



**Canal &
River Trust**

Making life better by water

Frodsham Solar Farm

Email only: info@frodshamsolar.co.uk

Your Ref Frodsham Solar

Our Ref IPP- 201

Thursday 19 December 2024

Proposal: Section 42 Consultation on Frodsham Solar Farm

Waterway: Weaver Navigation

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

Having reviewed the Preliminary Environmental Information Report (PEIR), the Trust wishes to make the following comments:

Proposed Development and relationship with Trust assets

The proposed scheme comprises a solar farm (in-field solar arrays) with associated access tracks, substation and battery energy storage system (BESS), and providing a connection to the local electricity distribution network (Frodsham SPEN station) on the opposite side of the River Weaver to the north of the solar array site.

The proposal is sited in proximity to the Weaver Navigation (a canal), which runs to the north of the Proposed Development site. Please note, the Weaver Navigation runs parallel to the River Weaver at this point. The Trust is neither owner nor navigation authority for the River Weaver at this point. The Trust own the Weaver Navigation to the north of the site, its towpath on the north side of the Navigation, and sections of the bank along the south of the Navigation. Additionally, the Trust own and manage Sutton Swing bridge to the east of the site and the Daniel Adamson Mooring and associated moorings, located on north bank of the Weaver Navigation. Our records identify the embankment along the Weaver Navigation, for the extent of the north boundary of the site, as a principal cutting. An embankment and retaining wall separates the Weaver Navigation from the River Weaver to the north of the SPEN Frodsham substation.

Overarching comments

By way of overarching comment and subject to the detail provided in this response, the Trust consider that the matters it raises are capable of being addressed by the suite of documents guiding the Proposed Development during construction, operation and decommissioning phases. The Trust understands detailed versions of the documents will be secured by requirement in the DCO. Of particular relevance to the Trust and its assets are: Design Objectives, a Construction Environmental Management Plan (CEMP), a Landscape and Ecology Management Plan (LEMP), and a Decommissioning Environmental Management Plan (DEMP), identified in the PEIR (referred to in this response as the guiding documents). Accordingly, the Trust wish to be kept informed of emerging documents going forward and consulted regarding any departures from the mitigation and operating controls set out in the guiding documents documented in the PEIR relating to the Trust and Trust assets.

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We note that the PEIR does not refer to any grid connection across the Weaver Navigation. Such a crossing was included in earlier consultations. In the event that a cable connection across the Weaver Navigation were to feature in the consented scheme, the Trust would need to ascertain that no construction work or development in close proximity to or over the Weaver Navigation would adversely affect the structural integrity of the Navigation. This would include any proposed cable connection under or over the Navigation. In particular, works in proximity to the Navigation would need to be carefully managed to minimise the risk of works, including excavation, earthmoving, drilling, boring, vibrations or the tracking of plant and machinery, affecting the stability of the canal.

In the event of any cable crossing across the Weaver Navigation is proposed, the siting and installation of the cable under or over the waterway would need to be assessed and agreed with the Trust to ensure the works do not undermine its structural integrity. The construction technique and method of works would also need to be agreed with the Trust and carried out in accordance with the Canal & River Trust Code of Practice.

<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>. Part 2 of the Code of Practice refers to service crossings. If there is such an interaction between the Proposed Development and Navigation, we consider it would be appropriate to include protective provisions for the Trust in the DCO.

Landscape and Visual Amenity

The Weaver Navigation is sited to the north of the proposed solar array area and an associated cable wire connection to the Frodsham SPEN station (design to be finalised) is proposed to cross the River Weaver, in proximity to the Weaver Navigation. It is welcomed that the PEIR includes viewpoints to assess the potential impact upon views and visual amenity enjoyed by walkers/cyclists and recreational waterborne users of the Navigation. It is acknowledged that there is an established industrial presence and the intervening topography and planting, would minimise the impact on the nature of the views across and along the canal (Viewpoint 27). The proposed development and associated fencing are likely to be visible from sections of the canal banks where these are open and elevated. Views from boats using the canal itself would be from a lower elevation and very well screened, which helps reduce the potential impact (Viewpoints 28 and 29).

The proposal involves the provision of a grid connection between a new substation within the solar array area and the SPEN Frodsham Substation, via overhead cables, supported on wooden poles of 10-12m in height. The PEIR also considers the presence of the proposed overhead line connection to the SPEN Frodsham Substation however it is noted that the cable route is yet to be finalised and could be located within a 100m wide corridor. The Trust notes that the assessment has considered that owing to the minimal loss of existing planting required and how most works would take place within the built footprint of the existing SPEN substation, the change in landscape fabric would be negligible.

The confirmation that glint and glare effects would not affect receptors located to the north of the Solar Array Development Area, including users of the Weaver Navigation, is welcomed.

It is noted that by way of the guiding documents, the Proposed Development includes embedded mitigation, during each of its phases. This includes the retention of existing vegetation and protection of it from any potential harm during construction, minimising any adverse effects from construction lighting and the planting of trees and hedgerows, which the Trust welcomes.

The Trust seek for detailed versions of the guiding documents to mitigate potential adverse landscape and visual effects by the retention of current vegetation cover and enhanced management of existing vegetation in the interests of safeguarding the softer landscape character of and experience of the Weaver Navigation.

Ground conditions

The Weaver Navigation runs parallel to the River Weaver and is in hydraulic continuity with this watercourse. The Trust welcome that the Weaver Navigation is recognised as a surface water receptor and acknowledged in the assessment.

It is noted that there is potential that the Proposed Development could introduce new pathways for contamination migration during construction, operation and decommissioning phases, including through hydraulic continuity. A particular risk of contaminant mobilisation is associated with ground disturbance during foundation works (piles and excavations) across the Solar Array Development Area (SADA) however it is considered that mitigation techniques could reduce the risk to a low or negligible level, with which the Trust

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concur. The mitigation practices outlined (in Chapter 10 for Ground Conditions and in the Outline Construction Environmental Management Plan (OCEMP)) including silt traps near to surface watercourses, as per a Surface Water Management Plan, and dewatering practises, are considered appropriate.

It is noted additional detailed investigation and assessment is recommended to be undertaken to inform the detailed design, which would focus on proposed areas of piling and ground disturbance. This includes a Foundation Works Risk Assessment (FWRA), and a Piling Risk Assessment (PRA) to inform the most suitable piling technique to reduce the likelihood of contaminant remobilisation, which the Trust consider an appropriate approach.

As the Proposed Development involves works to connect the solar array to the SPEN Frodsham station, there is potential for ground disturbance and foundation works in proximity to the Weaver Navigation on the north bank of the River Weaver. The Trust would seek that appropriate best practice and mitigation measures to safeguard the River Weaver and Weaver Navigation against potential contamination is employed throughout this process.

It is understood that protective measures for waterways would be employed during all phases of the Proposed Development through the guiding documents. If that is the case, the Trust would be reassured that the Navigation should not be adversely affected. The Trust request to be kept informed of mitigation measures and working practices relating to ground conditions, contaminated land and land instability as further detail emerges through the consenting process.

Flood Risk and Drainage

The respective chapter in the PEIR outlines incorporated mitigation and enhancement measures (including specific and detailed practice controls in the OCEMP) which provide a broad spectrum of controls aimed at protecting the waterways, which the Trust welcome. A robust firewater management process is proposed for the Battery Energy Storage System (BESS), which would contain any potential contamination from the BESS compound and substation and prevent contaminated run off being released into the wider water environment, which the Trust also welcome.

As such, subject to the continued inclusion of waterway protection measures for all phases of the Proposed Development, the Weaver Navigation should not be, with regard to water quality and drainage, adversely affected by the proposal.

Terrestrial Ecology

Given the connectivity to the Weaver Navigation from the River Weaver, and the migratory nature of species that will use both stretches of the watercourse, the Trust welcome how potential ecological impacts on the River Weaver have been fully considered in the PEIR. This includes retention of visual screening, potential disturbance impacts during construction, a sensitive lighting strategy, boundary habitats and a habitat buffer between the River and the development, which the Trust welcome.

The assessment of likely impacts and effects has taken into account all of the embedded mitigation measures, set out in Chapter 7 of the PEIR, referring to guiding documents such as the Indicative Environmental Masterplan, Outline Landscape and Ecological Management Plan, Outline Operational Environmental Management Plan, Outline Decommissioning Environmental Management Plan and implementation of landscape proposals. Subject to the mitigation and operational measures outlined, the Trust has no concerns regarding the potential impact upon the ecological value of the Weaver Navigation.

Cultural Heritage and Archaeology

The PEIR (Chapter 11) includes consideration of the Grade ii listed Boatman's Shelter and Marshgate Farmhouse in proximity to the Weaver Navigation on the basis of these assets being sited adjacent to a construction route for the Proposed Development. It concludes that the temporary increase in traffic would result in a negligible impact.

Tourism and Recreation

The Trust welcome that users of the Weaver Navigation have been included in the assessment regarding potential disturbance to tourism, leisure and recreational businesses and organisations using the adjacent watercourses. The Weaver Navigation is a recognised corridor for recreational pursuits, contributing to local economy, tourism and health and well-being as an opportunity for outdoor activities and sustainable active travel.

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It is noted that the PEIR concludes that adjacent watercourse users can operate unhindered, during construction and operation, and as such no mitigation is required.

There is a commercial mooring agreement with the Daniel Adamson Preservation Society for The Danny (a steam powered passenger boat) at a mooring near Sutton Swing bridge. Any potential impact of the Proposed Development upon the above mooring should be considered and the Trust note that the impact on the Danny is in the process of further investigation.

The Trust owns and is navigation authority for the Weaver Navigation. Any development should not compromise the safe operation or navigation of the Weaver Navigation. The navigational safety and use of the Weaver Navigation should not be prejudiced by any phase of the Proposed Development. The Proposed Development presented in the PEIR does not appear to impact navigational safety or the operation of the Navigation.

Transport Assessment

The details of the Transport Assessment included in the PEIR indicate that the Main Access Route to the Site would be from the south west, leading from Pool Lane and Grinsome Road, which would serve the proposed solar farm and ecological mitigation areas in construction, operational and decommissioning phases. It is also noted that vehicular access is possible from Weaver Lane in the south-east and Brook Furlong to the south-west however the PEIR indicates that no construction traffic would be routed along these accesses and these would not be used to access the scheme, other than in the event of an emergency.

Sutton Swing bridge to the north east of the site (on the A56) is owned and managed by the Trust and it has height, width and weight restrictions which may affect any proposed construction traffic routes. The Trust welcome that the PEIR indicates that the main access and construction routes do not cross the Sutton Swing bridge. The Trust would seek for any HGV routing to continue to reflect this in the Outline Construction Traffic Management Plan (oCTMP) to be secured by the DCO.

The existing SPEN substation is located to the north of the River Weaver and is only accessed via a vehicular track to the south of the Weaver Navigation, which travels northeast to connect to the A56 and Sutton Swing bridge (Access Track). The works for the connection of the solar array to the substation assessed in the PEIR include two construction compounds, construction traffic along this access, foundation and trenching works to erect trident poles to support the cables.

The Access Track is used by the Trust for access to Marsh Lock and access is required at all times (24 hours a day, 7 days a week). The Access Track should not be affected during any phase of the Proposed Development.

In relation to the SPEN substation connection works, the Transport Assessment concludes that, *“access to the SPEN Substation during construction of the grid connection would be from Junction 12 of the M56 via the A557 and A56, and then using the existing SPEN Substation access road. However, these highway links have been scoped out of further detailed assessment within this Transport Assessment due to the minor nature of the works involved, and the minimal level of traffic generation associated with the grid connection works. As set out in the indicative resourcing schedule in Appendix B, the grid connection works are forecast to generate a total of 15 HGV deliveries which would be spread across an 8-month period, as well as 22 construction staff trips spread across the full 30-month construction programme.”*

Subject to the number of HGV/large vehicles being required to access the SPEN site along this access and potentially over the Sutton Swing bridge, not increasing beyond those assessed, the Trust has no further comment. The Trust would need to review any proposed increase in use of the Access Track and Sutton Swing bridge, for any phase of the Proposed Development. In such circumstances, consideration will need to be given to this infrastructure, including the impact of traffic on the route and the stability of the embankment of the Weaver Navigation.

The Transport Assessment refers to the potential for the transportation of abnormal loads. The Trust would require details of any indivisible abnormal load vehicles needing to cross the Sutton Swing bridge in connection with the proposal. These would have to be notified to the Trust either via the Esdal website or by email to abnormal.loads@canalrivertrust.org.uk.

The Transport Assessment indicates that the River Weaver would require being temporarily closed for two weeks during the works for the SPEN Frodsham grid connection. There is no indication in the PEIR that the Weaver

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Navigation would be required to be closed in any phase of the Proposed Development and the Trust seeks confirmation that this is the case. In the event of any temporary canal stoppages or towpath closures required in connection with the Proposed Development, early discussions would be required with the Trust, and should be considered well in advance of the works, with measures put in place to minimise any impact on the Navigation and users of the waterway. If the Proposed Development is to result in stoppages of the Navigation or closures of the towpath, we consider it would be appropriate to include protective provisions for the Trust in the DCO.

Paragraph 8.5.3 of the Transport Assessment states that the Proposed Development would also provide a new car parking area off Moorditch Lane for use by visitors using the PRoW network. However paragraph 3.2.3 of the Transport Assessment states there would also be no use of Brook Furlong and Moorditch Road for vehicular access during the operational phase, other than as a possible emergency access route. The Trust would seek further clarification regarding the potential use of Moorditch Lane and Brook Furlong once the development is complete in the interests of clarifying that any potential increase in traffic travelling to the Site would not adversely affect the bridge infrastructure, as increased traffic travelling to Moorditch Lane from the north east may necessitate crossing the Sutton Swing Bridge,

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

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<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

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