

# **Frodsham Solar Consultation Report Appendix 6: Section 42 Consultation Materials**

**May 2025**

PINS Ref: EN010153

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**Planning Act 2008; and Infrastructure Planning (Applications:  
Prescribed Forms and Procedure) Regulations 2009 Regulation**



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## 1 List of Section 42 Consultees

**Table 5.1.6.1: Prescribed statutory bodies consulted under Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms & Procedure) Regulations 2009 (as amended), pursuant to Section 3 of those Regulations:**

Schedule 1 description	Organisational body or bodies	Consulted
Welsh Ministers (Welsh Government)	n/a	No – application will not affect land in Wales
Scottish Executive (Scottish Government)	n/a	No – application will not affect land in Scotland
Relevant Northern Ireland Department	n/a	No – application will not affect land in Northern Ireland
Secretary of State for Defence	n/a	No – application not likely to affect the current or future operation of a site identified in a safeguarding map and is not a development in the marine area
The relevant parish council, or, where the application relates to land Wales or Scotland the relevant community council - i.e. the relevant 'host' parishes	Ince Parish Council	Yes
	Frodsham Town Council	Yes
Environment Agency	Environment Agency	Yes
Scottish Environmental Protection Agency	n/a	No - application will not affect land in Scotland
Natural Resources Wales	n/a	No – application will not affect land in Wales
Natural England	Natural England	Yes
Scottish Natural Heritage	n/a	No – application will not affect land in Scotland
Forestry Commission	Forestry Commission	Yes
Relevant AONB Conservation Boards	n/a	No – application not likely to affect an AONB/National

Schedule 1 description	Organisational body or bodies	Consulted
		Landscape that is managed by a Conservation Board
The Historic Buildings and Monuments Commission for England	Historic England	Yes
Royal Commission on Ancient and Historical Monuments of Wales	n/a	No - application not likely to affect historic environment in Wales
Joint Nature Conservation Committee	n/a	No – application not in or likely to affect the marine environment
The Maritime and Coastguard Agency	Maritime and Coastguard Agency	Yes
Relevant Internal Drainage Board	n/a	No – there is no IDB responsible for the area of the Proposed Development
Canal and River Trust	The Canal and River Trust	Yes
British Waterways Board	n/a	No – application will not have an effect on inland waterways in Scotland
Trinity House	Trinity House	Yes
Relevant Highways Authority	Cheshire West and Chester Council Halton Borough Council National Highways (strategic highways company as highway authority for the strategic road network)	Yes
Secretary of State for Transport	n/a	No – the application would not affect road or transport operation and/or planning on roads for which the Secretary of State for Transport is the highway authority



Schedule 1 description	Organisational body or bodies	Consulted
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	Merseyside Passenger Transport Authority and Executive (Merseytravel).	Yes
Transport for London	n/a	No – the application would not affect transport within, to, or from Greater London
Civil Aviation Authority	Civil Aviation Authority	Yes
The Health and Safety Executive	Health and Safety Executive	Yes
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency	Yes
NHS England	NHS England	Yes
National Health Service Trusts (Wales)	n/a	No – application will not affect land in Wales
Relevant Health Board (Scotland)	n/a	No – application will not affect land in Scotland
Relevant Health Board (Wales)	n/a	No – application will not affect land in Wales
Statutory Undertakers	See Table 5.1.6.2	
Coal Authority	n/a	No – application does not lie within areas of past, present or future coal mining
Crown Estate Commissioners	The Crown Estate	Yes
The relevant police authority	Cheshire Police and Crime Commissioner	Yes
The relevant ambulance service	Northwest Ambulance Service NHS Trust	Yes
The relevant fire and rescue authority	Cheshire Fire and Rescue	Yes

Schedule 1 description	Organisational body or bodies	Consulted
A person who manages any property, rights or interests to which section 90B(5) of the Scotland Act 1998 applies	n/a	No – the application does not affect any property, right or interest to which this Act applies.

**Table 5.1.6.2: Statutory undertakers consulted**

Schedule 1 description	Organisational body or bodies
Special Health Authorities	NHS Business Services Authority (NHS BSA)
	NHS Blood and Transplant (NHS B&T)
	NHS Litigation Authority (known operationally as NHS Resolution)
	NHS Counter Fraud Authority (NHS CFA)
The relevant NHS Trust	Northwest Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Canal or Inland Navigation Authorities	Association of Inland Navigation Authorities (AINA) (as additional to the Canal and River Trust)
Dock and Harbour authority	Peel Ports (note Peel are owners of Manchester Ship Canal Limited)
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England

Schedule 1 description	Organisational body or bodies
The relevant water and sewage undertaker	United Utilities Plc United Utilities Water Limited
The relevant public gas transporter	Cadent Gas Limited
	Last Mile Gas Ltd
	Energy Assets Pipelines Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Wales and West Utilities Ltd
	ES Pipelines Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited

Schedule 1 description	Organisational body or bodies
	Leep Gas Networks Limited
	Murphy Gas Networks limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Grid Gas Plc
	Southern Gas Networks Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited



Schedule 1 description	Organisational body or bodies
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	SP Manweb Plc
	Squire Energy Metering Ltd
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited
Other statutory undertakers identified pursuant to diligent inquiry	Essar Oil (UK) Limited
	Scottish Power Energy Networks Holdings Limited
	Shell Chemicals U.K. Limited
	Shell Mex and B.P. Limited
	Shell U.K. Limited

Schedule 1 description	Organisational body or bodies
	The Manchester Ship Canal Company Limited
	The Shell Petroleum Company Limited

**Table 5.1.6.3: S43 Planning Act 2008 local authorities (for the purposes of Section 42 (1)(b)) – see table 7.1 of the Consultation Report for categorisation of A-D.**

Category	Organisation
Local Authorities (A-D)	Warrington Borough Council
	Wrexham County Borough Council
	St Helens Council
	Wirral Metropolitan Borough Council
	Cheshire East Council
	Cheshire West and Chester Council
	Halton Borough Council
	Knowsley Metropolitan Borough Council
	Shropshire Council
	Liverpool City Council
	Flintshire County Council

**Table 5.1.6.4: List of gateway organisations that may represent seldom heard groups consulted as part of Section 42 consultation**

Organisational body or bodies
Cheshire Community Action
Age UK Cheshire
Age UK Mid Mersey
Elton WI
MIND Halton
Bee Friends Frodsham
Cheshire, Halton and Warrington Race & Equality Centre
The Traveller Movement
Friends, Families and Travellers
Leonard Cheshire
Healthbox
Healthwatch Halton
Healthwatch Cheshire West
iMap Centre
Deafness Support Network
Making Space
The Port Men in Sheds
Cheshire Autism Practical Support
Halton and St Helens Voluntary and Community Action
Vibe UK
Halton Youth Cabinet
Frodsham Primary Academy School
Frodsham Manor House Primary School
Frodsham CE Primary School
Elton Primary School and Nursery
Weston Point Community Primary School
Changing Lives Together
Cheshire and Wirral Ornithological Society
Cheshire Constabulary
Older People Active Lives (OPAL)
Frodsham Youth Association
Helsby Community Sports Club
Weaver Vale Housing Trust
Cheshire West Specialist Learning Disability Service

**Table 5.1.6.5: List of non-prescribed bodies consulted as part of Section 42 consultation**

Description	Organisational body or bodies
Landowner representatives	National Farmers Union
	Country Land and Business Association (CLA)
	Chartered Association of Agricultural Valuers (CAAV)
Wildlife and heritage groups	RSPB
	Cheshire Wildlife Trust
	National Trust
Recreation	Ramblers
Others from PINS	Liverpool City Region Combined Authority
	Royal National Lifeboat Institution (RNLI)
	Cycle North Cheshire
	Wetland Bird Surveys
Neighbouring Parishes	Helsby Parish Council
	Elton Parish Council
	Sutton Weaver Parish Council
	Alvanley Parish Council



Description	Organisational body or bodies
	Dunham-on-the-hill and Hapsford Parish Council
	Hale Parish Council
Other Statutory Bodies (previously falling under Schedule 1 of the Regulations)	NHS Cheshire and Merseyside Integrated Care Board  The Office for Nuclear Regulation (the ONR)

## 2 Section 44 Consultee List

**Table 5.1.6.6: List of land interests under Section 44 consulted during statutory consultation between November and December 2024**

Party Name	Date Sent	Deadline for Comment
Airbus Operations Limited	05.11.24	19.12.24
Aviva Investors Infrastructure Income No.4A Limited	05.11.24	19.12.24
Aviva Investors Infrastructure Income No.4B Limited	05.11.24	19.12.24
Brian Hulse	05.11.24	19.12.24
Canal & River Trust	05.11.24	19.12.24
CF Fertilisers UK (West) Limited	05.11.24	19.12.24
CF Fertilisers UK Limited	05.11.24	19.12.24
Cheshire West and Chester Council	05.11.24	19.12.24
David Harold Woolley	05.11.24	19.12.24
David John Cope	05.11.24	19.12.24
E.ON UK PLC	05.11.24	19.12.24
Energis Communications Limited	05.11.24	19.12.24

Environment Agency	05.11.24	19.12.24
Essar Oil (UK) Limited	05.11.24	19.12.24
Ewart Graham Woolley	05.11.24	19.12.24
Frodsham & District Wildfowlers Club Limited	05.11.24	19.12.24
Frodsham Solar Limited	05.11.24	19.12.24
Frodsham Wind Farm Limited	05.11.24	19.12.24
Gillian Fletcher	05.11.24	19.12.24
Halton Borough Council	05.11.24	19.12.24
ICI Chemicals & Polymers Limited	05.11.24	19.12.24
Ineos Fluor Limited	05.11.24	19.12.24
Inovyn Chlorvinyls Limited	05.11.24	19.12.24
Inovyn Enterprises Limited	05.11.24	19.12.24
Ivan Samuel Williams	05.11.24	19.12.24
James Martin Mann	05.11.24	19.12.24
Janet Edith Cope	05.11.24	19.12.24
Joan Margaret Nicholas	05.11.24	19.12.24

John Alexander Pickering	05.11.24	19.12.24
Keadby Generation Limited	05.11.24	19.12.24
KfW IPEX-Bank GmbH	05.11.24	19.12.24
Leonard Ashley Baines	05.11.24	19.12.24
Lloyds Bank PLC	05.11.24	19.12.24
Mark Avis Unsworth	05.11.24	19.12.24
McLean TW (Chester) Limited	05.11.24	19.12.24
Minister for Food Farming and Fisheries	05.11.24	19.12.24
National Gas Transmission PLC	05.11.24	19.12.24
National Grid Electricity Transmission PLC	05.11.24	19.12.24
National Highways Limited	05.11.24	19.12.24
National Westminster Bank PLC	05.11.24	19.12.24
Network Rail Infrastructure Limited	05.11.24	19.12.24
On Tower UK 2 Limited	05.11.24	19.12.24
P.H.I.T (West End) Limited	05.11.24	19.12.24
Patrick Cooney	05.11.24	19.12.24

Peel L&P Environmental Protos Limited	05.11.24	19.12.24
Peel L&P Investments (North) Limited	05.11.24	19.12.24
Peel NRE Limited	05.11.24	19.12.24
Peel NRE Water Services Limited	05.11.24	19.12.24
Post Office Limited	05.11.24	19.12.24
Protos ERF Limited	05.11.24	19.12.24
Robert Walter Fletcher	05.11.24	19.12.24
Runcorn MCP Limited	05.11.24	19.12.24
Scottish Power Energy Networks Holdings Limited	05.11.24	19.12.24
Secretary of State for Transport	05.11.24	19.12.24
Shell Chemicals U.K. Limited	05.11.24	19.12.24
Penspen Limited	05.11.24	19.12.24
Shell Mex and B.P. Limited	05.11.24	19.12.24
Shell U.K. Limited	05.11.24	19.12.24
Shellstar Limited	05.11.24	19.12.24
Sonia Dawn Crawley	05.11.24	19.12.24



SP Manweb PLC	05.11.24	19.12.24
Successor in title to Claim Farm Limited	05.11.24	19.12.24
T. L. Warburton & Co. Limited	05.11.24	19.12.24
Terence Large	05.11.24	19.12.24
Teresa Renolds Mann	05.11.24	19.12.24
The King's Most Excellent Majesty In Right Of His Crown	05.11.24	19.12.24
The Lord Mayor of Liverpool	05.11.24	19.12.24
The Manchester Ship Canal Company Limited	05.11.24	19.12.24
The Mayor of Warrington	05.11.24	19.12.24
The Newcombe Estates Company Limited	05.11.24	19.12.24
The representatives or executor of John Ainsworth	05.11.24	19.12.24
The Shell Petroleum Company Limited	05.11.24	19.12.24
This Is Protos LLP	05.11.24	19.12.24
United Utilities PLC	05.11.24	19.12.24
United Utilities Water Limited	05.11.24	19.12.24

Vanessa Usula Williams	05.11.24	19.12.24
Vynova Runcorn Limited	05.11.24	19.12.24
Warrington Borough Council	05.11.24	19.12.24
Waste2tricity (Protos) Limited	05.11.24	19.12.24

**Table 5.1.6.7: Parties consulted in March 2025 further to introduction of Infrastructure Planning (Miscellaneous Provisions) Regulations 2024 and the need to consult neighbouring authorities in some instances**

Schedule 1 description	Organisational body or bodies
Neighbouring Relevant Highways Authority	Warrington Borough Council
	Wrexham County Borough Council
	Wirral Metropolitan Borough Council
	Cheshire East Council
	Halton Borough Council
	Shropshire Council
	Liverpool City Council
	Flintshire County Council
Neighbouring Relevant police authority	North Wales Police
	West Mercia Police
	Staffordshire Police
	Derbyshire Constabulary
	Greater Manchester Police
	Merseyside Police
Neighbouring Relevant Ambulance Service	West Midlands Ambulance Service University NHS Foundation Trust
	Welsh Ambulance Services NHS Trust
	East Midlands Ambulance Service NHS Trust
Neighbouring Relevant fire and rescue authority	Merseyside Fire and Rescue
	North Wales Fire and Rescue
	Stoke-on-Trent and Staffordshire Fire and Rescue

	Shropshire Fire and Rescue
	Derbyshire Fire and Rescue
	Greater Manchester Fire and Rescue

**Table 5.1.6.8: List of land interests under Section 44 consulted from April to May 2025**

Party Name	Date Sent	Deadline for Comment
British Pipeline Agency Limited	10.04.25	13.05.25
National Highways Limited	10.04.25	13.05.25



### **3 Section 42 Notification Letter**

05 November 2024

Dear Sir / Madam,

## **Frodsham Solar**

### **Statutory Pre-Application Consultation: 07 November 2024 – 19 December 2024**

**Section 42 of the Planning Act 2008 (“the 2008 Act”), Regulation 3 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, and Regulations 11 and 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the 2017 Regulations”)**

This letter has been sent to you as part of a statutory consultation exercise being carried out pursuant to section 42 of the 2008 Act by Frodsham Solar Limited (“the Applicant”), in respect of proposals for Frodsham Solar.

### **The Applicant**

The applicant for this project will be Frodsham Solar Limited, which was introduced last year as part of a joint venture known as Peel Cubico Renewables.

In January 2024, Cubico Sustainable Investments (“Cubico”) acquired Peel NRE’s 50% stake in Peel Cubico Renewables Ltd. This includes the joint venture’s solar development pipeline, meaning that Frodsham Solar is now a Cubico only project and Frodsham Solar Limited is wholly owned by Cubico.

### **The Project**

The Applicant intends to build a solar energy generation station and an associated on-site Battery Energy Storage System (BESS) (“Frodsham Solar”) on land at Frodsham Marsh, Frodsham, Cheshire West and Chester. The proposal is situated to the north of the M56, including an area of land beneath the eastern cluster of turbines of Frodsham Wind Farm. A site location plan is enclosed with this letter.

The proposed design for Frodsham Solar would enable the generation of approximately 130 megawatts (MW) of electricity, as well as the storage of approximately 100 MW of electricity in a BESS. Frodsham Solar also includes the associated infrastructure for connection to the local electricity distribution network, as well as a private wire connection, that would enable local businesses to utilise electricity generated.

The proposals include the construction, operation, maintenance and decommissioning of:

- A ground-mounted solar array (solar panels);
- An on-site battery energy storage system (BESS);
- Built infrastructure such as substations, transformers and inverters;
- Electrical connection infrastructure including an overhead line connection into the existing Frodsham Substation, as well as a private wire connection;
- Landscape and ecological mitigation and enhancement measures, including consideration of new permissive paths and biodiversity and bird mitigation areas; and
- Other ancillary works including access, fencing, and drainage.

Frodsham Solar is considered as a Nationally Significant Infrastructure Project (“NSIP”) as the amount of electricity it could generate exceeds 50 MW. To be consented, it will require a Development Consent Order (“DCO”) from the Secretary of State for the Department for Energy Security and Net Zero (“DESNZ”) under the 2008 Act.

The DCO application will contain full details of the proposals for Frodsham Solar and will be accompanied by an Environmental Statement in accordance with the 2008 Act and the 2017 Regulations. The Applicant intends to make this application in Spring 2025.

### **Consultation on Frodsham Solar**

Frodsham Solar is currently in the pre-application phase of the DCO application process. As part of that process, the Applicant is required to carry out consultation on the proposed DCO application before it is submitted. Your feedback as part of this consultation will be considered before the Applicant finalises its DCO application and will also be reported to the Secretary of State when the application is submitted.

We are writing to you as you have been identified as a consultee for the purpose of section 42 of the 2008 Act and/or Regulation 11 of the 2017 Regulations, or it has been decided it would be appropriate to consult you in any event.

This consultation includes:

- Consultation with prescribed bodies, host and neighbouring authorities (under section 42 and section 43 of the 2008 Act);
- Consultation with any persons with an interest in the land affected by Frodsham Solar (under section 42 and section 44 of the 2008 Act);
- Consultation with the local community in the vicinity of Frodsham Solar (under section 47 of the 2008 Act); and
- General public consultation on Frodsham Solar (under section 48 of the 2008 Act).

This consultation is running from **Thursday 07 November 2024 to Thursday 19 December 2024**.

The approach to consultation set out in this document has been discussed with the relevant host local planning authority, as required by Section 47(2) of the Act, and regard has been had to the comments they have made. Details of how this consultation is being carried out can be found in the Applicant's Statement of Community Consultation, which was published in May 2023. The Applicant subsequently published an addendum to this document in October 2024, to provide more details of the upcoming statutory consultation. Both documents are available to view and download from the document library on the Applicant's website at: [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk).

In addition, section 48 of the 2008 Act and Regulation 13 of the 2017 Regulations require the Applicant to publicise its proposed DCO application. A formal notice publicising the proposed application is therefore enclosed with this letter which includes a summary of the key elements of the proposals for Frodsham Solar and provides details of the consultation.

### **Consultation materials**

As Frodsham Solar is an Environmental Impact Assessment ("EIA") development for the purposes of the 2017 Regulations, the Applicant has prepared a Preliminary Environmental Information Report ("PEIR"). This has been informed by the Scoping Opinion issued by the Planning Inspectorate and reports the results of the EIA process that has been carried out to date. The PEIR forms the basis of this consultation and also includes a non-technical summary. The purpose of the PEIR is to enable consultees to understand the likely environmental effects of Frodsham Solar and to help inform consultation responses. It should be noted that the EIA is an ongoing process.

In addition to the PEIR, the Applicant has produced a Community Consultation Leaflet and Feedback Form. These consultation documents provide information and invite feedback on the proposals for Frodsham Solar.

The consultation materials include:

- The PEIR (including appendices, plans and figures);
- A non-technical summary of the PEIR;
- Additional documents including the Community Consultation Leaflet and Feedback Form.

Consultation materials are available free of charge online at [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk). Consultation materials will also be provided in paper copy or on USB by request to the Applicant. Please note that a reasonable charge up to £500 may apply to providing printed copies of the PEIR, but other documents are free of charge. Details of how to request these documents and the related charges, if any, are set out in the enclosed section 48 notice.

## Consultation events

The Applicant will also be holding public information events in-person and online throughout the consultation period, details of these events can be found in the enclosed section 48 notice. If you would like to register for the online webinar, this can be requested through the project contact details below, which can also be found on [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk).

## How to respond to this consultation

When providing a response, please include your name and contact details (a postal or email address) and confirm the nature of your interest in Frodsham Solar. Completed responses may be submitted:

- a) By emailing: [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- b) Online at: [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)
- c) By writing to: FREEPOST FRODSHAM SOLAR

**Responses must be received between Thursday 07 November 2024 and Thursday 19 December 2024 (on or before this date).**

The Applicant will consider and have regard to all responses received during the consultation period. Responses received after this time may not be considered. Responses and representations will form the basis of a Consultation Report, which will be submitted as part of the DCO application, and therefore may become public. Personal details will be held securely and solely for purposes in connection with the statutory consultation, DCO process and further development of Frodsham Solar. Please see the enclosed notice for further details.

### Further information

If you would like further information about this letter, the consultation or Frodsham Solar, please visit our website or contact the project team by using one of the contact methods provided below:

- **Email:** [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- **Online:** [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)
- **Post:** FREEPOST FRODSHAM SOLAR
- **Phone:** 0808 175 4004 (open 09:00-17:00, Monday-Friday. A voicemail service will operate for out of office hours)

We look forward to hearing from you.

Yours faithfully,

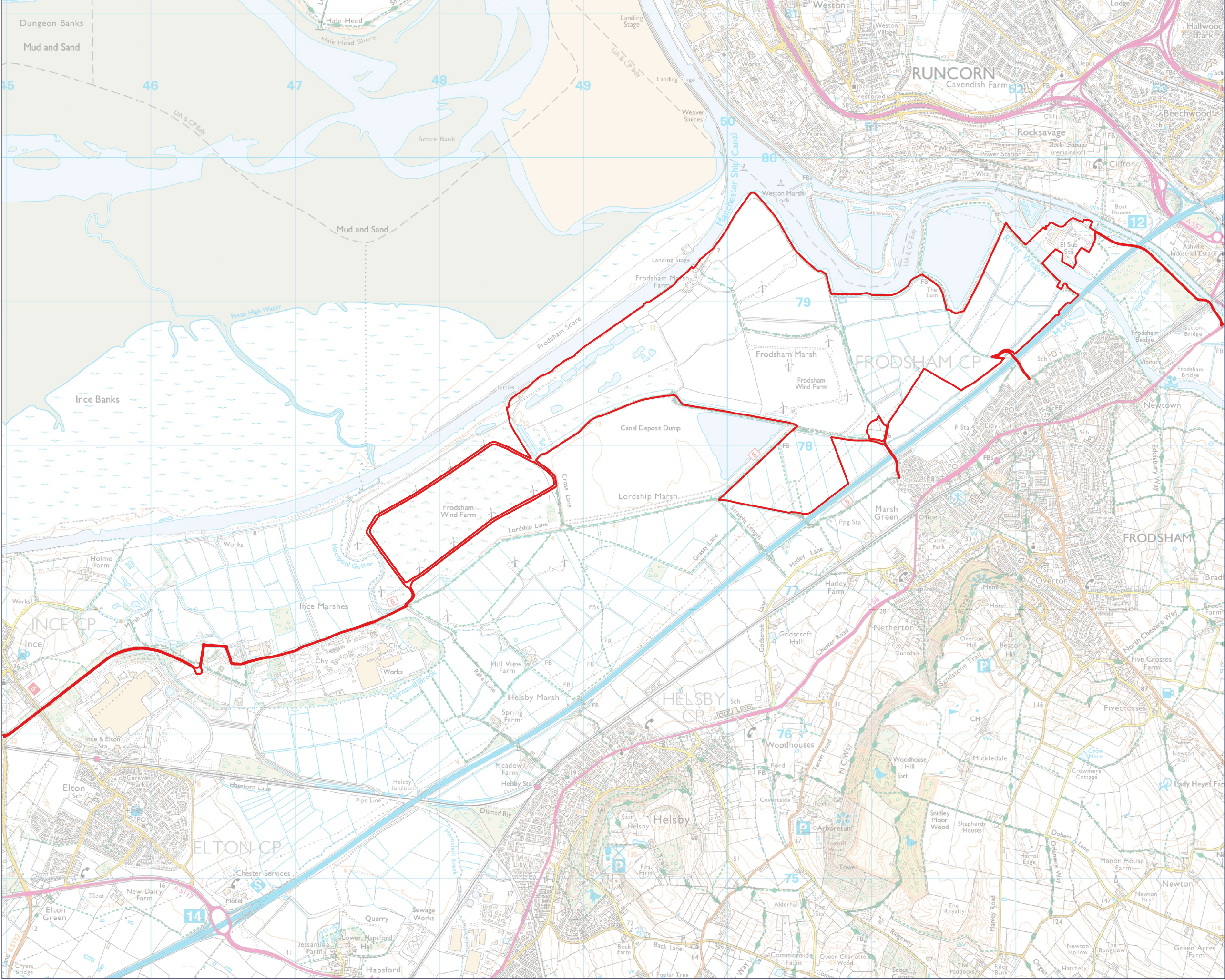


Development Manager

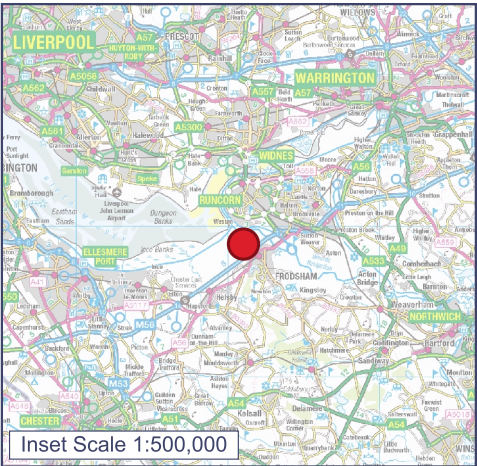
On behalf of Frodsham Solar

## **4 Site Plan appended to Section 42 Notification letter**





Draft Order Limits (the Site)



Inset Scale 1:500,000



0344 8700 007

[axis.co.uk](https://axis.co.uk)



Project

**FRODSHAM SOLAR  
PEIR**

Figure Number

**Figure 1-1**

Figure Title

**The Site Location**

Scale

**1:25000@A3**

Date

**October 2024**



0 500 1,000 1,500 2,000 2,500 m



## **5 Section 44 Notification Letter issued November 2024**

05 November 2024

Dear Sir / Madam,

## **Frodsham Solar**

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Frodsham Solar is considered as a Nationally Significant Infrastructure Project (“NSIP”) as the amount of electricity it could generate exceeds 50 MW. To be consented, it will require a Development Consent Order (“DCO”) from the Secretary of State for the Department for Energy Security and Net Zero (“DESNZ”) under the 2008 Act.

The DCO application will contain full details of the proposals for Frodsham Solar and will be accompanied by an Environmental Statement in accordance with the 2008 Act and the 2017 Regulations. The Applicant intends to make this application in Spring 2025.

### **Consultation on Frodsham Solar**

Frodsham Solar is currently in the pre-application phase of the DCO application process. As part of that process, the Applicant is required to carry out consultation on the proposed DCO application before it is submitted. Your feedback as part of this consultation will be considered before the Applicant finalises its DCO application and will also be reported to the Secretary of State when the application is submitted.

This consultation includes:

- Consultation with prescribed bodies, host and neighbouring authorities (under section 42 and section 43 of the 2008 Act);
- Consultation with any persons with an interest in the land affected by Frodsham Solar (under section 42 and section 44 of the 2008 Act);
- Consultation with the local community in the vicinity of Frodsham Solar (under section 47 of the 2008 Act); and
- General public consultation on Frodsham Solar (under section 48 of the 2008 Act).

We are writing to you, as, in respect of land interests, the 2008 Act requires us to consult with three categories of person: (1) landowners, tenants, occupiers; (2) those with other interests in land; and (3) those who do not own land subject to acquisition but may be entitled to make a claim for compensation as a result of the Proposed Development. You are receiving this letter because we believe you fall into at least one of the categories set

out above. If you would like assistance with identifying the land that may potentially be affected, please send an email to: [frodshamsolar@ardent-management.com](mailto:frodshamsolar@ardent-management.com)

This consultation is running from **Thursday 07 November 2024 to Thursday 19 December 2024**.

The approach to consultation set out in this document has been discussed with the relevant host local planning authority, as required by Section 47(2) of the Act, and regard has been had to the comments they have made. Details of how this consultation is being carried out can be found in the Applicant's Statement of Community Consultation, which was published in May 2023. The Applicant subsequently published an addendum to this document in October 2024, to provide more details of the upcoming statutory consultation. Both documents are available to view and download from the document library on the Applicant's website at: [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk).

In addition, section 48 of the 2008 Act and Regulation 13 of the 2017 Regulations require the Applicant to publicise its proposed DCO application. A formal notice publicising the proposed application is therefore enclosed with this letter which includes a summary of the key elements of the proposals for Frodsham Solar and provides details of the consultation.

### **Consultation materials**

As Frodsham Solar is an Environmental Impact Assessment ("EIA") development for the purposes of the 2017 Regulations, the Applicant has prepared a Preliminary Environmental Information Report ("PEIR"). This has been informed by the Scoping Opinion issued by the Planning Inspectorate and reports the results of the EIA process that has been carried out to date. The PEIR forms the basis of this consultation and also includes a non-technical summary. The purpose of the PEIR is to enable consultees to understand the likely environmental effects of Frodsham Solar and to help inform consultation responses. It should be noted that the EIA is an ongoing process.

In addition to the PEIR, the Applicant has produced a Community Consultation Leaflet and Feedback Form. These consultation documents provide information and invite feedback on the proposals for Frodsham Solar.

The consultation materials include:

- The PEIR (including appendices, plans and figures);
- A non-technical summary of the PEIR;
- Additional documents including the Community Consultation Leaflet and Feedback Form.

Consultation materials are available free of charge online at [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk). Consultation materials will also be provided in paper copy or on USB by request to the Applicant. Please note that a reasonable charge up to £500 may apply to providing printed

copies of the PEIR, but other documents are free of charge. Details of how to request these documents and the related charges, if any, are set out in the enclosed section 48 notice.

### **Consultation events**

The Applicant will also be holding public information events in-person and online throughout the consultation period, details of these events can be found in the enclosed section 48 notice. If you would like to register for the online webinar, this can be requested through the project contact details below, which can also be found on [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk).

### **How to respond to this consultation**

When providing a response, please include your name and contact details (a postal or email address) and confirm the nature of your interest in Frodsham Solar. Completed responses may be submitted:

- a) By emailing: [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- b) Online at: [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)
- c) By writing to: FREEPOST FRODSHAM SOLAR

**Responses must be received between Thursday 07 November 2024 and Thursday 19 December 2024 (on or before this date).**

The Applicant will consider and have regard to all responses received during the consultation period. Responses received after this time may not be considered. Responses and representations will form the basis of a Consultation Report, which will be submitted as part of the DCO application, and therefore may become public. Personal details will be held securely and solely for purposes in connection with the statutory consultation, DCO process and further development of Frodsham Solar. Please see the enclosed notice for further details.

### Further information

If you would like further information about this letter, the consultation or Frodsham Solar, please visit our website or contact the project team by using one of the contact methods provided below:

- **Email:** [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- **Online:** [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)
- **Post:** FREEPOST FRODSHAM SOLAR
- **Phone:** 0808 175 4004 (open 09:00-17:00, Monday-Friday. A voicemail service will operate for out of office hours)

We look forward to hearing from you.

Yours faithfully,



Development Manager

On behalf of Frodsham Solar

## **6 Section 44 Notification Letter issued April 2025**

The Company Secretary  
National Highways Limited  
Bridge House  
1 Walnut Tree Close  
Guildford  
GU1 4LZ

10 April 2025

Dear Sir / Madam,

**Frodsham Solar**

**Statutory Pre-Application Consultation**

**Section 42 of the Planning Act 2008 (“the 2008 Act”), Regulation 3 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, and Regulations 11 and 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the 2017 Regulations”)**

This letter has been sent to you pursuant to section 42 of the 2008 Act by Frodsham Solar Limited (“the Applicant”), in respect of proposals for Frodsham Solar.

Following on from our letter to you dated 05 November 2024 notifying you of the statutory consultation for Frodsham Solar, and our on-going engagement on the project since then, on-going design work has identified that a small amount of additional land owned by the National Highways needs to be brought into the Order limits for Frodsham Solar.

We are therefore writing to you, as a consultee for the purpose of section 42 of the Planning Act 2008 and/or Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, to consult you in respect of Frodsham Solar and this additional land.

The deadline to respond to this consultation is **11.59pm on 13 May 2025**.

Please don't hesitate to contact us should you wish to have a discussion on our proposals and remaining consultation opportunities.





## **The Applicant**

As previously discussed, the applicant for this project will be Frodsham Solar Limited, which was introduced last year as part of a joint venture known as Peel Cubico Renewables.

In January 2024, Cubico Sustainable Investments (“Cubico”) acquired Peel NRE’s 50% stake in Peel Cubico Renewables Ltd. This includes the joint venture’s solar development pipeline, meaning that Frodsham Solar is now a Cubico only project and Frodsham Solar Limited is wholly owned by Cubico.

## **The Project**

As previously discussed, the Applicant intends to build a solar energy generation station and an associated on-site Battery Energy Storage System (BESS) (“Frodsham Solar”) on land at Frodsham Marsh, Frodsham, Cheshire West and Chester. The proposal is situated to the north of the M56, including an area of land beneath the eastern cluster of turbines of Frodsham Wind Farm. A site location plan is enclosed with this letter alongside a plan showing the additional land now required for the project.

The proposed design for Frodsham Solar would enable the generation of approximately 130 megawatts (MW) of electricity, as well as the storage of approximately 100 MW of electricity in a BESS. Frodsham Solar also includes the associated infrastructure for connection to the local electricity distribution network, as well as a private wire connection, that would enable local businesses to utilise electricity generated.

The proposals include the construction, operation, maintenance and decommissioning of:

- A ground-mounted solar array (solar panels);
- An on-site battery energy storage system (BESS);
- Built infrastructure such as substations, transformers and inverters;
- Electrical connection infrastructure including an overhead line connection into the existing Frodsham Substation, as well as a private wire connection;
- Landscape and ecological mitigation and enhancement measures, including consideration of new permissive paths and biodiversity and bird mitigation areas; and
- Other ancillary works including access, fencing, and drainage.

Frodsham Solar is considered as a Nationally Significant Infrastructure Project (“NSIP”) as the amount of electricity it could generate exceeds 50 MW. To be

consented, it will require a Development Consent Order (“DCO”) from the Secretary of State for the Department for Energy Security and Net Zero (“DESNZ”) under the 2008 Act.

The DCO application will contain full details of the proposals for Frodsham Solar and will be accompanied by an Environmental Statement in accordance with the 2008 Act and the 2017 Regulations. The Applicant intends to make this application in Spring 2025.

### **Consultation on Frodsham Solar**

As Frodsham Solar is an Environmental Impact Assessment (“EIA”) development for the purposes of the 2017 Regulations, as part of the statutory consultation, the Applicant prepared a Preliminary Environmental Information Report (“PEIR”). This was informed by the Scoping Opinion issued by the Planning Inspectorate and reports the results of the EIA process that has been carried out to date. The PEIR also includes a non-technical summary.

The purpose of the PEIR is to enable consultees to understand the likely environmental effects of Frodsham Solar and to help inform consultation responses. It should be noted that the EIA is an ongoing process. In addition to the PEIR, the Applicant also produced a Community Consultation Leaflet and Feedback Form. These consultation documents provide information and invite feedback on the proposals for Frodsham Solar.

To inform your response to this consultation, these consultation materials continue to be available free of charge online at [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk). Consultation materials will also be provided in paper copy or on USB by request to the Applicant. Please note that a reasonable charge up to £500 apply to providing printed copies of the PEIR, but other documents are free of charge. If you wish to receive hard copies of these documents, please contact us on the details below.

### **How to respond to this consultation**

When providing a response, please include your name and contact details (a postal or email address) and confirm the nature of your interest in Frodsham Solar. Completed responses may be submitted:

- a) By emailing: [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- b) Online at: [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)
- c) By writing to: FREEPOST FRODSHAM SOLAR

**Responses must be received by 11.59pm on 13 May 2025.**

The Applicant will consider and have regard to all responses received. Responses and representations will form the basis of a Consultation Report,

which will be submitted as part of the DCO application, and therefore may become public. Personal details will be held securely and solely for purposes in connection with the statutory consultation, DCO process and further development of Frodsham Solar.

### **Further information**

If you would like further information about this letter, the consultation or Frodsham Solar, please visit our website or contact the project team by using one of the contact methods provided below:

- **Email:** [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- **Online:** [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)
- **Post:** FREEPOST FRODSHAM SOLAR
- **Phone:** 0808 175 4004 (open 09:00-17:00, Monday-Friday. A voicemail service will operate for out of office hours)

We look forward to hearing from you.

Yours faithfully,



Development Manager  
On behalf of Frodsham Solar

## **7 Section 46 Notification Letter sent to the Planning Inspectorate**

05 November 2024

The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Sir / Madam,

### **Frodsham Solar**

#### **Notice of proposed application for a Development Consent Order pursuant to section 46 of the Planning Act 2008.**

Frodsham Solar Limited ("The Applicant") intends to build a new solar energy generation station and an associated on-site Battery Energy Storage System (BESS) ("Frodsham Solar") on land at Frodsham Marsh, Frodsham, Cheshire West and Chester.

The proposed design for Frodsham Solar would enable the generation of approximately 130 megawatts (MW) of electricity, as well as the storage of approximately 100 MW of electricity in a BESS. Frodsham Solar also includes the associated infrastructure for connection to the local electricity distribution network, as well as a private wire connection, that would enable local businesses to utilise electricity generated.

The Applicant intends to make an application to the Secretary of State for a Development Consent Order ("DCO") for Frodsham Solar. As the development will generate over 50 MW, the project is classified as a Nationally Significant Infrastructure Project ("NSIP") when the application is submitted.

The DCO application will contain full details of Frodsham Solar and will be accompanied by an Environmental Statement in accordance with the 2008 Planning Act ("the 2008 Act") and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the 2017 Regulations").

#### **Consultation on Frodsham Solar**

The Applicant is undertaking consultation on the proposals for Frodsham Solar between Thursday 07 November 2024 and Thursday 19 December 2024. This consultation includes:

- Consultation with prescribed bodies, host and neighbouring authorities (under section 42 and section 43 of the 2008 Act);
- Consultation with any persons with an interest in the land affected by Frodsham Solar (under section 42 and section 44 of the 2008 Act);
- Consultation with the local community in the vicinity of Frodsham Solar (under section 47 of the 2008 Act); and

- General public consultation on Frodsham Solar (under section 48 of the 2008 Act).

### **Notice under section 46 of the 2008 Act**

Please treat this letter as notice to the Planning Inspectorate, under section 46 of the 2008 Act, of the Applicant's proposed application in relation to Frodsham Solar, and please find enclosed:

- 1) Example covering letter to statutory consultees under section 42 of the 2008 Act and Regulation 13 of the 2017 Regulations;
- 2) Example covering letter to land interests under section 44 of the 2008 Act;
- 3) Copy of the notice publicising the application under section 48 of the 2008 Act. The notice is published in the Chester Standard and the Chester Chronicle on 31 October and 07 November 2024, The Guardian on 31 October and the London Gazette on 04 November 2024; and
- 4) A site plan showing the location of the proposed application.

### **Consultation materials**

As Frodsham Solar is an Environmental Impact Assessment ("EIA") development for the purposes of the 2017 Regulations, the Applicant has prepared a Preliminary Environmental Information Report ("PEIR"). This has been informed by the Scoping Opinion issued by the Planning Inspectorate and reports the results of the EIA process that has been carried out to date. The PEIR forms the basis of this consultation and also includes a non-technical summary. The purpose of the PEIR is to enable consultees to understand the likely environmental effects of Frodsham Solar and to help inform consultation responses. It should be noted that the EIA is an ongoing process.

In addition to the PEIR, the Applicant has produced a Community Consultation Leaflet and Feedback Form. These consultation documents provide information and invite feedback on the proposals for Frodsham Solar.

The consultation materials include:

- Notice publicising the proposed DCO application under section 48 of the 2008 Act;
- The PEIR (including appendices, plans and figures);
- A non-technical summary of the PEIR; and
- Additional documents including the Community Consultation Leaflet and Feedback Form.

Consultation materials are available free of charge online at [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk). Consultation materials will also be provided in paper copy or on USB by request to the Applicant. Please note that a reasonable charge up to £500 may apply to providing printed copies of the PEIR, but other documents are free of charge. Details of how to request these documents and the related charges, if any, are set out in the enclosed section 48 notice.



The Applicant has requested for responses to be submitted between Thursday 07 November 2024 and Thursday 19 December 2024 (on or before this date).

### **Contacting the Applicant**

If you would like further information about this notification or the consultation on Frodsham Solar, please visit our website or contact the project team by using one of the contact methods provided below:

- **Email:** [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- **Online:** [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)
- **Post:** FREEPOST FRODSHAM SOLAR
- **Phone:** 0808 175 4004 (open 09:00-17:00, Monday-Friday. A voicemail service will operate for out of office hours)

Yours faithfully,

[Redacted Signature]

Development Manager

On behalf of Frodsham Solar

## **8 Planning Inspectorate Acknowledgement of Receipt of Section 46 Notification Letter**





# Planning Inspectorate

National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [FrodshamSolarFarm@planninginspectorate.gov.uk](mailto:FrodshamSolarFarm@planninginspectorate.gov.uk)

To Mr M Flaherty  
Development Manager

Your Ref:

Our Ref: EN010153

Date: 06 November 2024

**By email only**

Dear Mr Flaherty

**Planning Act 2008 (as amended) – Section 46 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulation 8**

**Proposed application by Frodsham Solar for an Order Granting Development Consent for Frodsham Solar Farm**

**Acknowledgement of receipt of information concerning proposed application**

Thank you for your email of 6 November 2024 and the following documentation:

- s46 notification letter
- example s42 notification letter
- example s44 notification letter
- copy of s48 notice
- site location plan

We acknowledge that you have notified the Planning Inspectorate of the proposed application for an Order granting development consent for the purposes of section 46 of the Planning Act 2008 and supplied the information for consultation under section 42.

We also acknowledge notification in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that you propose to provide an environmental statement in respect of the Proposed Development.

Please contact us if you have any queries.

Yours sincerely

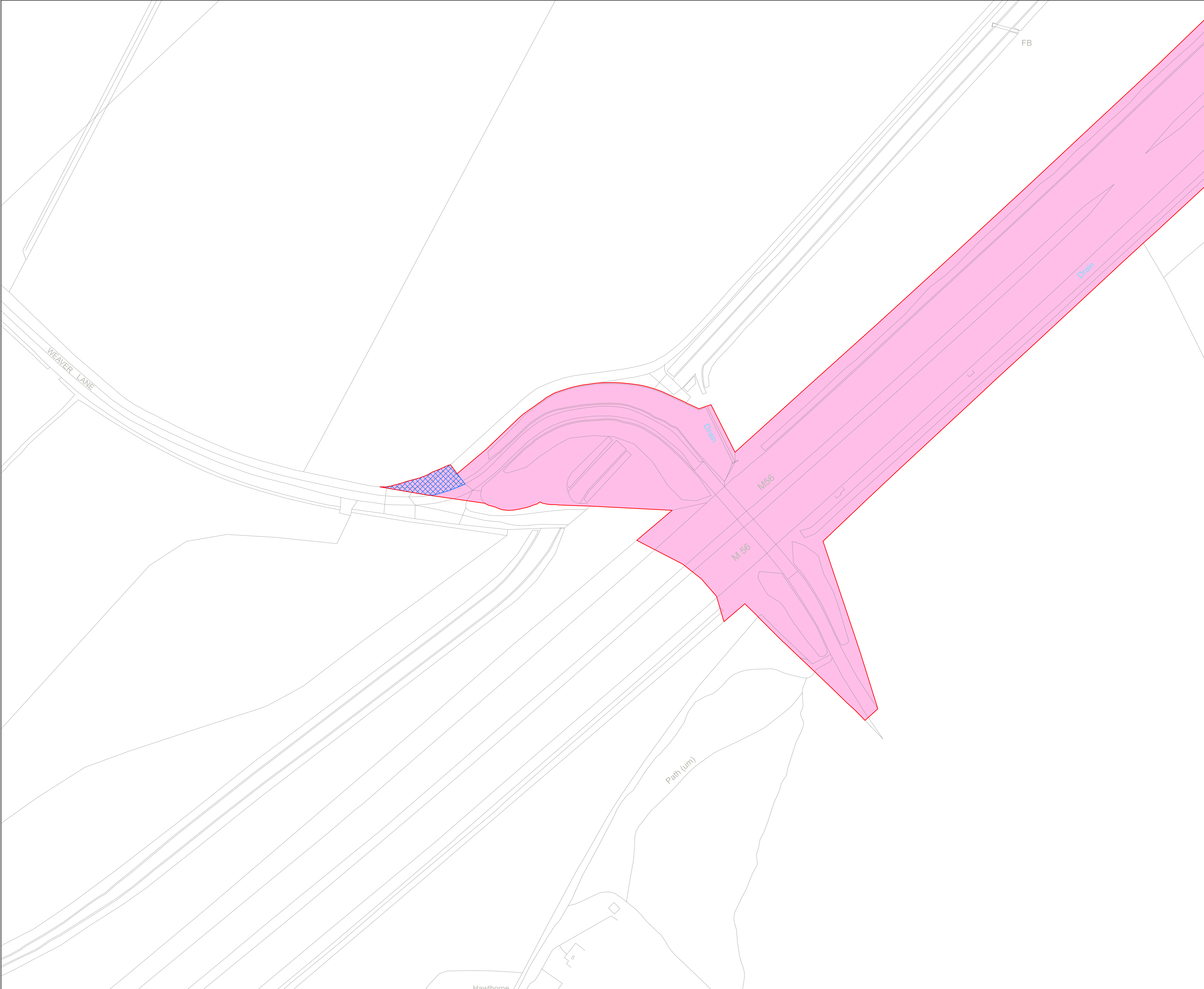
*Rob Cook*

**Rob Cook**  
**Case Manager**

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## **9 Order Limit Change Map provided to land interests under Section 44 consulted from April to May 2025**



KEY PLAN

KEY

Additional National Highways Land

Extent of CH186136

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World Hillshade: Esri, Intermap, NASA, NGA, USGS  
World Topographic Map: Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Client

Cubico  
SUSTAINABLE INVESTMENTS

Designer

Ardent

Project

FRODSHAM SOLAR

Drawing Title

PLAN TO SHOW  
ADDITIONAL NATIONAL HIGHWAYS LAND

Status

S2 - SUITABLE FOR INFORMATION

Revision

P01

Date

09/04/2025

Scale: 1:750

@ A1

Spatial Reference System

British National Grid

0

25

50

Metres

Drawn By

Checked By

Approved By

J.NEYE-SWIFT

L.O'BRIEN

A.CROW

Drawing reference

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