



Frodsham Solar Programme Document

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Programme Document

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1.0 INTRODUCTION

1.1 Background

- 1.1.1 Frodsham Solar Limited ('the Applicant') is proposing to develop a new solar energy generating station and an associated on-site Battery Energy Storage System (BESS) ('the Proposed Development') on land at Frodsham Marsh, Frodsham, Cheshire West and Chester ('the Site'). The Proposed Development also includes the associated infrastructure for connection to the local electricity distribution network, as well as a private wire electricity connection to nearby businesses that would utilise the renewable energy generated by the Proposed Development.
- 1.1.2 The current design for the Proposed Development would enable the generation of approximately 147 megawatts (MW) of electricity, as well as the storage of approximately 100 MW of electricity in a BESS. The precise generating capacity and storage capacity will be subject to detailed design, but it should be noted that at present the grid connection offer from the District Network Operator (DNO) is for 100 MW export and 50 MW import. As noted above, the Proposed Development would also be capable of exporting electricity directly to local businesses.
- 1.1.3 As the Proposed Development would have an electrical generating capacity in excess of 50MW, it would be defined as a Nationally Significant Infrastructure Project (NSIP) under S.14(1)(a) and S.15(2) of the Planning Act 2008 ('the Act'), necessitating the submission of a Development Consent Order (DCO) application to the Secretary of State for the Department for Energy Security and Net Zero ('the SoS').
- 1.1.4 The Applicant held an Inception meeting with the Planning Inspectorate ('PINS') in February 2023. A request for a Scoping Opinion under Regulation 10(1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended), and notification that an ES is to be produced pursuant to Regulation 8(1)(b) of the EIA Regulations, was made to PINS in May 2023. A Scoping Opinion was received in July 2023.

1.2 This Document

- 1.2.1 This document is the Applicant's Programme Document. It has been prepared in accordance with the guidance provided by the Government within 'Planning Act



2008: Pre-application stage for Nationally Significant Infrastructure Projects' ('the Government Guidance'). The Programme Document is not a statutory requirement but it is intended to help ensure a good pre-application process by allowing statutory consultees, and other interested parties, to understand the anticipated timescales for the pre-application stage, as well as identifying the key issues and risks considered relevant to the determination process.

- 1.2.2 The Programme Document has been published on the Applicants website and has been updated throughout the pre-application process. This latest revision has been made immediately prior to the submission of the application to PINS.
- 1.2.3 Following on from this introduction, the document has been split into the following four sections which seek to address the requirements for a Programme Document as set out in Paragraph 10 of the Government Guidance.
- i) Section 2.0 - Indicative Pre-Application Programme and Key Dates
 - ii) Section 3.0 - Main Issues for resolution and the risks to achieving the pre-application stage
 - iii) Section 4.0 – The approach to engagement with Statutory Consultees and Local Planning Authorities
 - iv) Section 5.0 - Statement of Community Consultation

2.0 INDICATIVE PRE-APPLICATION PROGRAMME AND KEY DATES

2.1.1 It is currently the Applicant's intention to submit an application to PINS by the 30th May 2025. Table 2.1 below sets out the key stages undertaken to date and the forthcoming anticipated timetable for the remaining stages leading up to submission.

Table 2.1 – Project Timetable

Project Stage / Event	Date
PINS Inception Meeting	February 2023
Submission of EIA Scoping Request / Regulation 8 Notification	May 2023
Publication of Statement of Community Consultation and Section 47(6) notice	May 2023
Receipt of Scoping Opinion	July 2023
Phase 1 Community Consultation	1 st June – 13 th July 2023
Ongoing Statutory Consultee and Local Planning Authority Engagement (further details in Section 3.0)	May 2023 - Present
Phase 2 Community Consultation and Statutory Consultation – publication of PEI Report (s42, s47)	7 th November – 19 th December 2024
PINS Update meeting / Submission of the draft Adequacy of Consultation Milestone (AoCM) report to CWaCC	February 2025
PINS Update Meeting	End February 2025
Feedback on AoCM from CWaCC	March 2025
Submission of the AoCM report to PINS	End March 2025
Review of Draft Document	Not required
PINS Update Meeting/Pre-Submission Meeting	03 May 2025
Submit Application	30 May 2025

3.0 MAIN ISSUES AND KEY RISKS

3.1.1 The Government Guidance sets out that the Programme Document should include:

- i) the applicant's view on the main issues for resolution and activities they will undertake to address those; and
- ii) the applicant's identification of risks to achievement of the pre-application stage and the process by which these risks are tracked and managed

3.1.2 Table 3.1 below provides a summary of the main issues / risks associated with the project. These issues have been identified as a result of the Applicant's previous knowledge of the local area; detailed environmental information gathered to date; preliminary environmental assessment work; existing engagement with the Local Planning Authority (LPA) and statutory consultees; and, feedback received from the Phase 1 Community Consultation.

3.1.3 The risks to the project are reviewed by the Applicant and the technical supporting team on weekly basis to ensure that necessary actions are in place to:

- iii) minimise the potential for a delay to the submission of the application; and
- iv) resolve matters which could impact a positive decision for the forthcoming DCO application.

3.1.4 As set out in Section 4.0, the Applicant is in regular dialogue with relevant Statutory Consultees and the LPA. The engagement has assisted in ensuring the necessary baseline data collection is undertaken and the scope of detailed assessment work is appropriate for the anticipated impacts of project. The engagement has also informed design decisions and has helped influence the design principles set for the project.

Table 3.1 – Project Issues / Risks

Ref	Main Issues / Key Risks	Activities to Resolve
1	Proximity of designated ecological areas including the Mersey Estuary SPA, SSSI and Ramsar site & the Frodsham Marshes Local Wildlife Site, and skylark being present on site.	<ol style="list-style-type: none">1. Extensive baseline ecological data collection over multiple seasons.2. Seeking agreement on scope of detailed ecological surveys from Natural England and LPA.3. Integration of mitigation proposals into the design at the early stages of the development process.

		<ol style="list-style-type: none"> Undertaking extensive investigation works to establish likelihood of success in delivering proposed mitigation. Early engagement with Natural England and LPA. Engagement with Local Wildlife Trust and RSPB and landowners.
2	Potential presence of contaminated land due to former land use as canal dredging deposit ground.	<ol style="list-style-type: none"> Early engagement with LPA Contaminated Land Officers and the Environment Agency NIT. Provision of Phase 1 Desk Study to the above for review and agreement on risks to receptors. Undertaking targeted ground investigation works. Liaison with the Environment Agency NIT on permitting /MMP requirements.
3	Areas of the Site lie within Flood Zone 3	<ol style="list-style-type: none"> Provision of Flood Risk Assessment for review to the Local Lead Flood Authority and the Environment Agency NIT. Undertaking modelling work required by the Environment Agency NIT, including sensitivity testing for extreme events and likelihood of increase in offsite flooding. Sequentially locating key infrastructure items out of the higher risk flood zones. Ongoing engagement with LLFA and Environment Agency NIT. Developing an outline Flood Evacuation Strategy for submission.
4	Presence of M56 and potential impact of glare on drivers	<ol style="list-style-type: none"> Undertook glint and glare modelling early in the design process. Mitigation introduced to avoid significant impacts on drivers. Assessment provided to National Highways for comment. National Highways have confirmed (17/10/24) they are content that no additional changes are required to the proposals to mitigate the impact of glint and glare on the M56.
5	Proximity to Frodsham and potential impacts on users of the Public Right of Way (PROW) network on the site	<ol style="list-style-type: none"> Integration of enhanced access opportunities within the Design Principles for the project. Engagement with local community including access proposals forming part of the statutory consultation. Provision of landscape buffer areas. Specific stakeholder engagement activities to input into the design proposals.
6	Located within Green Belt	<ol style="list-style-type: none"> Examining potential alternative non Green Belt sites through the Alternative Site Assessment,. Understanding contribution of the Site to the purposes of green belt. Careful site design to ensure mitigation hierarchy has been followed.
7	Interaction with multiple utility corridors and other prospective pipeline projects within the Site	<ol style="list-style-type: none"> Introduction of buffers within design constraints from early design stage.

		<ol style="list-style-type: none"> 5. Early engagement with utility undertakers to agree design requirements. 6. Engagement with other applicants to understand potential access requirements, including a second NSIP which crosses the Site.
8	Proximity to wind turbines	<ol style="list-style-type: none"> 1. Undertaking risk analysis of potential impacts to deliver a viable design solution. 2. Engagement with wind farm operator.
9	Concerns from the community related to safety of the BESS	<ol style="list-style-type: none"> 1. Indicative design reflects requirements set out in the National Fire Chiefs Council guidance. 2. Battery Safety expert employed to advise on the design and assessment of the BESS. 3. Provision of an outline Battery Safety Management Plan with the application.
10	Delays in responses from Statutory Consultees and local authority	<ol style="list-style-type: none"> 1. Applicant has entered into agreements with Environment Agency, Natural England and Historic England for charging in relation to pre-application advice. National Highways have also expressed intention to invoke charging, which the Applicant will agree with. 2. The Applicant has signed a Planning Performance Agreement with Cheshire West and Chester Council (CWaCC) for their advice. 3. Monthly meetings held with CWaCC and Natural England. 4. Regular dialogue held with Environment Agency.
11	Adequacy of pre-application consultation	<ol style="list-style-type: none"> 1. The Applicant published a Statement of Community Consultation ('SoCC') prior to the Phase 1 consultation, very early in the project lifecycle. 2. Ongoing liaison with CWaCC to ensure they are well informed with project changes, enabling any concerns which the community could raise with them to be brought to the attention of the applicant. 3. Briefings provided to the local Town Council and elected ward members to ensure they are informed with the project evolution. 4. Addendum to the SoCC provided to CWaCC prior to the Stage 2 Section 42 consultation. 5. In person and online consultations held in agreed local community hubs (5 in person and 1 webinar). 6. Adequacy of Consultation Milestone to be submitted three months in advance of application being submitted.
12	Securing the necessary land for the Proposed Development	<ol style="list-style-type: none"> 1. Applicant has engaged early with the various landowners which lie within the site and has sought voluntary agreements. 2. Maintain regular dialogue with other stakeholders with an interest in the land. 3. Continue to engage with landowners throughout the pre-application process. 4. Undertaken diligent land referencing early in the project design.

		5. Engaging with statutory undertakers/project developers for current assets and future projects.
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4.0 ENGAGEMENT WITH STATUTORY CONSULTEES AND LOCAL PLANNING AUTHORITIES

- 4.1.1 At the outset of the project, the Order Limits for the Proposed Development covered two Local Planning Authorities, Cheshire West and Chester Council (CWaCC), and Halton Borough Council. The vast majority of the Proposed Development was located within CWaCC, with the extent of development within Halton limited to a short section of a private wire connection to a local industrial business. As such the Applicant engaged with both LPAs from the outset of the project, including the preparation of, and consultation on, the Statement of Community Consultation (SoCC).
- 4.1.2 However, as the project has evolved the Applicant has decided to remove the proposed private wire route which encroached into Halton from this phase of the project.
- 4.1.3 The LPA and Statutory Consultee engagement is set out in Table 4.1. This summarises the key organisations / officers engaged, detailing frequency / nature of engagement and any formal agreements in place to allow the consultees to offer timely and comprehensive advice.

Table 4.1 – LPA and Statutory Consultee Engagement

Consultee	Frequency of Engagement	Arrangements for Advice
Cheshire West and Chester Council	<p>Monthly meetings with a dedicated case officer.</p> <p>Ad hoc meetings arranged with specialist officers, to date:</p> <ul style="list-style-type: none"> - Landscape Officer - Heritage and Conservation Officer - Biodiversity Officer - Public Rights of Way Officers - Contaminated Land Officer - Local Lead Flood Authority - Climate Change - Economic Development 	<p>Planning Performance Agreement has been entered into for the pre-application stage.</p> <p>Anticipating ongoing advice during the remaining pre-application stage.</p>
Natural England	<p>Ad hoc meetings / consultation:</p> <ul style="list-style-type: none"> - March 2023 - May 2023 - June 2023 - July 2023 - September 2023 (site visit) 	<p>Discretionary Advice Service Agreement in place and have now agreed to charging under the Fee Regulations.</p>

Consultee	Frequency of Engagement	Arrangements for Advice
	<ul style="list-style-type: none"> - September 2023 review of preliminary bird data - June 2024 – review of Mitigation Strategy - October 2024 – face-to-face meeting with NE, CWaCC and RSPB - November 2024 – NE feedback on mitigation strategy - Biweekly meetings proposed 	<p>Anticipating ongoing advice to agree mitigation proposals, HRA and ecological assessment findings.</p> <p>Position reached there was in principle agreement on the proposed mitigation for the impacts on the Mersey Estuary SPA and Ramsar site, subject to detailed review of the data and HRA documentation to be provided with the application.</p>
Environment Agency	<p>Engagement with local EA team in 2023 – paid advice service</p> <p>Meetings with Pre-Application Advice Team</p> <ul style="list-style-type: none"> - Inception meeting June 2023 - Provision of draft Flood Risk Assessment, draft Water Framework Directive and draft Phase 1 Geo-Environmental Assessment June 2023 - Flood modelling / compensation meeting November 2024 	<p>Cost Recovered Advice Service arrangement in place under the Fee Regulations.</p> <p>Anticipating ongoing advice including review of revised FRA and flood modelling, permitting advice and WFD assessment.</p>
National Highways	<p>Provision of Transport Assessment Scoping Report in April 2024 – advice received from National Highways May 2024.</p> <p>Provision of Glint and Glare Assessment in May 2024.</p> <p>Meetings with NH in spring 2025 to agree approach to the assessment of junction capacity of the M53 and M56.</p>	<p>Received request for charging under the Fee Regulations. Awaiting agreement.</p> <p>Unlikely to require significant advice on highways capacity.</p> <p>NH agreed that mitigation for glint and glare on users of the M56 is sufficient.</p> <p>NH agreed that detailed junction modelling was not required based on data provided by the Applicant.</p>

4.1.4 The Applicant is also engaging with a range of other interested parties in relation to design and assessment matters, these include:

- i) The Canal and Rivers Trust
- ii) Statutory Undertakers with interests in land within the site
- iii) Frodsham Town Council

- iv) RSPB
- v) Wildlife Trust
- vi) Cycle North Cheshire
- vii) The Ramblers

4.1.5 Other community consultees have also been engaged with as part of the Phase 1 and Phase 2 Community Consultations, as set out in Section 5.0.



5.0 STATEMENT OF COMMUNITY CONSULTATION

- 5.1.1 A Statement of Community Consultation (SoCC) was published in May 2023, this can be provided to PINS if required but is available on the project website (<https://www.frodshamsolar.co.uk/>) along with the associated Section 47 notice.
- 5.1.2 The approach to consultation set out in the SoCC was consulted upon with Cheshire West and Chester Council and Halton Borough Council.
- 5.1.3 The SoCC set out that the consultation will consist of two phases:
- i) A Phase One community consultation, lasting six weeks, which was held from Thursday 1 June 2023 to Thursday 13 July 2023.
 - ii) A Phase Two community consultation, which will last longer than the statutory minimum of 28 days, planned for Winter 2023 (now scheduled for Autumn 2024 see below).

Phase 1 Community Consultation

- 5.1.4 A Phase One Consultation Summary Report was prepared and published online. The report provides:
- i) An overview of the Phase One consultation and the level of engagement received.
 - ii) A presentation of the key statistics from the feedback.
 - iii) A summary of the key themes emerging from feedback, and how these are being considered.
 - iv) An update on how the proposed project area has changed following the Phase One consultation.
 - v) An explanation of the next steps for the project, including ongoing environmental assessments and second phase of consultation.
- 5.1.5 As set out in paragraph 4.1.4 above, the Applicant has continued to engage with local interest groups to inform the design and assessment work being undertaken to enable the publication of the Preliminary Environmental Information Report.



Phase 2 Community Consultation

- 5.1.6 The Phase 2 Consultation, which includes consultation on the PEIR, ran for six weeks from Thursday 7th November until Thursday 19th December 2024.
- 5.1.7 The following information events were held:
- i) Christchurch Hall, Weston Point - Monday 25th November 3pm – 7pm
 - ii) Helsby Community Centre - Tuesday 26th November 2pm – 6.30pm
 - iii) Elton Community Centre - Friday 29th November 3pm – 7pm
 - iv) Frodsham Community Centre - Saturday 30th November 1.30pm – 5.30pm
 - v) Frodsham Community Centre- Monday 2nd December 2.30pm – 6.30pm
 - vi) Online Community Webinar - Wednesday 4th December 6pm – 7.30pm
- 5.1.8 The consultation has been conducted in line with the SoCC published in May 2023. However, due to the extended period since the previous SoCC was consulted on, the Applicant published and consulted on a SoCC Addendum in October 2024 which re-stated the commitments being made in relation to the community consultation. A notice under Section 47 of the Act was also published for the SoCC Addendum.
- 5.1.9 The Applicant has sought the opinion of CWaCC on the adequacy of consultation following initial analysis of the Phase 2 Community Consultation by providing the authority with an Early Adequacy of Consultation Milestone report. CWaCC acknowledged the positive and proactive approach taken by the Applicant to pre-application consultation. It provided a number of comments on the detail of the report provided but did not raise any in-principle concerns with the level of consultation undertaken.