



Planning Inspectorate

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To: Frodsham Solar Ltd

(By email only)

Your Ref:

Our Ref: EN010153

Date: 3 September 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.

Natural England's (NE) response to Examination Authority's (ExA) section 89(3) letter [[AS-030](#)], noted that it could not ascertain that the proposed development would not result in adverse effects on the integrity of the Mersey Estuary Special Protection Area (SPA) and Ramsar site. NE also stated that there was insufficient information available to assess a potential derogation under The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations).

In order to ensure that the examination can progress efficiently when it starts, the ExA requests that the applicant provides a schedule showing the dates when the following information would be addressed:

- its approach to address methodology, mitigation, data, and assessment issues noted by NE in [[AS-030](#)] and NE's [relevant representation](#).
- any application documents that are expected to be updated and any new documents that are likely to be submitted
- on a without prejudice basis, information to assess a potential derogation to include assessment of alternative solutions, a case for Imperative Reasons of Overriding Public Interest (IROPI) and appropriate environmental compensation.

The schedule should allow consideration of all relevant matters, including in relation to Liverpool Bay CCS Limited's proposed HyNet Carbon Dioxide Pipeline, Cadent Gas

Limited's proposed HyNet North West Hydrogen Pipeline and the existing mitigation for the Frodsham Solar Farm.

The ExA requests updates on discussions with NE, matters resolved, matters outstanding, proposed next steps with dates, and when the applicant anticipates that NE concerns are likely to be resolved.

In light of the points highlighted in this letter the ExA queries if there are any potential for amendments to the above application resulting in a change to the proposed Order Limits, or any other material change to the application.

The required information will assist the ExA to finalise the date of the Preliminary Meeting and is requested by no later than **Friday 12th of September 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

This communication does not constitute legal advice.

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