

7000 Acres

Summary of Oral Submissions Issue Specific Hearing 2

Topic - Draft DCO

Deadline 4 Submission

February 2024

Introduction

7000 Acres has the following summary of oral submissions, and comments from ISH 2.

Agenda Item 5

Principal Power 5 – Power to Maintain the Authorised Development

The current dDCO definition of maintain is vague and permits the Applicant to conduct work that has not been assessed in their ES:

““maintain” includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of but not remove, reconstruct or replace the whole of, the authorised development and “maintenance” and “maintaining” are to be construed accordingly;”

The Applicant has claimed a solar PV panel failure rate of 0.4% per annum, which means that 24% will fail and need replacing over the 60-year life of the scheme and potentially 60% of the panels will last 100 years. The Applicant has not presented any evidence for this low failure rate and anticipated life of the panels. Additional to the physical failure rate, this takes no account of the energy generating capability of solar PV panels which typically degrade by 1% per annum. Taking this latter point into account, after 60 years the remaining panels will only be producing 40% of their initial output.

Current industry evidence suggests that an economic life of a solar PV panel is 20 years, which takes into account the failure rate, degradation in energy generation and new technology becoming available. Using this reasonable worst-case assumption, the solar PV panels would be replaced twice (at 20 years and 40 years) during the life of the scheme. The current definition of “maintain” in the DCO would permit this and yet the Applicant’s Chapter 7 takes no account of replacing the solar panels, except for when they fail. The Applicant’s Review of Likely Significant Effects at 60 Years (EX1/WBB 2.3) states that extending the life of the scheme from 40 to 60 years will have no additional impacts, i.e. there is no intention to replace the panels on economic grounds, merely failed units.

Either the Applicant will replace the solar PV panels, based on their economic life, to maintain the energy generation of the scheme, or they will only replace panels that have failed. In the former case, the current Chapter 7 and Review of Likely Significant Effects at 60 Years are incorrect and

misleading. In the latter case, the total energy generation of the scheme over its life is much less than claimed and so the Applicant's Chapter 7.8.61 claiming "a total energy generation figure of around 21,956,988 MWh over the estimated 40-year assessed lifetime" is incorrect and misleading. A similar comment can be applied to the batteries used in the BESS, where they will need replacing more frequently than stated.

At present, the Applicant's submissions do not comply with the requirements of a Rochdale Envelope. Advice Notice Nine paragraph 1.4 requires consistency across the application documents. The dDCO's definition of "maintain" allows the Applicant to replace key components on a frequent cycle, maintaining their claimed electrical generating capacity, whilst their ES takes no account of maintaining the generating capacity by replacing units on economic grounds. Furthermore, the Applicant has not applied a reasonable worst-case approach when assessing the environmental impact and has not applied a realistic solar panel failure rate.

In the opinion of 7000 Acres, the definition of "maintain" in the dDCO should be more precise and state what activities the Applicant/Operator may conduct based on commercial grounds, rather than just replacing or repairing a device following a total failure.

The following amended dDCO text is proposed:

Definition of Maintain

"maintain" includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any **component following a failure** but not remove, reconstruct or replace the whole of, the authorised development, **at one time or sequentially**, and "maintenance" and "maintaining" are to be construed accordingly;

Power to maintain an authorised development

5.—(1) The undertaker may at any time maintain the authorised development.

(2) This article only authorises the carrying out of maintenance works within the Order limits.

(3) This article does not authorise the carrying out of any works which are likely to give rise to any materially new or materially different effects, **including the assessment of Greenhouse Gas Emissions, transport, and noise**, that have not been assessed in the environmental statement.

7000Acres