



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

To: Natural England

Your Ref:

Copy: Frodsham Solar Ltd

Our Ref: EN010153

(By email only)

Date: 7 August 2025

Dear Sir / Madam,

The Planning Act 2008 - section 89(3)

Application by Frodsham Solar Ltd (the applicant) for an order granting development consent for Frodsham Solar (EN010153)

I write to you as the Lead Member of the Examining Authority (ExA) for this application to advise you of procedural decisions made by the ExA in relation to how the application is to be examined.

The Department for Energy Security & Net Zero policy Overarching National Policy Statement for Energy (EN-1) (NPS EN-1) notes that if a statutory nature conservation body indicates that the proposed development is likely to adversely impact the integrity of a habitat site, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.

To help ensure that the examination can progress efficiently when it starts, the ExA requests Natural England to advise whether a likely adverse impact on the integrity of the relevant habitat sites can be ruled out, based on the information provided within the application. If Natural England is of the view that an adverse effects on integrity (AEoI) cannot be ruled out, Natural England is requested to confirm whether the applicant has provided such information necessary to assess a potential derogation under The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations).

Additionally, Natural England is requested to confirm whether there is agreement on:

- I. The suitability and the effectiveness of the mitigation proposed in relation to the applicant's conclusion of no adverse effect on the integrity of the Mersey Estuary Special Protection Area (SPA) and Ramsar site.
- II. The European sites, qualifying features, and potential impact pathways assessed within the applicant's Habitats Regulations Assessment (HRA)
- III. The methodology and data used in the applicant's HRA.

The ExA requests that the required information is provided by no later than **Friday 29 August 2025**. If you have any queries regarding these matters, please contact our office using the contact details at the head of this letter.

Yours faithfully,

Jason Rowlands

Lead Member of the Examining Authority

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