



Frodsham Solar

Environmental Statement: Volume 1

Chapter 1: Introduction

May 2025



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1.0 INTRODUCTION

1.1 Background

- 1.1.1 Frodsham Solar Limited ('the Applicant') has prepared this ES **[EN010153/DR/6.1 / 6.2 / 6.3]** in relation to an application for a Development Consent Order (DCO) for the Frodsham Solar project ('the Proposed Development'). The application for the DCO will be submitted to the Planning Inspectorate, with the decision whether to grant a DCO being made by the Secretary of State for the Department for Energy Security and Net Zero (hereafter referred to as the 'Secretary of State') pursuant to the Planning Act 2008ⁱ.
- 1.1.2 The Proposed Development is 'EIA development' as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations')ⁱⁱ, requiring an Environmental Impact Assessment (EIA). This ES presents the findings of the EIA undertaken for the Scheme in accordance with the EIA Regulations and the Planning Act 2008.
- 1.1.3 A Preliminary Environmental Information Report (PEIR) for the Project was published on 7th November 2024 in accordance with Regulations 12 and 13 of the EIA Regulations. The PEIR, which was written in the form of a draft ES, provided the community and consultees with an assessment of the likely significant effects of the Proposed Development, defining the scope, methodology and limitations of the assessments used to inform the EIA.
- 1.1.4 Feedback from the statutory consultation process has guided the project's evolving design and approach to assessment. Each technical chapter of the ES summarises the relevant comments received from statutory consultees and sets out how these comments have been considered within the ES.
- 1.1.5 This chapter is supported by the following figures (see **ES Volume 3 Figures [EN010153/DR/6.3]**):
- i) Figure 1-1: Site Location

- ii) Figure 1-2: Proposed Development Areas
 - iii) Figure 1-3: Planning and Environmental Designations
 - iv) Figure 1-4: Solar Array Development Area Site Context Plan
 - v) Figure 1-5: Public Rights of Way
 - vi) Figure 1-6: Utilities
- 1.1.6 The contents, glossary and list of acronyms for the ES are provided in Chapter 0: Contents, Glossary and Acronyms of this **ES Volume 1 Chapter 0 [EN010153/DR/6.1]**.

1.2 The Proposed Development

- 1.2.1 The Proposed Development comprises a new solar energy generating station and an associated on-site Battery Energy Storage System (BESS) 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 that would enable local businesses to utilise the renewable energy generated by the Proposed Development.
- 1.2.2 The current design for the Proposed Development would enable the generation of approximately 147 megawatts (MW) of electricity¹, 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.
- 1.2.3 Subject to obtaining the necessary consents, construction is anticipated to commence in January 2028 and be completed in mid to late 2030. The Proposed Development comprises a temporary development with an operational phase of up to 40 years. Decommissioning activities would therefore commence in 2070, 40 years after final commissioning.
- 1.2.4 A more detailed description of the Proposed Development is provided within **ES Volume 1 Chapter 2: The Proposed Development [EN010153/DR/6.1]**.

¹ The generating capacity is described in terms of the maximum combined capacity of installed inverters (measured in AC)

1.3 Site Description

Order Limits

- 1.3.1 The expected maximum area of land potentially required for the construction, operation and maintenance of the Proposed Development, which includes land required for permanent and temporary purposes, is shown on **ES Vol 3 Figure 1-1 Site Location [EN010153/DR/6.3]**. This is referred to as the Order Limits.

The Site and Surrounding Area

- 1.3.2 The Site is located approximately 500 m to the north of the centre of Frodsham Town Centre within the administrative areas of Cheshire West and Chester Council (CWaCC), which is the Local Planning Authority (LPA). The Proposed Development location is shown on **ES Vol 3 Figure 1-1 Site Location [EN010153/DR/6.3]**.
- 1.3.3 The Site contains all of the principal elements of the Proposed Development which include the:
- i) Solar Array Development Area that would include solar photovoltaic (PV) modules and support frames, internal access tracks, cabling, inverters, transformers, the solar array substation (known as the 'Frodsham Solar Substation) and the BESS;
 - ii) Main Site Access route
 - iii) SPEN Grid Connection linking Frodsham Solar Substation to the SP Energy Networks (SPEN) Frodsham Substation
 - iv) SPEN / National Grid Substation and access to the substation compound
 - v) Private Wire Connection to local businesses
 - vi) Non Breeding Bird Mitigation Area (NBBMA)
 - vii) Skylark Mitigation Area

- 1.3.4 The development areas are shown on **ES Vol 3 Figure 1-2 Proposed Development Areas [EN010153/DR/6.3]** and are described in detail within **ES Vol 1 Chapter 2: The Proposed Development [EN010153/DR/6.1]**.
- 1.3.5 The Site is approximately centred on National Grid Reference (NGR) 351000E, 378500N and is located approximately 500 m to the north of Frodsham Town Centre at its nearest point. Key environmental and planning designations on, and in close proximity to, the Site are shown on **ES Vol 3 Figure 1-3 Planning and Environmental Designations [EN010153/DR/6.3]**, these are described below.
- 1.3.6 The Site comprises a single red line boundary that covers all land expected to be included within the Proposed Development, which in total is approximately 337.5 ha. This is known as the Order Limits. This encompasses the areas required for solar development, all associated infrastructure, BESS, access, cabling, the grid connection to the SPEN Substation, the private wire connections to local businesses and areas for mitigation including the Skylark Mitigation Area and the Non Breeding Bird Mitigation Area (NBBMA).
- 1.3.7 The Solar Array Development Area Context Plan is shown on **ES Vol 3 Figure 1-4 Solar Array Development Area Site Context Plan [EN010153/DR/6.3]**, which illustrates the key features described below.
- 1.3.8 The Solar Array Development Area covers an area of approximately 246ha, and would be located at the eastern extent of Frodsham and Helsby Marsh, an area of land between the Mersey Estuary and the M56. The northern boundary of the Solar Array Development Area is formed by the River Weaver and the former INEOS Inovyn Dredging Deposit Ground, the north-west boundary by the Manchester Ship Canal, with the Mersey Estuary lying beyond. The western boundary of the Solar Array Development Area is formed by two of the former Manchester Ship Canal Dredging Deposit Ground Cells; Cell 3 and Cell 6. Cell 3 forms part of the NBBMA. The southern

boundary of the Solar Array Development Area is formed by agricultural fields and the M56 motorway.

1.3.9 The Solar Development Area comprises three relatively distinct areas:

- i) The Eastern Cluster of Frodsham Wind Farm (approximately 152 ha): This area forms the western half of the Solar Array Development Area. Six wind turbines, 125 m to blade tip, are located in this area. The land forms part of the former Manchester Ship Canal Dredging Deposit Ground, and includes Cells 1, 2 and 5. The cells have been restored to agricultural land and are now grazed by sheep / cattle (by the tenant of Frodsham Marsh Farm). The land in this area lies between approximately 9.5 m and 12.5 m above ordnance datum (AOD).
- ii) Former agricultural land used by Frodsham Wildfowlers (approximately 36 ha): The central area of the Solar Array Development Area is former agricultural land which has been left fallow and managed to encourage use by wildfowl. This area is currently used for recreational shooting by Frodsham Wildfowlers. This area of the Site is crossed by a series of ditches which have been used to drain and manage water levels on Frodsham and Helsby Marsh. The land in this area lies at approximately 6 m AOD.
- iii) Agricultural land (approximately 61 ha): The south-eastern portion of the Solar Array Development Area is agricultural land. It is understood that the land has been used for growing crops and silage (this is not linked to the activities of Frodsham Marsh Farm). Some areas of the fields appear to have been left fallow and have colonised with scrub and wet grassland. Hedgerows demarcate boundaries between field units. The land in this area lies at approximately 5 m AOD.

1.3.10 In the eastern half of the Solar Array Development Area (i.e. the area to the east of Brook Furlong), fields tend to be enclosed by dense hedgerows and tree belts. In the western half of the Solar Array Development Area (i.e. the area to the east of Brook Furlong), the Site is more open, with only occasional

trees and remnant sections of hedgerow. There is also areas of scrub and woodland present on the embankments of the Manchester Ship Canal (MSC) dredging deposit cells. The landform across the Site is largely flat. However, engineered embankments are present that result in changes in levels across the Site. The embankments are generally associated with the cells of the former MSC dredging depot grounds, flood defences and structures associated with the M56.

- 1.3.11 The NBBMA comprises the land on Cell 3, a section of land between Cell 3 and the MSC, and land immediately surrounding Marsh Farm. The land between Cell 3 and the MSC, and land immediately surrounding Marsh Farm forms part of the Mersey Estuary Site of Special Scientific Interest (SSSI). Cell 3 forms part of the mitigation for Frodsham Windfarm and comprises areas of grassland with some manmade scrapes (shallow areas of water). A number of ponds are located in the land between Cell 3 and the MSC, these have been used in the past for recreational fishing.
- 1.3.12 The Skylark Mitigation Area comprises an area of arable land approximately 5.5ha in area located to the south of Moorditch Lane.
- 1.3.13 The Main Site Access is from the west, leading from Pool Lane roundabout. Vehicles accessing the Site would turn onto Grinsome Road (a private road) from Pool Lane roundabout and travel east towards Protos² for approximately 1.5 km, routing north at Grinsome Road Roundabout, along Road 1 of Protos. Vehicles would then turn east along Marsh Lane which provides access to Frodsham Wind Farm. The Frodsham Wind Farm access tracks provide access to the Solar Array Development Area. There would be no access to the Site from Frodsham during construction, operation or decommissioning, other than for emergency vehicles, and access to the potential new public car parking area on Moorditch Lane, via Brook Furlong (refer to **ES Vol 1 Chapter**

² A significant strategic development site with the benefit of planning permissions for a range of energy generation and resource management businesses

2: The Proposed Development [EN010153/DR/6.1] for details on the potential new public car parking area).

- 1.3.14 A series of Public Rights of Way (PRoW) cross the Site, these are illustrated on **ES Vol 3 Figure 1-5: Public Rights of Way [EN010153/DR/6.3]**. The PRoW includes footpaths and restricted byways, which allow access by foot, horseback and cyclists. National Cycle Route 5 runs along a section of the Main Site Access and along part of the southern edge of the Site.
- 1.3.15 The Site is crossed by a series of utilities, which are illustrated on **ES Vol 3 Figure 1-6: Utilities [EN010153/DR/6.3]**. The utilities that cross the Site include several above and below ground high voltage electricity transmission lines, high pressure gas lines, water distribution mains, telecommunication lines and private pipelines associated with nearby petrochemical plants. There are also proposals for new utilities across the Site which include a Carbon Dioxide pipeline and a Hydrogen pipeline. The Applicant is in discussion with the developer of these projects to ensure that all of the schemes (each of which will contribute to achieving the government's Net Zero policies) will be capable of being delivered i.e. that none of the schemes will prevent the physical development of the others. These projects are considered within the cumulative effects assessment.
- 1.3.16 As set out previously the closest settlement is Frodsham on the south side of the M56. To the south-west of Frodsham lies Helsby, approximately 2 km from the Solar Array Development Area.
- 1.3.17 The nearest residential properties to the Solar Array Development Area are within Frodsham beyond the M56 to the south / south-east. Properties on Hawthorn Road and Wayford Mews are located approximately 140m from the Solar Array Development Area. Other properties within 350m of the Solar Array Development Area include those on Williams Way (230m distant) and Waterside Drive (290m distant).

- 1.3.18 Two residential caravan sites are also located off Brook Furlong to the north-west of Frodsham (north of the M56). These lie adjacent to the Order Limits. Both sites have been developed without planning permission. In September 2022 CWaCC took enforcement action against the southerly of the two sites, requiring the cessation of the residential use of the Site, and that all unauthorised development is removed and the area restored to grassland. At the same time planning applications for the two sites were submitted to CWaCC (ref 22/03308/FUL – northern site & 22/02292/FUL – southern site) for change of use of the land to a residential caravan site. An appeal against the enforcement notice was submitted by the occupants of the Site. On 26th July 2024 the Inspector appointed for the appeal upheld the enforcement notice and planning permission 22/03308/FUL was refused. There has been no enforcement to date on the northern site, and the planning application remains undetermined on the CWaCC website. At the time of writing, both of the caravan sites remain in use.
- 1.3.19 Frodsham Primary Academy School lies 150m to the south of the Solar Array Development Area on the outskirts of Frodsham, on Ship Street.
- 1.3.20 Both Frodsham and Helsby lie at the foot of the northern extent of the Cheshire Sandstone Ridge, which rises to a height of approximately 150 m to the south of Frodsham and Helsby.
- 1.3.21 To the north and north-east of the Site, on the north bank of the River Weaver / Weaver Navigation, lies Runcorn and the settlements of Weston and Beechwood, located approximately 1 km from the Solar Array Development Area.
- 1.3.22 There are large areas of industrial development along this section of the River Mersey corridor. The northern bank of the River Weaver / Weaver Navigation is occupied by the INEOS Inovyn Runcorn Site which produces a range of chemicals for industrial use. The INEOS Inovyn Runcorn Site also includes an 800MW gas-fired power station, and further north is the Runcorn Energy from Waste Plant operated by Viridor. To the west of the Solar Array

Development Area are 13 further turbines associated with the Frodsham Wind Farm, beyond which lies the former CF Fertiliser plant which was decommissioned in 2022. Protos, a significant development site with the benefit of planning permissions for a range of energy generation and resource management businesses, is located to the west of the CF Fertiliser plant along with the Encirc glass manufacturing facility. Beyond this to the west is the Stanlow oil refinery site.

- 1.3.23 As noted above the M56 runs east west to the south of the Site. A railway line linking Chester in south to Warrington and Runcorn to the north lies approximately 500m to the south of the M56. Liverpool John Lennon Airport is located approximately 6.5km to the north west of the Site, on the northern side of the Mersey Estuary.
- 1.3.24 As set out above the Manchester Ship Canal forms the northern boundary of the Site and is separated from the Mersey Estuary by Frodsham Score, a 100-200 m wide strip of low-lying marshland. The Mersey Estuary and Frodsham Score are designated as a Special Protection Area (SPA), SSSI and Ramsar site. The SSSI also covers a strip of land approximately 100m wide on the southern side of the Manchester Ship Canal, the eastern 500m of which lies within the Site. The closest geological sites of interest are the Frodsham Road and Railway Cuttings, located within the centre of Frodsham circa 400m to the south of the Site. There would be no impacts on these geological SSSIs.
- 1.3.25 The Solar Array Development Area is also designated as a Local Wildlife Site (Frodsham, Helsby and Ince Marshes Local Wildlife Site) and as Green Belt.
- 1.3.26 Neither the Site nor the immediate surrounding area is covered by any statutory landscape designations, e.g. National Parks or National Landscapes (formally referred to as Areas of Outstanding National Beauty (AONB)). The nearest statutory landscape designation to the Site is the Clwydian Range and Dee Valley National Landscape, located over 26.5km to the south-west. It should be noted that in 2021, the Cheshire Sandstone Ridge was shortlisted for potential designation as a potential National Landscape. At present this

area has not been formally designated and the potential boundary has not been drawn. However, the landscape area most closely associated with Sandstone Ridge is located approximately 1km to the south of the Order Limits.

- 1.3.27 CWaCC maintain a list of non-statutory Area of Special County Value (ASCV) designations. The Weaver Valley ASCV is located approximately 930m south-east of the Solar Array Development Area at the closest point (the Order Limits extend to the ASCV boundary along the access track to the Frodsham Substation). The Helsby and Frodsham Hills ASCV is located approximately 1.06km south of the Order Limits at the closest point (and approximately 1.07km from the Solar Array Development Area).
- 1.3.28 There are no designated heritage assets within the Site. There are eight Grade II Listed Buildings, one Grade II Registered Park and Garden and four Conservation Areas (which also contain Listed Buildings), including Frodsham Town Centre, within 1km of the Site. Five Scheduled Monuments lie between 1 km and 3 km from the Site.
- 1.3.29 The eastern half of the Site lies within Flood Zone 3a, which benefits from flood defences along the River Weaver. The Manchester Ship Canal Dredging Deposit Ground Cells in the western half of the Site are raised and so lie within Flood Zone 1. There is a series of drains which dissect the agricultural and former agricultural land in the eastern half of the Site. Some drainage ditches are also present within the area of the Manchester Ship Canal Dredging Deposit Ground Cells. This includes three drainage ditches which are classified as Main Rivers. Flood defences maintained by the Environment Agency run along the southern bank of the River Weaver and along the Main Rivers within the Site. Frodsham Pumping Station, located close to the eastern boundary of the Site, pumps water from the drainage ditches into the River Weaver.

1.4 Structure of the ES

1.4.1 The structure of the ES is set out within Table 1.1 below.

Table 1.1 ES Structure

Volume	Chapter	Description
Volume 1	Chapter 1: Introduction Chapter 2: The Proposed Development Chapter 3: Alternatives and Design Evolution Chapter 4: Environmental Impact Assessment Methodology Chapter 5: Climate Change Chapter 6: Landscape and Visual Amenity Chapter 7: Terrestrial Ecology Chapter 8: Ornithology Chapter 9: Flood Risk and Surface Water Chapter 10: Ground Conditions Chapter 11: Cultural Heritage Chapter 12: Tourism Chapter 13: Cumulative and In Combination Effects	The ES considers the environmental effects associated with a number of identified topics, which may result in significant environmental effects. Each topic is presented in a separate technical chapter and details the results of the preliminary environmental assessment, the potential likely significant effects arising from the Proposed Development, and the proposed mitigation measures. The chapters correspond to the topics which were determined to have the potential to result in likely significant environmental effects as a result of the EIA scoping process undertaken by the Applicant and which was the subject of a Scoping Opinion from the Planning Inspectorate on the 10 th July 2023.
	Chapter 14: Summary of Environmental Effects	A brief summary of the ES outlining the residual significant effects remaining following the implementation of mitigation.
Volume 2	Technical Appendices	A set of appendices is provided for reference. These comprise background data, technical reports, tables, figures and surveys which support the assessments in this ES.

Volume	Chapter	Description
Volume 3	Figures	A set of figures is provided to accompany Volume 1 to aid the readers understanding.
Volume 4	Non-Technical Summary (NTS)	The NTS is presented in a separate document to provide a concise description of the Proposed Development, the considered alternatives, baseline, assessment methodology, potential environmental effects and mitigation measures. The NTS is designed to provide information on the Proposed Development in an accessible format using non-technical language which can be understood by a wide audience and to assist interested parties with their familiarisation of the Proposed Development.

- 1.4.2 One of the topics scoped out of the EIA is traffic and transportation impacts. As such this will not feature as part of the Environmental Statement submitted with the DCO application. However, the Applicant has prepared a draft Transport Assessment (TA) which examines the traffic impacts of the Proposed Development on the surrounding highway network as set out in the Scoping Report.
- 1.4.3 The findings of the TA may be of interest to members of the local community and also several of the Statutory Consultees. The TA is provided as a supporting report to the DCO Application [EN010153/DR/7.3].
- 1.4.4 Similarly, effects related to noise and vibration from the Proposed Development were scoped out. A Noise Impact Assessment has been provided at ES Vol 2 Appendix 4-1 Noise Impact Assessment [EN010153/DR/6.2], which concludes that the changes to the Proposed Development since the preparation of the Scoping Report do not result in any likely significant effects.
- 1.4.5 Other supporting assessments provided as appendices to the ES which were scoped out from the requirements for standalone technical chapters are:

- i) **ES Vol 2 Appendix 4-2 Construction Dust Assessment [EN010153/DR/6.2]**
- ii) **ES Vol 2 Appendix 4-3 Glint and Glare Assessment [EN010153/DR/6.2]**

1.5 Competent Experts

- 1.5.1 Regulation 14(4)(a) of the EIA Regulations requires that the ES is prepared by ‘competent experts’. The EIA is being managed and coordinated by Axis PED Ltd (Axis) on behalf of Frodsham Solar. Axis is a chartered member of the Royal Town Planning Institute and has been preparing and coordinating Environmental Impact Assessments as part of its core business for 25 years.
- 1.5.2 ES Chapters 1 to 4, 13 and 14 [EN010153/DR/6.1] and the ES Vol 4 Non Technical Summary [EN010153/DR/6.4] have been prepared by Axis. The engineering design inputs have been provided by Cubico, SkyRay and Wardell Armstrong, all experienced engineering, solar and BESS designers.
- 1.5.3 The topic chapters (Chapters 5 -12), and other supporting assessments, have been prepared by a number of expert consultants. Each topic chapter provides a summary of the author's experience in their topic area. The companies responsible for preparing the chapters of the ES, and the other supporting assessments, are summarised in Table 1.2 below.

Table 1.2 Competent Experts

ES Chapter / Supporting Assessment	Author
Chapter 1: Introduction	Axis
Chapter 2: The Proposed Development	Axis
Chapter 3: Alternatives and Design Evolution	Axis
Chapter 4: Environmental Impact Assessment Methodology	Axis
Chapter 5: Climate Change	Fichtner Consulting Engineers
Chapter 6: Landscape and Visual	Axis
Chapter 7: Terrestrial Ecology	Avian Ecology

ES Chapter / Supporting Assessment	Author
Chapter 8: Ornithology	Avian Ecology
Chapter 9: Flood Risk, Drainage and Surface Water	Waterco
Chapter 10: Ground Conditions	Smith Grant LLP
Chapter 11: Cultural Heritage	AOC
Chapter 12: Tourism and Recreation	AMION Consulting
Chapter 13: Cumulative and Intra-Project Effects	Axis
Chapter 14: Summary of Environmental Effects	Axis
Non Technical Summary	Axis
Appendix 4-1 Noise Impact Assessment	NVC
Appendix 4-2 Construction Dust Assessment	Smith Grant LLP
Appendix 4-3 Glint and Glare Assessment	Pager Power
Appendix 1-1 Scoping Report (Agricultural Land Classification)	Reading Agricultural

1.6 Legislative and Planning Policy Context

Consenting Process

- 1.6.1 The Proposed Development is defined as a Nationally Significant Infrastructure Project ('NSIP') under Sections 14(1)(a) and 15(2) of the Planning Act 2008 as an onshore generating station in England exceeding 50 MW.
- 1.6.2 The Planning Act 2008 provides that the Secretary of State is responsible for determining the application for development consent, with the power to appoint Planning Inspectors from the Planning Inspectorate to manage and examine the application. In its role, the Planning Inspectorate will examine the application for the Proposed Development and make a recommendation to the Secretary of State who will then decide whether to grant a DCO.
- 1.6.3 In accordance with Section 104(2) of the Planning Act 2008, the Secretary of State is required to have regard to the relevant National Policy Statement ('NPS'), amongst other matters, when deciding whether or not to grant a DCO. Solar PV Generation is covered within the NPS for Renewable Infrastructure (EN-3)ⁱⁱⁱ, with energy storage recognised as associated infrastructure.
- 1.6.4 Other NPS's of relevance to the Proposed Development comprise:
- i) Overarching National Policy Statement for Energy (EN-1)^{iv}; and
 - ii) National Policy Statement for Electricity Networks Infrastructure (EN-5)^v in light of the grid connection.
- 1.6.5 The Secretary of State will consider other important and relevant matters, including national and local planning policy. For example, the National Planning Policy Framework (NPPF)^{vi} published in December 2024 and the development plan for CWaCC.
- 1.6.6 A DCO, if granted, has the effect of providing consent for development, in addition to a range of other consents and authorisations, where specified, as well as removing the need for some consents (such as planning permission).

Section 115 of the Planning Act 2008 also states that a DCO can include consent for ‘associated development’, which is development that is not an NSIP in its own right, but is associated with the NSIP applied for. This may be development that supports the construction, operation or decommissioning of the NSIP; which helps to address the impacts of the NSIP; or is of a type normally brought forward with the NSIP.

EIA Regulations

- 1.6.7 The EIA Regulations specify which developments are required to undergo EIA and schemes relevant to the NSIP planning process are listed under either of ‘Schedule 1’ or ‘Schedule 2’. Those developments listed in Schedule 1 must be subject to EIA, while developments listed in ‘Schedule 2’ must only be subjected to EIA if they are considered *“likely to have significant effects on the environment by virtue of factors such as its nature, size or location”*. The criteria on which this judgement must be made are set out in Schedule 3. The Proposed Development is a ‘Schedule 2’ development under Paragraph 3(a) of Schedule 2 of the EIA Regulations as it constitutes ‘Industrial installations for the production of electricity, steam and hot water’.
- 1.6.8 The Applicant confirmed to the Planning Inspectorate under Regulation 8(1)(b) of the EIA Regulations that an Environmental Statement (ES) will be provided with the DCO application for the Proposed Development (as required by Regulation 5(2)(a) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (‘APFP Regulations’)^{vii}), as it is considered there is the potential for the Proposed Development to meet the criteria set out in Schedule 3 of the EIA Regulations.
- 1.6.9 The issues that the Applicant considers the EIA needs to address were identified in the EIA Scoping Report submitted to the Planning Inspectorate on 30th May 2023 (see **ES Vol 2 Appendix 1-1 Scoping Report [EN010153/DR/6.2]**). The EIA Scoping Report was developed following initial consultation with a number of statutory consultees and was informed by the EIA team’s experience working on a number of other solar farm projects. The

Planning Inspectorate reviewed and consulted on the EIA Scoping Report and published a Scoping Opinion on 10th July 2023 (the Scoping Opinion) which included the formal responses received by the Planning Inspectorate from consultees (see **ES Vol 2 Appendix 1-2 Scoping Opinion [EN010153/DR/6.2]**). Key issues raised in the Scoping Opinion are summarised in each technical chapter of the ES. All issues raised during that scoping process are being considered during the EIA process.

National Policy Statements

- 1.6.10 As set out above the DCO will be determined in accordance with the Overarching NPS for Energy (EN-1) and NPS for Renewable Energy Infrastructure (EN-3) which covers Solar PV Generation, with energy storage recognised as associated infrastructure. The EIA will also take account of National Policy Statement for Electricity Networks Infrastructure (EN-5), which is also considered to be important and relevant to the Secretary of State's decision as to whether to grant a DCO for the Proposed Development in light of the proposed grid connection.
- 1.6.11 The Department for Energy Security and Net Zero published draft updates to EN-1, EN-3 and EN-5 on the 24th April 2025. One of the most substantial changes relates to the integration of the Clean Power 2030 Action Plan into the NPSs. In this regard, the draft update highlights the essential role that renewable energy NSIPs have in achieving the target of producing at least 95% of Great Britain's generation from clean sources of power by 2030. In relation to solar energy the draft updates do not contain any material changes which affect the approach to the environmental assessments presented in this ES. As such the topic chapters only consider the currently adopted NPSs.

National Planning Policy Framework

- 1.6.12 The NPPF sets out the Government's planning policies for England and how these are to be applied. It is a material consideration in planning decisions. Paragraph 5 of the NPPF makes it clear that the document does not contain specific policies for NSIPs and that applications in relation to NSIPs are to be

determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant NPSs, as well as any other matters that are considered both important and relevant. However, Paragraph 5 goes on to confirm that the NPPF may be a matter that is both important and relevant for the purposes of assessing DCO applications. The EIA for the Proposed Development therefore has regard to the relevant policies of the NPPF as part of the overall framework of national policy.

Local Planning Policy

- 1.6.13 Policies in Local Plans are frequently considered ‘important’ and ‘relevant’ matters and can influence the content of local impact reports (which the host local authorities will produce following submission of the application for the DCO) which the Secretary of State must have regard to in its decision making in accordance with Section 105(2) of the Planning Act 2008.
- 1.6.14 The Proposed Development lies within the administrative area of CWaCC, a Unitary Authority. The local planning policy relevant to the Proposed Development consists of the following:
- i) Cheshire West and Chester Local Plan (Part One) Strategic Policies (January 2015)
 - ii) Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (July 2019)
 - iii) Frodsham Neighbourhood Plan (FNP) (2024)
 - iv) Ince Neighbourhood Plan (INP) (2023).

Consideration of Planning Policy in EIA

- 1.6.15 The ES describes the national and local planning policies relevant to the assessment and the development of mitigation with a summary provided for each environmental topic. The ES does not assess the Proposed Development against planning policy, this has been undertaken in the **Planning Statement [EN010153/DR/5.6]** which supports the DCO application.

1.6.16 The purpose of considering the planning policy in the EIA is twofold:

- i) To identify policy that could influence the sensitivity of receptors (and therefore the significance of effects) and any requirements for mitigation; and
- ii) To identify planning policies that could influence the methodology of the EIA. For example, a planning policy may require the assessment of an impact or the use of a particular methodology.

1.6.17 A summary of national and local planning policy relevant to each technical assessment is provided within the relevant chapters for each environmental topic.

1.7 Consultation

- 1.7.1 Consultation is integral to the preparation of DCO applications and to the EIA process. The views of consultation bodies and the local community serve to focus the environmental studies and to identify specific issues that require further investigation, as well as to inform aspects of the design of the Proposed Development. Consultation is a continuous process, and the feedback received by the Applicant from the two rounds of community consultations conducted for the project, along with input from statutory consultees and other interested parties, has played a vital role in the EIA process.
- 1.7.2 The Planning Act 2008 requires applicants for DCOs to carry out formal (statutory) pre-application consultation on their proposals. There are several requirements as to how this consultation must be undertaken that are set out in the Planning Act 2008 and related regulations, which have been followed by the Applicant:
- i) Section 42 requires the applicant to consult with ‘prescribed persons’, which includes certain consultation bodies such as the Environment Agency, Historic England and Natural England, relevant statutory undertakers, relevant local authorities, those with an interest in the land, as well as those who may be affected by the Proposed Development;
 - ii) Section 47 requires the applicant to consult with the local community on the development. Prior to this, the applicant must agree a SoCC with the relevant local planning authorities. In the case of the Proposed Development, the Applicant has done this with CWaCC. The SoCC must set out the proposed community consultation and, once agreed with the relevant local authorities, a SoCC Notice stating where the SoCC can be viewed must be published in local newspapers circulating within the vicinity of the land in question. The consultation must then be carried out in accordance with the final SoCC;
 - iii) Section 48 places a duty on the applicant to publicise the proposed application in the ‘prescribed manner’ in a national newspaper, The

London Gazette, local newspapers circulating within the vicinity of the land and, where relevant, certain marine publications; and

- iv) Section 49 places a duty on the applicant to take account of any relevant responses received to the consultation and publicity that is required by Sections 42, 47 and 48.

1.7.3 The Applicant adopted a two-stage approach to pre-application consultation on the Proposed Development. Phase 1 comprised an informal, non-statutory consultation during Summer 2023, Phase 2 consultation comprised a formal statutory consultation from 7th November to 19th December 2024. The aforementioned requirements were met and the PEIR was made available for review and comment during the consultation period.

1.7.4 The issues that have been raised through consultation, and how these have been considered and addressed within the design evolution of the Proposed Development and the EIA, are set out in the ES. Each chapter contains a summary of comments relevant to that chapter received from the consultees prescribed under Section 42 of the Planning Act 2008. A description of how these have been considered is provided.

1.7.5 Key themes raised during the two community consultations are set out below. Where possible, these have been addressed within the design, and information relating to the matters raised is provided within the ES.

- i) Focus on the impacts on ecology and biodiversity value of the Site, in particular the presence of the Mersey Estuary SSSI, SPA and Ramsar site;
- ii) Presence of public rights of way across the Site and the desire for increased access via more or improved paths, providing access opportunities for cyclists, horse riders and pedestrians;
- iii) Visual impacts of the Proposed Development, noting views from Sandstone Trail, Frodsham / Overton Hill and Helsby Hill;
- iv) Impacts from glint and glare on users of the M56;
- v) Concerns about impacts of increased traffic on Frodsham, Ince and Elton;

- vi) Concerns raised about the historic use of the land and the potential for contamination to be present; and
 - vii) Part of the Site is located within a flood zone. As such how will the project be developed to ensure it remains safe and operational through its lifetime, and that it would not impact flood risk elsewhere.
- 1.7.6 The pre-application consultation undertaken by the Applicant is documented within the Consultation Report [EN010153/DR/5.1]. This includes a separate section on EIA-related consultation, as recommended within the Planning Inspectorate guidance for National Infrastructure Projects: Advice on the Consultation Report^{viii} on the preparation of consultation reports.

1.8 Purpose of the ES

1.8.1 Regulation 14 of the EIA Regulations requires that an application for an order granting development consent for EIA development must be accompanied by an environmental statement. Regulation 4 and Schedule 4 of the EIA Regulations set out the information that must be provided within the ES. Table 1.3 summarises where this information is provided in the ES.

Table 1.3 Requirements of Part 1 of Schedule 4 of the EIA Regulations

Paragraph	Requirement	Where Addressed Within the PEIR
1	A description of the development, including in particular: (a) a description of the location of the development; (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases; (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used; (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.	(a) Section 1.3 (b & c) Chapter 2. (d) Within Chapter 2 as it relates to the Proposed Development description and within Chapters 5 to 12 as it relates to individual topic areas.
2	A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.	Chapter 3.
3	A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.	The baseline is fully described / established within Chapters 5 to 12 as it relates to individual topic areas.

Paragraph	Requirement	Where Addressed Within the PEIR
4	A description of the factors specified in regulation 4(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.	The baseline factors that have the potential to be affected by the Proposed Development are fully described / established within Chapters 5 to 12 as they relate to individual topic areas.
5	<p>A description of the likely significant effects of the development on the environment resulting from, inter alia:</p> <p>(a) the construction and existence of the development, including, where relevant, demolition works;</p> <p>(b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;</p> <p>(c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;</p> <p>(d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);</p> <p>(e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;</p> <p>(f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;</p> <p>(g) the technologies and the substances used.</p> <p>The description of the likely significant effects on the factors specified in regulation 4(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC and Directive 2009/147/EC</p>	All within Chapters 5 to 12 as it relates to individual topic areas.

Paragraph	Requirement	Where Addressed Within the PEIR
6	A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	The overall EIA methodology and approach to assessment is described in Chapter 4. The specific technical methodologies used to identify and assess effects are fully described (or referenced) within Chapters 5 to 12 as they relate to individual topic areas. Certain methodologies are specifically contained within the Technical Appendices to Chapters 5 to 12.
7	A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.	The mitigation measures, as they apply to individual environmental topic areas, are fully described (or referenced) within Chapters 5 to 12 as they relate to each topic.
8	A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or UK environmental assessments may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.	A standalone Major Accidents and Disasters Chapter is scoped out of the ES. Risks relating to flooding, climate change, fire, road accidents, and glint and glare will be included within Chapters 5 to 12 where relevant, and also within supporting technical appendices e.g. Transport Assessment, Glint and Glare, and an Outline Battery Safety Management Plan.
9	A non-technical summary of the information provided under paragraphs 1 to 8.	A separate Non-Technical Summary is contained as Volume 4.
10	A reference list detailing the sources used for the descriptions and assessments included in the environmental statement.	References are provided as endnotes at the end of each chapter, as appropriate.

1.8.2 In relation to Regulation 14 (3) and (4) of the EIA Regulations the ES is:

- i) based on the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion);
- ii) includes the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment;
- iii) has been prepared, taking into account the results of any relevant UK environmental assessment, which is reasonably available to the applicant with a view to avoiding duplication of assessment; and
- iv) has been prepared by competent experts as set out within each chapter of the ES.

1.9 References

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<https://www.legislation.gov.uk/ukpga/2008/29/introduction> [Last Accessed: 04 April 2025]
- ⁱⁱ HMSO (2017). Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Available at: <https://www.legislation.gov.uk/uksi/2017/572/introduction> [Last Accessed: 04 April 2025]
- ⁱⁱⁱ Department for Energy Security & Net Zero (2024). National Policy Statement for Renewable Energy Infrastructure (EN-3). Available at:
https://assets.publishing.service.gov.uk/media/64252f5f2fa848000cec0f52/NPS_EN-3.pdf [Last Accessed: 04 April 2025]
- ^{iv} Department for Energy Security & Net Zero (2024). Overarching National Policy Statement for Energy (EN-1). Available at:
<https://assets.publishing.service.gov.uk/media/65a7864e96a5ec0013731a93/overarching-nps-for-energy-en1.pdf> [Last Accessed: 04 April 2025]
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<https://assets.publishing.service.gov.uk/media/65a78a5496a5ec000d731abb/nps-electricity-networks-infrastructure-en5.pdf> [Last Accessed: 04 April 2025]
- ^{vi} Ministry of Housing, Communities and Local Government(2024). National Planning Policy Framework (December 2024, updated February 2025). Available at:
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf [Last Accessed: 04 April 2025]
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- ^{viii} Planning Inspectorate. Guidance Nationally Significant Infrastructure Projects: Advice on the Consultation Report <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-the-consultation-report> [Last Accessed: 04 April 2025]