

And having Mr. Kentish for Brace Perone and Wills for Parish Council.

00:12:55:20 - 00:13:13:17

Can you wait for a microphone to come to you? Well, there's actually I think there might be. Is there actual space available for you at the table? So if you wish to. If you would intended to speak today, then there is actually a place at the table for you. So as long as you're happy to. No, no, don't worry.

00:13:29:14 - 00:13:32:25

Take care of our council.

00:13:41:04 - 00:13:45:11

I'm sorry. Okay. Need all the help I can get with technology.

00:13:46:15 - 00:13:49:06

Okay. If you'd like to just introduce yourself again.

00:13:49:15 - 00:14:00:14

Oh, yes. Now you can hear me. David Kentish. I'm chair of Bracebridge and Wills Parish Council. Here to answer any questions that you may have, but specifically on the scope of the proposed development.

00:14:02:29 - 00:14:11:00

Okay. Thank you. And is there any particular within the agenda for the scope of the proposed development? Are there any particular agenda items you wanted to?

00:14:11:07 - 00:14:21:15

I think all of the all of the items under the scope of the proposed development is something that would have a concern about. So I'd be prepared to answer any questions on that. Okay.

00:14:22:25 - 00:14:23:18

Thank you.

00:14:27:24 - 00:14:28:23

And next.

00:14:28:25 - 00:14:31:07

On my list is Andrew.

00:14:31:09 - 00:14:32:00

Hoyle.

00:14:32:02 - 00:14:32:27

From.

00:14:33:22 - 00:14:34:24

Kirby with.

00:14:35:01 - 00:14:38:27

Ormsby and Holloway Parish meeting. Mr. Hoyle here.

00:14:41:05 - 00:14:42:05

Can you again, this is a.

00:14:45:04 - 00:14:50:00

Oh, you want to observe? Okay, well, if you want to speak during the meeting, just put your hand up and we can get you a microphone.

00:14:52:25 - 00:15:00:05

Is there a is there a place for Mr.. There is actually a place again at the table. If you'd like to sit at the table, it's entirely up to you.

00:15:11:28 - 00:15:22:27

If it were fortunate today, were quite a large round table arrangement. So we've got those people up at the table, which is actually quite, quite helpful. So if you just like to briefly introduce yourself to the microphone, please.

00:15:28:12 - 00:15:48:09

Andrew Hoyle, representing Gabriel and Holywell, which is the parish just to the very north of the development. Concerned about all sorts of aspects of this development. It's very difficult from the agenda to pick out, which exactly points where the discussion goes.

00:15:48:16 - 00:16:12:27

Thank you. Okay. Well, if you want to speak on anything during the agenda, then put your put your hand up. Thank you. Okay. I've now got a list of other interested parties who wish to participate in the meeting, some of which may want to speak, and some of which some people may not want to speak. But if you can just make that clear, when I go through the list, I've got a Linda Davis.

00:16:18:13 - 00:16:20:17

Could you wait for the microphone? Sorry.

00:16:26:04 - 00:16:33:00

Um. I understand that. I have got a seat and I could sit there. I prefer to sit here at the moment.

00:16:33:02 - 00:16:33:17

Okay.

00:16:33:19 - 00:16:35:18

That's okay. May speak.

00:16:35:26 - 00:16:40:17

Okay. That's absolutely fine. Again, just put your hand up when you. When you wish to. Thank you. Thank you.

00:16:44:14 - 00:16:54:17

And perhaps rather than go through my list of people, is there anybody else who in the room wishes to speak today?

00:16:56:28 - 00:17:01:10

Okay. If I can start from the left hand side. My left hand side.

00:17:03:05 - 00:17:30:22

Hello, I'm John Hughes. Can be addressed as John Hughes. I'm an interested party. My parents residence is in nine Glen Crescent and Dean and would like, depending on what actually comes forward in the meeting. One is the site selection to the data that's been actually submitted so far to the authority. But any other issues as well that become apparent?

00:17:31:04 - 00:17:36:06

Okay. Thank you, Mr. Hughes, and welcome to the the hearing. Okay. Moving along.

00:17:37:09 - 00:17:38:27

Yes. I'm Adrian. I'm a.

00:17:38:29 - 00:17:40:28

Resident of S9.

00:17:41:00 - 00:17:41:27

And there are a number.

00:17:41:29 - 00:17:42:22

Of issues.

00:17:42:24 - 00:17:53:10

That I would like to raise today regarding the application. They will probably come under the scope of the proposed development and the site selection and alternatives will be the main headings.

00:17:55:18 - 00:17:56:25

Okay. Thank you.

00:17:58:14 - 00:18:11:23

Thank you, Mark. My name is Simon Davis. I've been a resident in the area for nearly 40 years and would like to talk about the need for this development when it comes up on the agenda, please. Thank you.

00:18:12:03 - 00:18:15:09

Okay. Thank you. That's helpful. And there's some more.

00:18:15:11 - 00:18:28:17

Hands and myself, David Kentish, as a personal information and I'm here as the chair of Brighton Parish Council. But if I get the opportunity to give a personal opinion and would very much like to do so.

00:18:28:24 - 00:18:32:20

Okay. As long as you make it clear who you're representing or not representing as case of.

00:18:32:22 - 00:18:35:14

Course will make that claim at the outset. Okay.

00:18:35:16 - 00:18:38:15

Thank you. And some hands up behind as well. So.

00:18:49:19 - 00:18:50:04

So.

00:18:53:17 - 00:18:55:01

Hello. That's working.

00:18:55:09 - 00:19:08:24

Helen Woolley. I am an infected person who lives near Hornby in the parish of Hornby and would like to reserve the right to speak today, depending on what questions actually occur. Okay.

00:19:08:26 - 00:19:09:11

Thank you.

00:19:20:25 - 00:19:28:28

Quite Richard Williams interested party. Don't know what want to speak on what if I do yet? Depends what you lot say.



00:19:29:29 - 00:19:31:04

Okay. Thank you.

00:19:34:18 - 00:19:55:22

Okay. Anybody else who's actually in the room in person today who wishes to speak? Okay. If anybody else does join the meeting, then just put your your hand up and we'll make sure that you're able to. Now, is there anybody else online with us virtually today who hasn't yet introduced themselves, who wishes to speak? And you can put your hand up, please.

00:19:59:24 - 00:20:07:29

No, don't see any hands. Oh, I do see a hand. Okay. Can't quite read the name underneath. So if you could introduce yourself, please have an initial.

00:20:11:25 - 00:20:35:10

Um. Hello. So just introduce me. So, I'm Ingrid Hooley and head up the planning and economic functions of Rutland County Council. So just wanted to say hello. And if our chief executive can't make it, will be speaking on his behalf. Unfortunately or fortunately, he's in with ministers today, so he may or may not get a chance to join us.

00:20:36:01 - 00:20:39:06

Okay, That's helpful to know and thank you for introducing yourself online.

00:20:39:26 - 00:20:40:18

Thank you.

00:20:44:02 - 00:20:49:13

Okay. Any further? Hands up. Don't think there. All right, Mr..

00:20:52:08 - 00:21:06:03

Again, if anybody who's online with wishes to speak, who's not, let us know already. Then again, please put your your hand up. Okay. I think that covers all the people who wish to participate today.

00:21:10:26 - 00:21:47:09

Just further points before we start, we'll be seeking to have a mid-morning break is around about 1130 this morning. And then we'll break for lunch at approximately 1:00. And then in the afternoon, similarly, we'll have a mid-morning mid afternoon break. And we intend that the hearing doesn't continue past 5 p.m. today, so everyone can keep that. Obviously, we'll be keeping that in mind. If everybody can keep that in in mind today. And then please can anybody who speaks provide a written summary of the oral representations by deadline for which is Tuesday the 25th of July.

00:21:48:21 - 00:21:58:09

And then before we move on to the substance of the agenda. Are there any questions about the agenda for today or how this hearing? Will be conducted.

00:22:04:07 - 00:22:11:18

Okay. Right. We can now turn to the, if you like, the substance of the agenda, please.

00:22:21:18 - 00:22:26:04

An item three is the scope of the proposed.

00:22:27:27 - 00:22:58:25

Development. And would you just say quickly say we've got an item tomorrow morning on update on statements of common ground. So in case anybody wanting to talk about that today, then we've got it in the agenda first thing tomorrow morning to cover that. Okay. The first item A is the proposed output of the generating station and connection to the existing rifle substation. And I've got some questions on that. And. Mr.

00:22:58:27 - 00:23:01:08

Fox, put the question through to you and then you can just simply

00:23:03:12 - 00:23:25:06

point towards who wish to speak on the matter. You're not doing. There's obviously no maximum output in the draft development consent order, but the application states that the parameters applied for would allow for a generation of up to 350MW and understand it. The Grid connection agreement with National Grid is 240MW. AC.

00:23:26:26 - 00:23:38:24

And my first question is, does that actual amount, i.e. that grid connection agreement. Does that equate to what the actual capacity is at the existing substation?

00:23:41:19 - 00:23:42:04

And

00:23:43:15 - 00:23:49:19

I'll let Gillet online and explain the background on that. Okay.

00:23:50:06 - 00:23:51:28

Thank you, Mr. Gillet.

00:23:53:01 - 00:24:15:06

Thank you very much, sir. So for the applicant, the simple answer to your question is that 240MW AC is the available capacity associated with the connection agreement which has been secured by the applicant for export of electricity to the national grid through rail substation?

00:24:18:06 - 00:24:21:07

Right. Thank you. So that is the.

00:24:23:02 - 00:24:50:15

That is the maximum capacity without any works is. Is there a possibility in the future that works could take place to the existing substation? No, it's not your substation. And no, we're not going to representative here from National Grid. But is it the possibility that works can take place to it during, let's say, the lifetime of this proposed development would have that lifetime would be to expand that capacity? Or is it is it generally expected that that capacity would be fixed.

00:24:52:00 - 00:25:36:04

Again for the applicant? If I can bring your attention to appendices, to the applicant's response to your first written questions and believe that I was rep 2038 where two public letters recently published, one by Ofgem and one by National Grid have been appended. For your information on what these letters talk about is the current issues around connection, capacity, availability and durations for connecting.

00:25:38:00 - 00:26:10:07

Developments which wish to connect and export low carbon electricity to the grid. It talks to the delays associated with those as a result of the timescales associated with developing new connection

capacity. The reason I say that, sir, is that in theory, of course there is a possibility that any piece of infrastructure can be upgraded at a subsequent time, although of course that is not underwritten as yet.

00:26:10:09 - 00:26:43:03

So it's nothing that can be relied on now, but the timescales are associated with doing that work are not consistent with the urgent need for low carbon generation to connect to the grid in order to meet the carbon budgets, decarbonisation targets and legal requirements that the UK has to take carbon out of the electricity system and subsequently out of the wider energy system.

00:26:47:18 - 00:27:20:08

Okay, Thank you. And if, as you've said, there is that capacity which does cover the it's covered by the grid connection agreement. If you could just expand on what the actual just make clear what the actual justification is for not including particular capacity in this draft building consent order, because if there is a certain capacity that can only be, if you like, met, they can't go more than that. What is the actual issue of not putting a maximum development, maximum limit on the output in the development consent order?

00:27:20:26 - 00:27:34:11

And so for that, I'll let Mr. Gillett explain the difference between capacity and output, and then I'll go on to after he's done that, just explain why we don't think such a limit would be necessary in any event.

00:27:36:29 - 00:27:52:17

Okay. Thank you. And for those wondering who've made representations, this will be asking in a few moments. Two on the points that have been made about the actual calculations on the applicant. So I'll get clarification on that. But if we can move on to answer this particular question then. Mr. Kelly.

00:27:53:21 - 00:28:13:01

Sure. Thank you, sir. So, again, just get it for the applicant. What I was going to do was explain the principle of over planting, which has been applied for this development, which will help understand the the the thinking, the rationale behind.

00:28:16:03 - 00:28:45:02

Well, it will help understand the rationale behind why there is why we have a indicative scheme which is larger than 240, but also why there are some more detailed design points associated with that specific number which imply that we that we do not believe it appropriate to put a specific limit on that capacity and that that's at the point that I'll I'll hand back to Mr. Fox. But.

00:28:46:24 - 00:29:00:11

I just wanted to talk a little bit about about over planting. Over planting is is discussed in the draft three national policy statement for renewable

00:29:02:03 - 00:29:03:23

electricity generation in.

00:29:07:00 - 00:29:46:17

Which has been shared with you as. As an appendix to the statement of need and Section 7.7 also of the statement of need. Talks about over planting and what's over planting is is it is the development of a higher capacity of generation than the export allows than the export allows. So so I'm going to use that indicative or illustrative 350MW scale, which is clearly bigger than the 240MW.

00:29:47:04 - 00:30:21:29

This is commonplace in solar developments in the UK because it improves the utilization and it optimizes the utilization of the grid connection because as we all know, the sun is not always at 12:00, high noon. It is not always a bright, sunny day and the sun is stronger in the summer than in the winter, which means that if a site is over planted, there is a disadvantage associated with the most the highest.

00:30:22:22 - 00:31:07:20

Moments of solar irradiation during the year, which are generally in the middle of the day on strong sunny summer days. But at all other times, there is an increase in the number of megawatt hours which can be exported from the generation facility because there's more generation capacity behind that, that that connection points. So what that does overall is it increases over the lifetime of the project, the megawatt hours which can be exported to the grid and that supports decarbonization, security of supply and affordability aims.

00:31:09:24 - 00:31:37:26

The specific tipping point, if you like, which is the point above, which over planting becomes less efficient, it becomes more efficient up to the points and then less efficient after that point is a scheme specific points. And we've set out in our in the applicants responses to your first written questions and again refer to 037 and think

00:31:39:29 - 00:31:56:07

that was a question 1.0. 16 we've set out of the mathematical model which, which, which kind of illustrates this relationship between over planting and lifetime and generation.

00:31:57:23 - 00:32:32:00

Mathematically, that range is somewhere between 1.3 and 1.5, i.e. between 1.3 times the grid connection capacity and 1.5 times the grid connection capacity. But the specifics of that will relate to the specific design, which is clearly something which will be assessed. If the project gets consent, then once the project is consented and that detailed design stage is entered into,

00:32:34:12 - 00:32:41:24

if at this point I can pass it to Mr. Fox, who will? Who will answer your second question, sir?

00:32:42:25 - 00:32:44:07

Okay. Thank you, Mr. Gillet.

00:32:45:28 - 00:33:20:21

So think so in that in that context, the question is whether limits should be imposed. Is then what is it essentially seeking to achieve in the context that we want to facilitate efficient and maximum generation from renewable sources that we're creating through this new solar farm? Um, I'd also like to make the point that such a limit is not presented in any of the solar shows to date, and it's also not precedented. And in the offshore wind farms, which again, in the context of us having national need to develop renewable energy, it's not required.

00:33:20:23 - 00:33:56:22

Now note that there was a limit imposed on Little Crow, but that was in relation to the battery, not to the solar. Um, and that's important because the question of whether you're going to impose a limit is one of what would be essentially imposing a requirement. And then when you're thinking about that, you're thinking about the planning test and is it necessary in planning terms? Um, I think the applicant's position would be is that has assessed the impact of the scheme. And whilst you recognise that some like certificate effects have been identified at a local level, they are localized to those visual impacts.

00:33:57:03 - 00:34:34:20

Um, now others may question things like the impact of agricultural land and you know, our position has always been that our impact agricultural land are reversible. And even in the worst case, if you thought that wasn't the case, we took up 0.054% of the agricultural land just in Rutland and Lincolnshire, never mind in the UK. Um, I think it's also important to note that, um, in the context of those impacts that one of the national policy statements recognises the power of 15.10 point five.

00:34:34:23 - 00:35:20:06

The all new renewable energy infrastructure has major impacts. Um, but that goes on at paragraph five, 1025 to talk about the fact that, you know, any kind of capacity on the basis of what Mr. Gillett has just explained would essentially be reducing the scale of the project and its ability to maximize generation that it's creating. And that paragraph in the NPS talks about, you know, in exceptional circumstances, would you consider a restriction that could have a significant benefit in visual impact terms to warrant a reduction in functions? And we would say that we don't see that that is something that is the case here, that we need to maximise the connection that we've created that we have with the substation.

00:35:20:23 - 00:35:34:03

And I don't think that there's anything in terms of mitigation that's been proposed by anybody and that would essentially flow from a limit that is imposed due to the actions that would warrant the loss in function that it would entail.

00:35:35:19 - 00:35:43:17

So in that context, we would argue that there's no planning test and no planning reason to impose element.

00:35:45:11 - 00:35:53:22

Okay. Thank you. And just for clarification, so everybody's clear when you mention one, can you just be clear that that's the existing one or the draft one after.

00:35:54:10 - 00:35:55:25

The new one?

00:35:55:26 - 00:36:39:19

So the draft, Yeah, when we're mentioning we're having a little session on policy which Mr. James introduced before we do need this afternoon. But in general terms when we're referring to one, if we can make it clear if it's the draft or the currently adopted version, of course. Sorry. Okay. Thank you. And. I've got a couple of questions from that, which I'll probably sort of flow later on the agenda, actually, But so I'll leave it to them. But in terms of the points made by. My last mass action group and think Mr. Orvis in the separate submission as well on the actual calculation for the output, there was two alternative calculations put one where it was said that the calculation made is just wrong and another one with different inputs into it in different outputs from it.

00:36:41:12 - 00:37:08:01

Could you just comment briefly? Don't want to go over the detail of those. What's been put forward. And in many ways it might be something where I'd be quite helpful and we'll talk about some common ground tomorrow where there might be quite helpful to have a short position party and what the the issues are with that calculation. But could you just comment briefly now on. Those calculations that have been presented by my group and Mr.. Mr. Orvis and what the applicants view of those is, whether or not it agrees. And if it doesn't agree, why not?

00:37:08:03 - 00:37:08:18

Yes.

00:37:08:24 - 00:37:11:14

On that in general terms rather than detail of it.

00:37:11:20 - 00:37:25:02

Yeah. I'll let Mr. Gillet just want to that should say on your question about the statement of common Ground, that's not something that we've yet discussed with third parties in terms of that connection, but obviously we can discuss that. Okay. Yeah.

00:37:26:24 - 00:37:27:29

Okay, Mr.. Mr. Gillet.

00:37:28:27 - 00:37:46:26

Thank you, sir. So get it for the applicant. Um, so nationally, um, solar in the UK, um, realises a load factor of on average 10.5%. And that is a number which is

00:37:48:14 - 00:38:25:16

derived from National Grid's operational data on on solar generation and capacity. Figure 7.4 of the statement of need up to zero two shows that irradiation in Lincolnshire is on average higher than the national average solar irradiation in the UK and the specific load factor associated with the sites will, as mentioned earlier, be related to the specific design.

00:38:25:18 - 00:38:48:18

However, um, we have used a localised estimate of load factor of 11.4% and that has been derived from a number of different data sources, including satellite data and, and power power estimates and design options

00:38:50:04 - 00:39:16:28

which. So that the calculation of the illustrative 350MW, which is what we talked about earlier. Multiplied by the 11.4% load factor, multiplied by the number of hours in the year, does derive an initial output of 350 of approximately 350,000 megawatt hours. In that first year,

00:39:19:16 - 00:39:59:25

it's a complex thing. And we talk also about panel degradation at various points in the in the application, we assess that the the average annual output of the proposed development over its lifetime, over and over a 40 year period of operation. So I'll correct that. Not lifetime, but it's a 40 year period of operation would be 315,000 megawatt hours accounting for degradation being very small in year one down to a larger number in year 40.

00:40:08:06 - 00:40:10:19

Okay. Have you? Thank you.

00:40:12:05 - 00:40:43:15

Is there anything on the calculations presented by MPG and think it would be helpful? I'm sure you probably did this as well. But in response to this hearing, there is a clarity on both the calculations presented by presented by Miles Price Action Group and indeed in the company, even discussion between the two parties. On that point, it might be quite useful in cases only. Just things that can be ironed out comfortably. But. For? I don't know, Mr.. Actually, Mrs. Holloway wants to speak about this.

00:40:43:17 - 00:40:47:10

Is there any point you want to raise just in general terms now about this this point?

00:40:48:14 - 00:40:50:06

And yes would please is Tony.

00:40:50:08 - 00:41:22:12

Lopez middle class action group. My. I was merely responding to the plant load factors provided by the applicant in their marketing brochure. They gave 11.4%. It then went down in their non-technical summary and in their climate change document to 10%. It then went up in an answer to you to 11%.

00:41:23:15 - 00:41:55:12

In the appendix that Mr. Collette referred to. It went up to 11.4%. And now we've heard from Mr. Gullet today that it's going to be 10.5%. Now, the only point that I wish to make is there's quite a difference in those percentages, and that has a great bearing on the output. The development and that in turn has a great benefit.

00:41:55:14 - 00:42:03:06

That's a great impact not just on the output, but on the carbon calculations associated with it. So

00:42:04:26 - 00:42:26:19

I mean, that's that is my point. I could also. Suggests that the Duke's publications for 2021 indicates 10%, which is in accord with some of the suggestions made by by the applicant.

00:42:30:04 - 00:42:40:03

Okay. Thank you, Mr. Iverson. We will come back to the carbon side of it this afternoon when we discuss need. Mr. Fox, you want to go back to anything or just.

00:42:40:05 - 00:42:51:12

It was just briefly to say that, um, it was quite detailed discussion on this in our responses to interested parties. Submissions on climate change at Rep 329 Um.

00:42:57:10 - 00:43:02:16

So in terms of people thinking about responses for that line for would be worth looking at that as well, isn't it?

00:43:03:03 - 00:43:06:06

Okay. Thank you. And just in relation to the.

00:43:12:11 - 00:43:19:14

I see this hand up from Mythicality. That's a. Hand it from before or not. But it's.

00:43:20:09 - 00:43:40:26

It was, if I may say, just perhaps wasn't clear. I just wanted to reiterate that the national average or make clearer the point that I was trying to make because the national average number is 10.5. We believe the scheme is going to be higher than that 11.4. I just wanted to make that clear. Wasn't clear earlier.

00:43:41:04 - 00:43:43:18

I understand that. But thanks for that clarification.

00:43:45:13 - 00:44:00:04

And in terms of the connection to the existing grid, it's not proposed that there are any expansion works to take place to the existing rival substation. And in its response to written question, I think it's in question 1.25 National Grid.

00:44:02:03 - 00:44:26:06

Weren't really able to answer the question in terms of the implications for operability of the existing substation, nor regarding what is the existing available capacity. They said they'll have to go and work things out to come back, which was a little bit surprising because thought that that would have been they'd have come back to say, this is what it is, this is what's going on. And they seem to sort of say, well, we can't provide that detail at the moment because we need to go away and do studies. ET cetera. And.

00:44:27:16 - 00:44:28:16

What's the applicant's.

00:44:28:18 - 00:44:34:16

Understanding in that in that regard? Um, and obviously you've been having discussions with National Grid, etcetera, so.

00:44:35:03 - 00:44:49:00

Obviously we'll encourage them to try for the responses on that point. But um, our understanding is that they wouldn't give a grid connection offer if they weren't able to cope with it within the context of the existing substation. Um.

00:44:51:20 - 00:45:08:16

Yeah, I mean, we'll see. They're not here today, Representative. It's not here today. We can obviously ask further written questions, but it would be. Yeah, interesting to get more context behind that answer. But we can't get that. We can't take that any further today. Don't think I should say.

00:45:08:18 - 00:45:20:27

What we do know is that we essentially took the last of the existing capacity, so it was built to help with the education of the East Coast main line. It had spare capacity, which our offer takes.

00:45:23:29 - 00:45:51:09

That's what we do there. And when the substation was originally built, obviously it was built for the East Coast main line, primarily, I understand. But there was obviously this spare capacity, was there. What was the actual intention for that at that time? Don't know if anybody. Knows the answer to that in terms obviously it had the spare capacity. What was the actual intention for that spare capacity? Why was it not just constructed to deal with National Grid? Sorry, the railway requirement?

00:45:55:26 - 00:45:57:23

If you'd like to, if you'd like to introduce yourself. Yeah.

00:45:57:29 - 00:46:16:28

Nicholas Tara, on behalf of Rutland Cancer Council and was the case officer for the substation and there was no indication of any further projects that the substation would serve at the time of its construction. It was purely reference to the serving of the East Coast main line. Right.

00:46:17:07 - 00:46:18:07

Okay. Thank you.

00:46:20:00 - 00:46:24:09

Okay. Got no further. Is there any point you want to make on that or not?

00:46:24:11 - 00:46:28:12

Nothing that. But just wanted to make another point before you moved on to the next item agenda.



00:46:29:22 - 00:46:33:26

Just one more question and then and will come back as well.

00:46:34:05 - 00:46:35:04

Are there any and.

00:46:35:10 - 00:47:11:22

Are there any impediments that the applicant is aware of at all in terms of the. Connecting to the to the grid and the existing substation. And what is the actual time frame to making the connection? Because obviously there's not some it's not a sort of a long underground route in this case as they can be on some some solar farms. But there's still things that need to be done. So from the point, say, for example, hypothetically, when consent is granted, what's the timeline from then to the point where it would be connected and energy would be flowing into the grid from the substation?

00:47:13:26 - 00:47:18:08

Mr.. That interconnection agreement is by 2028. So.

00:47:20:26 - 00:47:21:23

Now. There my then.

00:47:27:28 - 00:47:34:12

That would be the latest, I would say, because the applicant's attention is as soon as it has content for the scheme is to build.

00:47:36:28 - 00:47:40:20

Okay. Thank you again. Introduce yourself, please. John Hughes.

00:47:42:17 - 00:48:12:24

Going back to the issue of the East Coast mainline rail substation actually approved the original application for that. And my understanding is that the actual station is a feeder station, not actually a station that can put power back into the grid to where obviously clarification needs to be given on that. But the original, the original fee to station was a 400 kilovolts to supply the East Coast mainline and that was its original purpose.

00:48:15:02 - 00:48:29:06

But as we've gone forward with regards to the proposals of stage one and stage two with regards to Mallard Pass Solar Farm, we've had no detail to their planned substation

00:48:30:23 - 00:48:36:18

that has to be built to be able to put the power back into the grid and the modifications to that current substation.

00:48:37:08 - 00:48:38:04

Okay. And we will.

00:48:38:06 - 00:48:38:21

And.

00:48:38:24 - 00:48:43:16

Sorry, we will come on to the proposed substation later on in the in the agenda with an actual site itself.

00:48:43:18 - 00:48:52:10

But that original substation, there was no it was never referred to that. Yeah. The consequences of its construction would be this meeting we're having now.

00:48:55:03 - 00:49:02:18

No. Understand? Okay. Thank you. There's a hand up at the the back again. Have you got a got a microphone. Yeah.

00:49:02:25 - 00:49:17:18

Richard Williams. Just on this connecting by 2028, there either is or isn't climate emergency, but if it is an emergency, then surely you can get connected soon in 2028.

00:49:21:15 - 00:49:46:10

Mr. Fox, Mr. Fox. I mean, that was the latest date based on the offer that we have seen as we've set out in the we anticipate starting construction in 2026, taking account of the fact that we need to go through this process, get consent discharge from requirements, essentially takes you to that time. So just to confirm, the applicant is in no desire to do this slowly and we'll proceed it.

00:49:47:15 - 00:50:13:17

Okay. Thank you. And it may well be that we ask another question of National Grid, but obviously, presumably the applicant is having discussions with National Grid about the connections of substations. So if that sort of lack of clarity in their in their answer to the written question, they can be sort of pushed a little bit by yourselves to provide a response by the next even by the next deadline would be quite helpful. Rather than having to wait for us to ask further written questions in the middle of August.

00:50:16:20 - 00:50:18:08

Yes. Again. Give your name, please.

00:50:19:03 - 00:50:57:21

Yes. It's Adrian Falso. I'm a simpleton when it comes to figures. But looking at where you've stated, the capacity of the station is 240MW on an AC basis, and we have a farm that's proposed to have a 350MW capacity. What actually happens to the electricity in the peak time that the grids all the grid can't take? Where does it go? And, you know, is that going to be a case for the future, for looking at battery storage? I'm not sure.

00:50:58:02 - 00:51:11:07

And also, in terms of the figures that you've given of what the output of this farm is per year, does that stack up in terms of the 92,000 houses that you said it would supply?

00:51:13:24 - 00:51:29:21

Thank you Miss. For the second point will feed into an agenda item this afternoon where we're going to ask questions on battery storage. So I think your point there is best addressed when we ask questions on that later on. Do you want to come back briefly on the second point that Ms.. Fossil's made, please? No, Mr. Fox.

00:51:34:27 - 00:51:44:12

And asked Mr. Gillet if he can. Otherwise we might have thought you were out to say we can deal with it later. But we can ask you to get it if it would help. Yeah. On the first.

00:51:44:14 - 00:51:53:20

Point on the battery storage point, we'll discuss that later on. But on the second point that was raised. There's anything you want to say on that or no? We can clarify in writing a deadline for review, if you wish. Okay.

00:51:54:13 - 00:52:37:09

Um, can just make two small points. Okay. First of all, is that the point of the national grid is that they have a contractual obligation to deliver that connection. That's what the grid connection agreement does. And on the similarly on the on the battery storage, I mentioned earlier that we are taking up the capacity in order if battery storage were to be taken forward by anybody. It would require upgrades to the substation. Um, and the the second point just to close on this on this first item was just to make the point that, um, there is no need for a limit requirement because the impacts of the development are controlled through the parameters and our design guidance and the work's plans.

00:52:37:27 - 00:52:42:14

Um, so the impacts are what they are on the basis of those, those parameters.

00:52:42:16 - 00:52:46:18

Okay. And we'll come on to the parameters as well. So we can probably leave that point there for

00:52:48:11 - 00:52:50:13

the time being. Yes. And quickly.

00:52:51:04 - 00:52:51:19

Yes.

00:52:51:29 - 00:52:55:03

Ian Halliday for the Section Group.

00:52:55:15 - 00:52:56:06

With respect to.

00:52:56:08 - 00:52:56:23

The.

00:52:57:23 - 00:53:03:02

Explanation of capacity versus output and to the point raised by Adrian.

00:53:03:20 - 00:53:04:18

It was, um.

00:53:06:07 - 00:53:08:19

It's important to note that 92,000 homes.

00:53:08:26 - 00:53:09:16

Is based.

00:53:09:18 - 00:53:16:18

On an output capacity in the calculation provided by the applicant of 350MW, which.

00:53:16:20 - 00:53:17:05

Is.

00:53:17:15 - 00:53:19:05

Not the output of the.

00:53:19:07 - 00:53:19:22  
Station.

00:53:19:24 - 00:53:28:21

If you actually calculate it through from 240, it's about 60,000 homes. So they overstated its benefit. I believe the rest of that is probably for the statement later on when we talk about its carbon.

00:53:29:08 - 00:54:00:12

Yeah. Yeah. Matters relating to need and benefits of the development, which sort of quite interrelated we'll pick up. Thank you. Later on. But I note your point. Thank you. Okay. On item B, which is the period of operation of a proposed development. And item C is the proposed decommissioning. In some ways, these matters perhaps can be can be linked into to one item. There's obviously no maximum period of operation. The a period of 40 years has been indicated for operation prior to commissioning.

00:54:00:14 - 00:54:31:01

And I know what's said in draft three, paragraph 3.10 point five, four, five, six. But. Can. Firstly, the applicant just clarify briefly on what why it is not able in this instance to specify a maximum operating period. What is there? Just in brief terms, the justification for that given for example, that presumably there's a well, I've read that there's no indicative lifetime for the life of panels.

00:54:31:03 - 00:54:47:02

For example, what is the. And also 40 years seems to be quite at the top end of of of operational life lifespans for projects such as this. So what's the particular reason in this case why the applicants not chosen to have a a limit on the period of operation?

00:54:50:02 - 00:55:21:04

And Mr. Fox as a starting point is the fact that nations need to the 2015 net zero target is a target which we're currently failing to meet on the basis of the latest reports, but also it's a target for that year. But the need for renewable energy generation is not going to stop magically in 2050. The need for the the solar generation is going to continue because what we're doing is decarbonising our energy supply and that will continue.

00:55:21:28 - 00:55:55:13

So it's in that context, we feel it's not necessary to impose an arbitrary limit, especially when you consider the technological innovation that's developing in the context of solar panels. You mentioned about 40 years being the top end. That may be the case now, but the industry has been rapidly innovating, as evidenced with Cleve Hill being the first to make it economic to the scale. And now, you know, the number of solar farms that are coming forward because it makes sense to do it, don't.

00:55:56:19 - 00:56:26:26

So in that context, given that we don't think it's necessary to impose a limit, the 40 years was used in the assessment because we had to choose a point at which it would make sense to carry out a decommissioning assessment. But that's why I mean, think there is the point that obviously it is electrical infrastructure and electrical infrastructure does wear out, so it will eventually have to be removed. But there seems to be no reason to do so, and that's no reason to impose a limit.

00:56:27:19 - 00:56:59:27

And I'd also say related to the point I made earlier, which is what is the planning reason to do it? Yes, there are impacts agricultural land, but as say, the infrastructure will remove and once once it's removed, we've been clear that the impacts are reversible and it will be the agricultural land will be able to be used. And even if you took a as we have done in the Yes. A worst case scenario to consider that all that land was lost, it's still only 0.054% of land in the region.

00:57:00:20 - 00:57:34:15

And finally, I note that obviously there are we understood there are the island, there'll be impacts from scheme, but post 15 years our mitigation is developed and our has concluded that much of those impacts will have gone and think it's the case that whether it was 40 years or 60 years, those impacts have been assessed as permanent and they are what they are. So if you post 40 years, 60 years, 80 years post mitigation, they are what they are and obviously that mitigation will continue to grow.

00:57:35:09 - 00:57:44:14

Um, so in that context, and given the need for this scheme now and in the future, we can see no planning reason why no limit should be imposed.

00:57:45:29 - 00:58:10:18

Thank you. If the connection was going to be in 2028 before the panels, so presumably there's probably Zoom discussions now taking place about what panels are going to be used. So presuming it was to open operation in 2028, what what would they, you know, probably can't say for sure, but what would be the expected lifespan of the panels that would be installed at that at that point?

00:58:12:18 - 00:58:24:27

I think. I don't think it's possible appropriate to answer that question because at the time that they were installed, we'll know that that question. And I think it's it goes back to the point of.

00:58:26:12 - 00:58:30:23

I suppose. Why does that matter in the context that point made?

00:58:31:05 - 00:58:32:00

And is it?

00:58:33:24 - 00:59:13:16

And this is a question which probably will come up in the hearing on when we talk about the definition of of maintain. It's probably worth asking it now, and I'm not quite sure. It's actually quite clear in all the answers to the written questions because I think in certain places there's an indication that in one place is indication that actually all the panels could be replaced, but the substation will stay the same. And so certain bits of tracks would stay the same. But it's indicated that all the panels could be replaced in the operational life lifespan of the Or the development obviously means that you could, after 20 years get completely new panels and then it could operate for another 20 or maybe 30 years then and elsewhere think it's indicated that that wouldn't actually happen.

00:59:13:18 - 00:59:49:12

Is that actually there won't be a whole scale removal of all the panels. Could that point be cleared up Now in terms of it, will there be at some point the possibility that each and every panel will be replaced by a new panel with technology, greater power ratings, etcetera? Understand that and possibly even benefits in terms of the the amount of land that might be needed at that stage. Don't know or maybe not. Don't know. But is that the intention that that may that may happen? There may actually be a whole scale removal of all the panels. Whilst it wouldn't be a repowering, which as I understand it, would involve the loss of the a new substation, etcetera, but all the panels might be replaced.

00:59:49:14 - 00:59:52:20

Is that is that what is potentially envisaged?

00:59:52:23 - 01:00:00:01

And so the definition of maintain specifically clear on that in that it doesn't involve. Replacing the entire.

01:00:02:13 - 01:00:11:14

Okay. But by scheme, do you mean panels? Is it is it the possibility that each and every panel might be replaced during their operational lifetime? Yeah.

01:00:12:10 - 01:00:13:21

I think the point is, is that

01:00:15:14 - 01:00:31:10

each panel over time might need to be replaced because it might break. Or the reason throughout that the 25 and 40 year initial period, it might be in place. But the idea is that there wouldn't be any one time a wholesale replacement of all of the panels.

01:00:33:07 - 01:00:42:06

Okay. And perhaps we'll come back to this on the on the discussions on Thursday as to whether or not there is anything to actually prevent that as it stands at the moment.

01:00:44:26 - 01:00:45:15

Correct.

01:00:45:28 - 01:00:46:18

Gareth Phillips.

01:00:46:20 - 01:00:47:26

The applicant thought just.

01:00:47:28 - 01:01:24:05

Before moving on to other parties on this topic, thought it might frame some context around the other solar insights that are being applied for at the moment because I'm advising on those as well. Um, the 40 year life is the best case scenario on the available technology and that is referenced in the draft. N3 Uh, this year's version, um, there's a sort of indicative timeline of, of, of what's expected from the panels. We can we look back over history projects 510 years ago were considering say 20, 25 years.

01:01:24:07 - 01:01:58:24

But such is the rapid advancement in technology that now 40 years is is deemed more than achievable. Most of the solar applications that are before the inspection at the moment have adopted 40 years as the indicative life gate. Burton is actually considering 60 years. But it all depends on the availability of the technology is being discussed and when that's procured, obviously there is a given amount of time for this examination, then another six months for effectively reporting and decision making.

01:01:59:13 - 01:02:43:09

And then it could be a year or so before construction actually starts. So we're way off the point when the technology is actually crystallized. So there is an expectation that there will be greater efficiency and better panels available at that time in terms of other projects. The Cleeve Hill Solar Park had an indicative years, indicative period of 40 years, but actually there is no limit on that. What essentially happens in the mechanism of that order is that if the Environment Agency, pursuant to their policies, need to repurpose the land and they demonstrate certain criteria met, they have an interest in the land, their policy has budgets and things like that.

01:02:43:11 - 01:03:20:29

Then at that point, the solar farm would be decommissioned in order to make that repurposing possible. If the Environment Agency don't come forward with those proposals, then the solar farm stays as it is. Um Longfield believe there was a limit conceded to by that particular applicant, but that was mostly, I think, attributable to the the percentage of best and most versatile land included in that project. And so given the higher quality of land compared to, say, the past project, there was considered a need to, to, to cap it at 40, 40 years.

01:03:21:08 - 01:03:36:09

Um, but otherwise the position being taken by the applicants is that unless there is a compelling planning reason for, for requiring decommission by a certain point, um they, they go forward unlimited in time.

01:03:40:01 - 01:04:00:00

Okay. Thank you. Just on that point about Long Fields. I think you're right. There is a time limit on that, isn't that? And you get that comparison about best and most versatile agricultural land, just so it's clear at on what that comparison is. Don't get into discussion at the moment on the best and most versatile land will have time for that. Sure. Could there be just for clarification done on what the comparison is between that scheme and this scheme? In terms of estimates of.

01:04:00:02 - 01:04:06:22

Us time, we can not off the top of my head, but we'll we'll come back to you with that answer during the course of the morning. It's a very straightforward sort of percentage.

01:04:06:29 - 01:04:08:00

This is a comparison.

01:04:12:24 - 01:04:24:21

Are there any points before move on? Next questions. Are there any points on that that anybody wishes to? Raise, then start. And then we'll move around and slowly get introduced.

01:04:25:18 - 01:05:02:01

Thank you, sir. Justin Johnson Development Manager, Rutland County Council. And our concern relates to in our written representations to yourself under the heading decommissioning. The concern that we raised there was the think the very point that you were raising with the applicants, the this ongoing issue of the time frame. Our concern is specifically around, as you raised the potential for replacement panels to to go up and therefore extend the life ongoing.

01:05:02:03 - 01:05:35:19

But also in terms of the discussion about improvements to technology, inevitably, if there is improvements in technology, which there will be, there will be increased capacity at the site potentially for energy generation, which may also mean that the amount of panels required could be reduced across the site over time, which again, there's no mechanism that I can see to to secure that reduction. So ultimately, over time, as panels improve, you might not need to cover such a large area with panels.

01:05:36:21 - 01:05:37:06

Thank you.

01:05:46:06 - 01:06:18:20

Phil Jordan on behalf of. I think the point's been made. But think one of the questions was what's the relevant planning reason? And as I say it, logic says that if the panels are going to fail at some point in time, they're likely to all fail at a similar point in time and therefore that wholesale replacement is

likely. Um, there's mechanisms for the construction phase and there's mechanisms for the decommissioning phase.

01:06:18:22 - 01:06:32:12

But it would seem useful if there was some form of mechanism that if there is an unlimited time frame to capture how that wholesale replacement as and when it does happen is managed effectively.

01:06:45:23 - 01:07:20:26

Mrs. Holloway, on behalf of Past Action Group, think one of the concerns we have about the application being unlimited is that it makes it very difficult to spell out the impacts across the various different topic areas. You know, is it 20 years, 25 years, 40, 60? And if that's the case, understanding the best and worst case scenarios or spelt out. So, for example, if there is some degree of replacement of the panels, there needs to be the carbon cost taken into account of that.

01:07:20:28 - 01:07:52:19

If there's a wholesale replacement, it would almost double that cost. Um, but there are other factors to consider about the impact of soil health over time. And natural England themselves have stated great uncertainty about the impact of solar farms over the long term. No one actually really knows the true impact on soil health. Yet there's also the consideration for biodiversity. So where the scheme to be finished perhaps earlier than expected because it wasn't commercially viable any longer.

01:07:52:21 - 01:08:37:15

There are other technologies coming in and it just wasn't financially stacking up for the applicant then they might not be um, delivering against their biodiversity net gain objective, which really should be a minimum of 30 years given the legislation, the Environment Act, where it will be mandated in November of this year. So think by having it completely open ended, it is not looking at either end of the scale and think there's one other consideration which is just understanding where this leaves also the landowners, you know, has there been a contractual commitment to the landowners in terms of how it impacts them?

01:08:39:16 - 01:08:46:03

And the longevity of the scheme in that respect. Perhaps the applicant can explain sort of the outline, initial lease.

01:08:49:12 - 01:08:54:09

There has been suggested to the applicant. So that gives a consideration of their commitment to the scheme.

01:08:55:03 - 01:08:57:14

Thank you. Okay. Thank you, Mr. Holloway.

01:08:59:09 - 01:09:35:25

Um, David Kent is chair of Bryce from the parish council. Just like to make a couple of points. Um, the applicant talked about carbon reduction. One of the, one of the things that, um, in terms of the research that I've been looking at was the actual carbon required to actually deliver this project. Could outweigh the carbon reduction provided by the actual solar farm itself. Um, and also on decommissioning the as the gentleman across the way said, you know, 20, 25 years is normal for solar panels.

01:09:36:21 - 01:10:11:28

Um, I would think maybe 25 to 30 years may be the time. So therefore there would be a time when these panels would need to be replaced. But also on terms of decommissioning when it comes to whenever that may be, because there's no timescale put on. This is the. Mr. Fox says the impact on



agricultural land is reversible. Well, in terms of reversibility. One of the major things that comes from this is poorly maintained or poorly constructed panels.

01:10:12:11 - 01:10:12:26

Um.

01:10:14:25 - 01:10:36:04

There's contamination issue from lead, cadmium and other toxic toxic substances which leak from damaged or poorly manufacturing panels. Now that all goes into the into the soil surface and over a period of years, we'll compound itself. And that does not lead to actually coming back to bringing that land in any usable form.

01:10:36:26 - 01:10:38:27

Thank you. Okay.

01:10:39:24 - 01:10:43:23

Thank you. If there's any new points to be made before we come back to the applicant.

01:10:46:09 - 01:10:47:27

I'll briefly come back to this. Can you give.

01:10:47:29 - 01:10:48:24

Your name, please? Sorry.

01:10:48:26 - 01:11:21:17

Excuse me. Tony Mallard, Sanctuary group. Apologies. May I come back to your point about permanence, please? And that is this. I have some concern about the logic here because. The applicant states that it's going to be permanent. But for the purpose of the technical assessments, it's going to be permanent. And yet in other areas, they use 30 years, 40 years, excuse me, in their calculation.

01:11:22:13 - 01:11:30:16

Also, it's permanent. Why are we talking about decommissioning? Because doesn't permanent mean permanent?

01:11:35:03 - 01:11:36:10

Okay. Thank you.

01:11:38:24 - 01:11:50:29

Thank you, Mr. Chairman. Simon Davis interested party. The question would like to ask is about where is the capacity for recycling these used panels.

01:11:51:01 - 01:11:51:17

And.

01:11:52:05 - 01:11:59:28

Has the applicant got a plan for how this is going to happen, where it's going to happen? We don't want all this winding up in landfill.

01:12:02:13 - 01:12:09:27

Okay. Thank you. There's a number of points being raised, some of which are moving on a little bit. Think they're all helpful points, some of which moving on a little bit from from there.

01:12:11:13 - 01:12:27:05

But want to come back to some of those points about the principles that we're talking about. Some of the other points about agricultural land, etcetera, can be picked up in later, later discussions. I think probably your point about recycling can be picked up as well. Uh, it was everything you wanted to say. In addition, Mr. Orvis, before, if you can be.

01:12:27:10 - 01:13:01:01

Quick, please. Sorry. Yes. Tony Miller, Part action group. I'm this one of my points. Okay. Um, in the discussion thus far, people have addressed the possibility, indeed the probability that solar panels will advance and over the years will become more efficient, more effective, and indeed may be replaced by some other renewable energy source altogether. And one has to accept that. However, the applicant states that the connection has to be done by 2028.

01:13:02:04 - 01:13:20:00

The applicant has also stated that they intend to start work. All other things being equal. Summer 2026. We are now sitting here in 2023. I guess if disapprove approval won't come through until 2024.

01:13:22:11 - 01:13:31:24

My thoughts are how much technical. Advancement. Will there be between potential improvement?

01:13:32:21 - 01:13:33:12

That's right. It's a.

01:13:33:14 - 01:13:53:05

Potential approval. Obviously development and the need to order 530,000 panels. It seems to me that the window for for technological change is is in reality very small.

01:13:56:16 - 01:14:21:03

Okay. Thank you. Can also see there's some hands up. Think on the virtually if there's any points that have not been made which are relevant to what we're talking about, if anybody would want to make those additional points. Now, before we move on with my questions and think we've got a just looking down at my list, who is it? Sorry. Can't read the actual name underneath again, Mr.. Mrs. Williams.

01:14:24:06 - 01:14:24:22

No.

01:14:27:19 - 01:14:28:11

Mr. Widmark.

01:14:28:13 - 01:14:29:06

Is it Mark Willis?

01:14:29:12 - 01:14:31:07

Sorry. Yes, Mr. Willis. Sorry, Mr. Wallace.

01:14:32:00 - 01:15:05:02

Thank you. Yeah. Mark Wallace at Lancashire County Council. I just wanted to just make a point. Really. Um, one of the issues discussed earlier was about the the planting and the production. I think we recognise that over planting has been proposed as part of this scheme and we have seen that being proposed on other end CIPs that we're dealing with. However, the difference is those schemes include battery storage. So think a question has been raised earlier about what happens to surplus. Um, I think the issue there is there is no battery storage as part of this scheme.

01:15:05:06 - 01:15:40:16

And I think the second point that extends from that is really, um, if there were to be then an advance in the technological improvement of the panels, what that might mean in terms of further generation capacity and what that, that would mean in terms of the connection point as well. Because if there's a limitation on export, that's fixed, if there's an increase in technology, then the facility has the ability to produce more power without any means to store it. So there could be an issue about is there a need to over plant given the limitation on connection.

01:15:41:12 - 01:15:41:29

Thank you.

01:15:43:22 - 01:15:48:17

Okay. Thank you. And another hand up for Mrs. Smith as well. Is it something you wanted to say now?

01:15:51:22 - 01:16:30:22

Thank you, sir. Um, yes, I'd just like to add I'd agree with others other comments that it is highly likely that there will be a wholesale replacement. The impact of that will not be dissimilar to the construction period. Um, it could be more intensified. It could be slightly less. Um, so with that in mind, if this application were to be permitted, um, I would like to see a provision in the DCO, um, for a, you know, a specific construction traffic management plan.

01:16:30:27 - 01:16:41:16

Um. Or the existing one broadening to include a wholesale replacement at some date. Thank you.

01:16:43:05 - 01:16:43:28

Thank you.

01:16:45:16 - 01:16:52:17

Mr. Fox. It's a few points, so don't expect to come back to it. Each and every point though, some points can be responded to in writing. But in terms of the generality, yes.

01:16:53:04 - 01:17:31:11

Mr. Fox marked up in that context for us not to respond from the point of being because no, that's on the agenda for tomorrow. Um, on the point of carbon, um, would just point, as I did earlier, to our climate change responses to the deadline to submissions to parties at 339. And that explains how we have accounted for, um, panel degradation and maintenance. Um, and would also just make the point that of course that the longer that the scheme is in place, then the more offsetting the construction carbon impacts that are of concern.

01:17:32:03 - 01:17:51:18

Um, the well, two points to make. First of all, it's important to look at Article five three of the DTA, and that's constrains our maintenance powers to ensure that none of none of our maintenance works can give rise to any new materially new or materially different effects. And we've already assessed in the

01:17:53:11 - 01:18:24:07

secondly, the kind of the carrying out of maintenance, it will be managed through the operational environment management plan, which is security requirements and impacts to soils are dealt with through the Sort management plan. And particularly we made an amendment that 93 to the outline to make sure that any kind of update that sorry, that the operational environmental management plan that

we submit for approval has to account for the measures set out in the outline SMP for the operational phase.

01:18:25:07 - 01:19:04:21

Um, I'll come back to the point that the definition of maintain in Article two is clear that we cannot wholesale replace the authorised development, and that includes the panels. Um. In terms of things like waste and other kind of impacts of the maintenance regime. They are managed through the operational environmental management plan and the measures set out in the outline that were submitted with the application. Um, and just to be clear, the assessment, there's kind of what the needs to assess in assessment terms versus what the reality is because we don't want an operational time limit.

01:19:04:23 - 01:19:26:20

We have assessed impacts as being permanent In Yes. However, we've also had said today and in our application are clear that at some point the scheme will need to be decommissioned and therefore you need to assess the impacts of that phase that the assessment has been done on the worst case basis of the permanent impact, and that is how all of our assessments should be considered.

01:19:27:28 - 01:20:04:21

Okay. Thank you. And we'll want to come on to Article 53 on Thursday afternoon when we do the hearing. We can talk about that in a bit more detail there. And I think you just picked up on this, but there remains to be no maximum period of operation is set out in the current draft of our consent order. Then the effects of the proposed development need to be assessed on a permanent basis, which might include the potential scenario where the decommissioning actually never takes place. Is it might be an extreme possibility, but that that is a possibility, isn't it? Is that is that is my understanding of that correct? No, it's the expectation it will be.

01:20:04:23 - 01:20:35:06

But actually, there's nothing in the DCO which prevents this thing from being of solar power. Still seem to make up a good proportion of this country's all the world's climate change needs. Then, you know, solar power in 50 years time at this is something which is still necessary. Yes, that's that would be the operate then and into the future. Yes. Okay. And we'll come back to that when we look at the individual. Topics tomorrow when we consider the environmental matters in in a bit more in a bit more detail. Our.

01:20:39:23 - 01:20:44:08

Okay. There's a couple of points which was going to ask, but with time moving along, I can ask them on.

01:20:45:09 - 01:20:46:20

Thursday at the.

01:20:47:04 - 01:20:47:22

Hearing.

01:20:52:29 - 01:21:02:05

And on proposed decommissioning. There had been some written representations regarding the situation whereby.

01:21:03:21 - 01:21:30:29

It for example, in unforeseen circumstances. The. A company at the time operating it was wound up or whatever might happen. Unforeseen circumstances. Who then would take over the responsibility of the implementation of the relevant parts of the order when it comes to decommissioning. So how can

there be a cast iron guarantee that actually the decommissioning would take place at that at the point where it's decided the scheme will be decommissioned?

01:21:32:24 - 01:21:37:07

And so the requirement 18 of the requires us to.

01:21:39:10 - 01:21:52:09

Undertake decommissioning in accordance with with the damp and say non-compliance with that is a is a criminal offence. And so the kind of the management of that process would be seen with that context in mind.

01:21:55:16 - 01:22:20:15

And what if. What if? I don't know that the scheme came to the end of its operational life? Uh, presumably there will be a time period between the end of its operational life when its putting energy into the the existing rifle substation and when decommissioning would take place and then something unforeseen happened to the company. For example, it was wound up and no longer existed, who would take over the obligations to enforce the order?

01:22:22:20 - 01:22:23:08

You can carry out.

01:22:24:00 - 01:22:45:27

Carry out the decommissioning, remove the things, remove everything from the land in unforeseen circumstances. What would happen in that regard? Because I understand the point about it's a criminal offence not to to not comply with the the actual order, but there are scenarios which might happen whereby that becomes a bit more difficult than perhaps it sounds. When that's just said, because I believe the company was wound up.

01:22:48:00 - 01:22:49:21

Will no longer existed for any other reason.

01:22:51:19 - 01:23:41:12

The way it would work is essentially there is a company vehicle in SPV in this scenario, which is the applicant for this DCO. So if, let's say the SPV implements the complies with all the requirements, there will be a value in many millions attached to the project value. And the itself essentially has the ownership of the project. So the scenario in which there is no value or winding up of the company is is close to zero, because essentially there will always be an asset value of the apparatus that's on site and there will be a value of the company that owns that asset value, whether or not it's actually generating, if it's still generating and still producing power, then of course that value is much greater.

01:23:42:29 - 01:23:44:03

But let's take.

01:23:44:06 - 01:24:22:15

A hypothetical scenario where for some reason, um, the owners, the share owners of the SPV no longer wish to have control of that at any lifetime. Then it doesn't negate the value in the project. Essentially, whoever came along and bought the shares in the SPV and therefore and that's how they buy the project would then have that value. And so there isn't really a scenario you can envisage where the project has no value and the SPV that owns it has no has no cannot draw upon that value in order to facilitate decommissioning.

01:24:24:21 - 01:24:33:24

So it's not like it's not like you get to the end of an asset life and it's like, well, there's no value in this because there would be some generating value and there would be some some plant value.

01:24:34:04 - 01:25:02:00

But if there was no asset value, then there could be a problem. No, you get your point about hypothetically, that's very unlikely. But say there was no say was government policy which said no longer producing solar energy for whatever reason, uh, or it became economically just unviable. And then what would happen in there still could be a situation where. What is a danger that the scheme wouldn't be? Wouldn't it be decommissioned or will take a long time to be decommissioning?

01:25:02:27 - 01:25:35:09

Because Gareth, who's the applicant, think we're taking the hypotheticals quite far. So we're getting into a world where there would be no asset value for any energy generating equipment. No policy that requires energy generation or decarbonisation. And so what happens then? Well, the lights have gone off. I don't think that's a hypothetical that will assist the examination. It as we've seen at the moment, all policy is in favour of decarbonisation. And this looks not just to 2030 but beyond 2050.

01:25:35:16 - 01:25:48:08

In fact, the policies that are being looked at by government, by the National Infrastructure Commissioner, looking well beyond the lifetime of this particular project. So don't think the hypothetical you're proposing would it would arise.

01:25:51:05 - 01:25:55:26

Okay. Thank you, Mr.. Uh, Mr.. For your hand. It was.

01:25:56:10 - 01:26:32:05

Adrian foresaw. And surely if the life of the project is said here 39. Because you're saying it's got a life of 40 years, it hasn't really, at that stage got much value. And also, what are the costs of decommissioning this whole site? You must know that. And at the end of the day, it comes down to a cost benefit analysis in terms of whether anyone would actually take that on board to do, you know, I'm a businessman and know how assets and everything work and think your explanation, to be quite honest, is pretty weak.

01:26:33:22 - 01:26:39:15

Okay. And Mr. Will let you come back to these points and.

01:26:41:20 - 01:26:42:10

Mr. Kentish.

01:26:42:22 - 01:27:24:24

David Kent is Chair Brace from Walsall Parish Council. Gentleman opposite talks about hypotheticals. There are a lot of hypotheticals in their own reasoning going forward. Many many years and onto the assets. Were this scenario to occur. I agree with gentleman over there that, you know from a business perspective, if somebody comes along and says, well, there are assets to this, so they'll strip the assets, you know, the panels, the equipment, the various bits and pieces, but there is no value to that person purchasing those assets in actually turning the land back to something that is usable.

01:27:25:05 - 01:27:29:00

So think that's something that actually needs to be registered.

01:27:30:04 - 01:27:34:22

Okay. Thank you, Mr. Kent. Mr. Roberts, was your hand up at this point?

01:27:36:03 - 01:27:39:23

Sorry parts group was going to make the same point.

01:27:39:25 - 01:27:40:10

Okay.

01:27:40:12 - 01:27:41:07

That's the portion.

01:27:41:16 - 01:27:45:05

Okay. That is noted. Thank you. And the gentleman behind Mr. Orvis?

01:27:45:08 - 01:27:53:03

Yeah. Richard Williams. Again, I think the gentleman on the end should humorous and and give us the answer to that hypothetical.

01:27:56:02 - 01:27:56:26

He must know it.

01:27:58:13 - 01:28:00:09

Okay. Thank you. Uh.

01:28:02:20 - 01:28:38:15

Thank you, sir. Justin Johnson, Rutland County Council. Um, think again. The point that I think the County Council raised in its comments originally is the same concern that you've raised, albeit hypothetical, that there is a potential whereby there is no value um, attributed to, to what's on the land or that, that, that value, um, is outweighed by the cost of decommissioning. And I think the part that we're skirting around here is potentially the need for some form of bond in order to secure the decommissioning.

01:28:38:17 - 01:28:50:15

Should the event that you've mentioned with the the business for some reason going under and there being no body, it should be able to take action against? Thank you, sir.

01:28:50:26 - 01:28:56:12

Okay. Thank you, Mr. Phillips. Mr. Fox.

01:28:58:26 - 01:29:34:16

I wasn't going to add in response to that. Think we can we can build on Mr. Phillips point in our written submissions. Um, I was just I was just going to actually, before we move on to the next agenda item, I just wanted to make two points that I didn't respond to earlier. Um, which was coming back to um, the relationship with decommissioning and period of operation. And just two points, just to be clear that we don't think that they're planning reasons. First of all is there's reference to the leases with landowners and they may come up to an ending point and think it's necessary, appropriate to talk about what what those leases may be.

01:29:34:18 - 01:30:00:24

But that's not a planning reason to impose a restriction, particularly when any kind of leases can be renegotiated. Um, and secondly, um, Mr. Roberts points around advancement and would just say that the solar industry is continuing to innovate and rapidly grow and has done over the past, uh, 4 to 5 years. So the possibility of technological, technological advancement in the next 2 to 3 years is perfectly possible.

01:30:02:21 - 01:30:04:27

Okay. And Mr. Johnson's point about the bond.

01:30:06:06 - 01:30:39:01

Gareth is the applicant. So in relation to the bond, we've had no solar gensets granted to date that have required a bond in relation to decommissioning. And before someone makes the point that there haven't been that many, we don't have a bond in respect of those granted for the onshore elements of offshore wind farms either. The long field decision that we've referred to and I'm sure will be mentioned a few times more, that is the very latest thinking of the Secretary of State. And there is no bond provision in relation to that solar park either.

01:30:39:18 - 01:31:14:20

The general consensus, when one isn't considering hypotheticals that may or may not happen down the line, is that the government is satisfied that the strength of enforcement powers in the Planning Act 2008 is there that there is sufficient power for the local planning authority as the enforcing body at that time to both see criminal prosecution of directors, but also to seek other enforcement means through the courts in order to secure decommissioning? So that's why there hasn't been a bond to date, because the government is satisfied with the enforcement provisions of the act.

01:31:15:05 - 01:31:47:09

In terms of what may happen towards the end of the life of a project. The gentleman to my left is absolutely right. When you're considering assets and the value of them, you're also considering the market that they're in. So there is a growing market across the world for essentially recycled panels. And by recycled, I don't mean as you would your reference taking things apart, but actually repurposing those panels for other markets around the world. So in terms of there being a value at the end, it's not necessarily scrap value, which is what people are considering.

01:31:47:11 - 01:32:02:18

I think those panels may be deemed no longer necessary, cost effective for this site in this energy market, but those panels are likely to have a value elsewhere in the world. Different jurisdictions, different continents.

01:32:04:20 - 01:32:43:00

Okay. Thank you. Um. I think that's a good time to have a short mid-morning break. When we come back. We'll move on to the next item on the agenda, which will be which is the applicant's approach to the Rochdale envelope. And just a point on just one final point on the decommissioning, the decommissioning requirement will be considering on Thursday. And there is a decommissioning management plan outline, decommissioning management plan, and obviously parties have an opportunity to engage with that and provide comments on that in writing, which would be helpful for the examining authority to get that.

01:32:43:02 - 01:33:11:02

Indeed, all the management plans outlined management plans, it is helpful for us to get people's comments on those. Okay. If we break for a short mid-morning break, if we come back on that clock at 11:45, please, it's slightly slow. It's two minutes slow. But if we come back on that clock, it just makes me easier because I can say quarter 12 rather than 17 minutes too. Okay. Thank you. Will adjourn for a break.