



# **Frodsham Solar**

## **Applicant's Response to Other Relevant Representations**

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**Prepared For:**  
**Frodsham Solar Ltd**

**Prepared By:**



Well House Barns, Chester Road, Bretton, Chester, CH4 0DH  
1st Floor, Barfield House, Alderley Road, Wilmslow, SK9 1PL  
Maling Exchange, Studio 307, Hoults Yard, Walker Road, Newcastle Upon Tyne, NE6 2HL

T: 0344 8700 007  
enquiries@axis.co.uk  
www.axis.co.uk

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## **1.0 INTRODUCTION**

### **1.1 Overview**

- 1.1.1 Frodsham Solar Limited ('the Applicant') submitted responses to the Relevant Representations made by the local planning authority (Cheshire West and Chester Council) and statutory environmental bodies at Procedural Deadline B (PD-027) in relation to the Development Consent Order (DCO) application for the Frodsham Solar project ('the Proposed Development').
- 1.1.2 This document sets out the responses of the Applicant to the remaining Relevant Representations submitted by other Interested Parties.
- 1.1.3 The application for the Proposed Development was received by the Planning Inspectorate on 30 May 2025 and was then accepted for examination on 27 June 2025. The period for registering as an Interested Party to submit a Relevant Representation ran from 17 July 2025 to 28 August 2025. The Relevant Representations received were then published on the Planning Inspectorate website on 4 September 2025.
- 1.1.4 This report responds to the Relevant Representations received by:
- i) National Trust (RR-002)
  - ii) Cheshire Wildlife Trust (RR-019)
  - iii) Mersey Estuary Conservation Group (RR-044)
  - iv) Peak and Northern Footpaths Society (RR-046)
  - v) Cycle North Cheshire (RR-026)
  - vi) Individual and Parish and Town Council Representations (RR-003, RR-005, RR-007, RR-009, RR-017, RR-022, RR-023, RR-025, RR-028, RR-029, RR-035, RR-036, RR-043, RR-048, RR-049, RR-051)
  - vii) Osborne Clarke LLP on behalf of Frodsham Wind Farm Limited (RR-047)
  - viii) National Grid Electricity Transmission PLC (RR-021)
  - ix) Mills & Reeve LLP on behalf of National Gas Transmission PLC (RR-032)
  - x) SP Energy Networks PLC (RR-018)

- xi) CMS Cameron McKenna Nabarro Olswang LLP on behalf of Cadent Gas Limited (RR-020)
- xii) United Utilities Water Limited (RR-006)
- xiii) Eversheds Sutherland (International) LLP on behalf of Inovyn Enterprises Limited and Inovyn Chlorvinyls Limited (RR-001 and RR-004)
- xiv) WSP on behalf of Liverpool Bay CCS Limited (RR-011)
- xv) Canal and River Trust (RR-010)

1.1.5 In preparing this document, the Applicant has only responded to substantive points and in particular to representations where the Applicant considers matters set out in the application have been misunderstood/misinterpreted, or the consultee has requested clarification, additional information or has raised a point of disagreement.

1.1.6 The documents submitted with the DCO Application are referenced using the reference number assigned by the Planning Inspectorate (PINS) i.e. (APP-xxx). Where application documents have been updated as a result of the Relevant Representation the response sets out that the document is “*as updated alongside this submission*”.

## 2.0 APPLICANT'S RESPONSES TO RELEVANT REPRESENTATIONS

### 2.1 Response to Individual and Parish/Town Council Relevant Representations

- 2.1.1 Several common themes emerged from the Relevant Representations submitted by individuals, Frodsham Town Council, 'Cwac council' (Chris Copeman, the Cheshire West and Chester Borough Councillor for Helsby Ward) and Helsby Parish Council. To avoid repetitive responses to similar concerns, the Applicant has grouped these into a series of themes and provided responses to them in Table 2-1.

Table 2-1: Response to Individual, Borough Councillor and Parish/Town Council Relevant Representations

Ref	Relevant Representation References	Theme	Applicant's Response
IPTC1	RR-017, RR-025, RR-028, RR-035, RR-043	Concerns in respect of impacts to views from Helsby Hill and the Frodsham War Memorial and suggest more landscaping could be proposed to mitigate impacts.	<p>The Applicant acknowledges the concerns that have been raised with regard to the views from Helsby Hill and Frodsham War Memorial. The Applicant in particular recognises the War Memorial's cultural, historic and visual importance and accepts that this location provides one of the most prominent public vantage points within the study area, where visitors come specifically to appreciate open panoramic views across the estuary.</p> <p>Due to the difference in elevation between the Site and the viewpoints at Helsby Hill and Frodsham War Memorial, additional landscaping (planting) would have limited to no benefit in further mitigating the visual impact of the Proposed Development. The Applicant's assessment of visual effects from Viewpoint 9 (Frodsham War Memorial) and Viewpoint 13 (Helsby Hill) is set out in <b>ES Vol 2 Appendix 6-8: Effects on Viewpoints (APP-071)</b> and this makes clear that the current</p>



Ref	Relevant Representation References	Theme	Applicant's Response
			<p>planting proposals secured by the <b>outline Landscape and Ecology Management Plan (PD2-023)</b> have no perceivable benefit in reducing the visual impact between Year 0 and Year 10 assessment. Visualisations have been included from Viewpoint 9 in <b>ES Vol 3 Chapter 6 Figures Part 5 of 13 (APP-113)</b> and from Viewpoint 13 in <b>ES Vol 3 Chapter 6 Figures Part 6 of 13 (APP-114)</b> which illustrate that additional planting around field boundaries within the Site would not provide any greater visual screening benefit.</p> <p>The Applicant's judgment is that the Proposed Development represents a noticeable but not determining visual change, one that does not fundamentally alter the character or quality of the view. The fundamental nature of the view and visitor experience characterised by its expansive, open panorama over the Mersey Estuary would remain unchanged by the Proposed Development. Visitors would continue to experience the same breadth of view, complexity of land uses and sense of scale that currently define this important local vantage point.</p> <p><b>ES Vol 1 Chapter 6 Landscape and Visual Amenity (APP-039)</b> concludes that the visual effect at both Viewpoint 9 (Frodsham War Memorial) and Viewpoint 13 (Helsby Hill) would be not significant. The Applicant respectfully disagrees that further landscaping is required or would be effective in further mitigating visual effects from these viewpoints.</p>
IPTC2	RR-036, RR-048	Concerns about the impacts that storm damage to the Proposed Development could then have on local properties.	<p>The Proposed Development has and will continue to be designed to withstand the weather experienced in the UK, in accordance with best practice and relevant British Standards (such as <i>BS EN 1991-1-4:2005</i> and <i>BS IEC 62548 (Photovoltaic arrays – Design requirements)</i>).</p>

Ref	Relevant Representation References	Theme	Applicant's Response
			The Applicant has prepared an <b>outline Operational Environmental Management Plan (APP-137)</b> that sets out the Proposed Development will be subject to regular maintenance and throughout the operational phase. Regular upkeep and maintenance of the Proposed Development will reduce the risk of damage in storm events.
IPTC3	RR-028, RR-029	Concerns about glint and glare effects to drivers on the M56.	<p>The Environmental Statement: Volume 2 Appendix 4-2: Glint and Glare Assessment (APP-056) considers the potential impacts of glint and glare on road users, including users of the M56. As set out in Section 2.1 of the report, the initial modelling undertaken at the Preliminary Environmental Information (PEIR) stage of the project identified potential impacts on users of the M56 that required mitigation. As a result, mitigation was introduced, primarily through the alteration of panel orientation and panel tilt, but also through the introduction of screening. This mitigation was developed in consultation with National Highways during the pre-application process.</p> <p>The assessment concludes that there will be no significant impacts caused by glint and glare. Highways England has noted in its Relevant Representation (<b>RR-031</b>) that it is satisfied the <b>Environmental Statement: Volume 2 Appendix 4-2: Glint and Glare Assessment (APP-056)</b> has demonstrated there will be no adverse impact on the safety of the Strategic Road Network, including the M56.</p>
IPTC4	RR-023	Concerns about impacts to agricultural land availability as a result of the Proposed Development.	The <b>Environmental Statement Vol 2 Appendix 1-1: Frodsham Solar Scoping Report (including the Agricultural Land Classification and Soil Resources Survey at Appendix</b>



Ref	Relevant Representation References	Theme	Applicant's Response
			<p><b>17.2 of the Scoping Report)</b> establishes that, due to soil wetness in the area, the agricultural land quality is limited to Grade 3b and 4 of the Agricultural Land Classification (i.e., poor quality). This means the land does not meet the criteria of being Best and Most Versatile (BMV) land. As a result, there will be no loss of high-quality farmland due to the Proposed Development. Paragraph 5.11.12 of NPS EN-1 and paragraph 2.10.29 of NPS EN-3 set out the policy position that development should be directed towards these areas of poorer land quality ahead of BMV land.</p> <p>The <b>outline Soil Management Plan (APP-141)</b> describes methods to strip, store, and replace soils in a way that maintains their viability, thereby avoiding impacts on future agriculture, and follows industry best practices (e.g., avoiding handling soils when wet to prevent damage).</p> <p>The Applicant also notes that the Proposed Development is temporary, operating for up to 40 years. Upon decommissioning, all above-ground equipment will be removed. With the possible exception of landscaping (subject to the decision of the landowner upon decommissioning), the land will be restored to its pre-development state. This ensures the land can be returned to agricultural use after decommissioning if required. Any decommissioning requirements related to restoring the land for its previous uses are secured through the <b>outline Decommissioning Environmental Management Plan (PD2-019)</b>.</p>
IPTC5	RR-017, RR-023, RR-025, RR-028, RR-036	Concerns about impacts to the aesthetic and visual experience of the local area and to its marshland character.	The Applicant has had regard to the aesthetic and visual experience of the local area and its marshland character in

Ref	Relevant Representation References	Theme	Applicant's Response
			<p>developing the design of the Proposed Development, as set out within the <b>Design Approach Document (APP-130)</b>.</p> <p>The Proposed Development sits within a transitional and modified estuarine landscape, characterised by reclaimed marshland with a strong presence of engineered and industrial features, including deposit grounds, the Frodsham Wind Farm, Protos Energy Park, the M56 motorway, above ground pipelines, electricity transmission lines and other miscellaneous infrastructure and artefacts along the southern edge of the Mersey Estuary. These existing influences mean that the landscape is already highly modified and accommodates large-scale energy development and associated structures.</p> <p>Environmental Statement: Volume 1 Chapter 6: Landscape and Visual Amenity (APP-039) establishes that, within this context, the addition of solar infrastructure would not represent a fundamentally new or discordant element, but rather simply an additional component of energy infrastructure.</p> <p>Within this landscape, some elements of natural landscape character persist, including distinctive landform, elements of openness and views, and vegetation elements.</p> <p>The Proposed Development is being brought forward in a manner that is consistent with the management strategies identified for Character Area 4a: Frodsham, Helsby and Lordship Marshes within CWACC's Landscape Strategy (2016). The strategy seeks to conserve the open, low-lying marshland character while managing change through restoration of wet grassland and field boundaries, enhancement of ecological diversity, and maintenance of the strong linear drainage pattern. The design of the Proposed Development directly responds to these aims: the layout follows existing drainage alignments and</p>

Ref	Relevant Representation References	Theme	Applicant's Response
			<p>field geometry; existing ditches and hedgerows are retained and strengthened with native planting; and large areas of grassland and habitat creation are incorporated to reinforce the wetland character and ecological function of the marshes. Through these measures, the scheme supports the long-term management objectives of LCA 4a by promoting habitat restoration and the re-establishment of landscape structure, consistent with the Landscape Strategy's guidance.</p> <p><b>ES Vol 1 Chapter 6: Landscape and Visual Amenity (APP-039)</b> does identify significant residual adverse visual effects, but only for the users of the public rights of way that pass through the Proposed Development. These effects cannot be further mitigated through the mitigation hierarchy. Paragraph 5.10.13 of National Policy Statement EN-1 acknowledges that major energy projects are "<i>likely to have visual effects for many receptors around proposed sites</i>" and paragraph 4.7.2 states that "<i>the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</i>"</p> <p>While the Applicant acknowledges that the local landscape is identified as sensitive to large-scale solar development, it considers that the context, typology, and mitigation of the Proposed Development mean that the scheme can be successfully accommodated within this landscape.</p>
IPTC6	RR-003, RR-005, RR-022, RR-027, RR-028, RR-029, RR-036, RR-051	Concerns about impacts to local ecology as a result of the Proposed Development, including driving them towards the adjacent wind turbines.	<p>Frodsham Wind Farm has been in place for 10 years, yet dredging Cell 3 continues to be classed as a core area for waterbirds, indicating that turbine presence has not displaced them or reduced the habitat's ecological value, as presented in section 4.0 of Information to Inform Habitats Regulations Assessment Final (<b>PD2-009</b>). Natural England's review</p>

Ref	Relevant Representation References	Theme	Applicant's Response
			<i>'Evidence review of the impact of solar farms on birds, bats and general ecology (NEER012)'</i> (2016; cited in paragraph 8.59 of Information to Inform Habitats Regulations Assessment Final <b>PD2-009</b> ) identifies no impacts from glint, glare, or collision risk, and there are no recorded cases of waterbirds colliding with solar panels, so the likelihood of any ecological impact or diversion is considered extremely low (which is the conclusion set out in section 8.5 of Information to Inform Habitats Regulations Assessment Final <b>PD2-009</b> ). This conclusion was also agreed with by Natural England (NE33 of Natural England's Relevant Representation (RR-012)).
IPTC7	RR-005, RR-007, RR-035, RR-043, RR-049	Wish to see the Applicant make more commitments in respect of how improvements to pathways and access are managed in the future, greater commitment to conservation and community activities and seeking a greater community fund.	<p>The Applicant is dedicated to establishing a community benefit fund (CBF). The approach to this is outlined in Section 5.5 of the <b>Planning Statement (APP-128)</b>. The CBF is expected to be overseen by an independent third-party organisation and will be accessible for various community initiatives. The Planning Statement explains that the fund would be set at £500 per annum per megawatt of solar, aligning with common industry practices. The Applicant also notes that the Government consulted on the approach to, and structure of, community benefit funds for low-carbon infrastructure in May 2025. The results of this consultation have not yet been published, but the Applicant will consider the findings of this when published when reviewing the CBF approach.</p> <p>The Applicant has committed to a range of public access improvements and landscaping enhancements as part of the project. These are detailed within the <b>Design Approach Document (APP-130)</b>, and the principles underpinning the design approach are outlined in Appendix A of the Design Approach Document. These principles include Design Principle</p>

Ref	Relevant Representation References	Theme	Applicant's Response
			3: Biodiversity and Green Infrastructure and Design Principle 4: Public Access and Recreation, which respond to feedback received from the community during the pre-application consultation regarding access improvements and biodiversity enhancements. Requirement 6(3) of the <b>draft DCO (as updated alongside this submission)</b> secures the implementation of these design principles. Requirement 9 also secures the landscaping, biodiversity, and access improvements through the provision of a landscape and ecological management plan that must be approved by Cheshire West and Chester Council in consultation with Natural England, and the RSPB in relation to the design of the Non-Breeding Bird Mitigation Area.
IPTC8	RR-007	Wish to see the Applicant take appropriate steps to deal with dangerous levels of contaminants in the area and to ensure spread or disturbance of the same is kept to a minimum.	<p><b>Environmental Statement: Volume 1 Chapter 10: Ground Conditions (APP- 043) and Environmental Statement: Volume 2 Appendix 10-1: Stage 1 Geo- Environmental Assessment (APP-96 &amp; APP-097)</b> provide a detailed assessment of the ground conditions at the site of the Proposed Development, including an assessment of the levels of contamination in the soils and groundwater within and in proximity to the site. This includes a review of historic ground investigation and involved ground investigation undertaken specifically for the Proposed Development.</p> <p>The findings and recommendations from these assessments have been included in the <b>outline Construction Environmental Management Plan (as updated alongside this submission)</b> with the details of the measures to manage localised ground contamination set out in Table 5-5.</p> <p>The measures set out include the provision of an Unexpected Contamination Protocol. This involves a watching brief for unexpected land contamination. The detailed document will set</p>

Ref	Relevant Representation References	Theme	Applicant's Response
			<p>out the assessment, remediation and verification measures involved if unforeseen contamination is identified. In addition, the <b>outline Soil Management Plan (APP-141)</b> commits the Applicant to implementing measures to protect soil from contamination and excavate and remove soil that may become contaminated during development (e.g. from spills of fuels/oils/chemicals).</p> <p>The commitment to providing an Unexpected Contamination Protocol alongside the Environmental Management Plans (i.e. for construction, operation and decommissioning) is secured in Requirements 12(2)(c), 13(2)(d), and 20(3)(f) of the <b>draft DCO (to be updated alongside this submission)</b>.</p> <p>Requirement 17 secures the production of a ground conditions investigations and assessments strategy to be approved by the relevant planning authority.</p> <p>The Applicant's response to the Environment Agency's Relevant Representation (<b>RR-024</b>) notes (see response to EA004 in <b>Response to Local Planning Authority and Statutory Environmental Body Relevant Representations (PD2-027)</b>), that following discussions regarding the Unexpected Contamination Protocol, the Environment Agency is satisfied with the level of detail provided on the Unexpected Contamination Protocol.</p> <p>Therefore, the Applicant considers that it has outlined adequate measures to prevent and control potential contamination.</p>

## 2.2 Response to Organisation Relevant Representations

2.2.1 The Applicant has reviewed the Relevant Representations of the Marine Management Organisation, Historic England, and Liverpool Airport Limited, and these representations do not contain any substantive points that require a response from the Applicant. Accordingly, no response is deemed necessary. Table 2-2 provides responses to matters raised from the following organisations:

- i) National Trust
- ii) Cheshire Wildlife Trust
- iii) Mersey Estuary Conservation Group
- iv) Peak and Northern Footpaths Society
- v) Cycle North Cheshire

**Table 2-2: Response to Organisation Relevant Representations**

Ref	Party	Comment	Applicant's Response
NT1	National Trust	Our concern is to ensure that the scale of the impact on the National Trust's interests arising from the proposed development are thoroughly tested through the Examination process; in particular, effects on the character and quality of the landscape and of the value provided to the many visitors to Helsby Hill.	The Applicant understands that the National Trust's land interests in the area local to the Site relate to Helsby Hill.  <b>ES Vol 1 Chapter 6 Landscape and Visual (APP-039)</b> includes an assessment of the visual impact at Helsby Hill (with reference to Viewpoint 13). This includes visualisations from Viewpoint 13 in <b>ES Vol 3 Chapter 6 Figures Part 6 of 13 (APP-114)</b> .



Ref	Party	Comment	Applicant's Response
			<p>The Applicant's judgement is that the Proposed Development represents a noticeable but not determining visual change, one that does not fundamentally alter the character or quality of the view from Helsby Hill. The fundamental nature of the visitor experience at this elevated viewpoint is characterised by its expansive, open panorama over the Mersey Estuary. Visitors would continue to experience the same panoramic view. Despite the fact that the Proposed Development would be partially visible from the viewpoint, the complexity of land uses and sense of scale that currently prevails would not materially change..</p> <p><b>ES Vol 1 Chapter 6 Landscape and Visual Amenity (APP-039)</b> concludes that the visual effect at Viewpoint 13 (Helsby Hill) would be not significant.</p> <p>The Proposed Development sits within a transitional and modified estuarine landscape, characterised by reclaimed marshland with a strong presence of engineered and industrial features, including manmade deposit grounds, the Frodsham Wind Farm, Protos Energy Park, the M56 motorway, electricity transmission lines and other miscellaneous infrastructure and artefacts along the southern edge of the Mersey Estuary. These existing influences mean that the landscape already accommodates large-scale energy development and associated structures. <b>ES Vol 1 Chapter 6 Landscape and Visual Amenity (APP-039)</b> concludes that, within this context, the addition of solar infrastructure would not represent a fundamentally new or discordant element, but rather an evolution of the existing heavily modified landscape character.</p>

Ref	Party	Comment	Applicant's Response
			The Applicant's conclusion is that visitors would continue to experience a view with the same characteristics from the summit of Helsby Hill.
NT2	National Trust	Whilst the conclusion of the LVIA is that the impact of the proposal is acceptable in terms of the scheme, the National Trust have concerns regarding the Cumulative Impact of the scheme and the potential further erosion of the Character of the area. In addition, we defer to Cheshire West and Chester Council regarding whether they consider that the proposal is in line with their Landscape Sensitivity Study and Guidance on Wind and Solar Photovoltaic Developments (2016).	<p>The Applicant has assessed the cumulative impacts of the Proposed Development with other emerging developments within <b>ES Vol 1 Chapters 5 to 12 (APP-038 to APP-045)</b>, in addition to <b>ES Vol 1 Chapter 13 Cumulative and In Combination Effects (APP-046)</b>. The assessment concludes that with reasonable mitigation measures secured for the Proposed Development and for other developments, there would be no likely significant effects as a result of the Proposed Development and other developments.</p> <p>The Applicant notes that any existing development in the local area such as Frodsham Wind Farm, the M56 Motorway, Protos Energy Park and other infrastructure along the Mersey Estuary is considered as part of the baseline against which the Proposed Development has been assessed, notably in <b>ES Vol 1 Chapter 6 Landscape and Visual Amenity (APP-039)</b>.</p> <p>Consideration of the CWaCC Landscape Sensitivity Study can be found in CWACC6.3 in <b>Response to Local Planning Authority and Statutory Environmental Body Relevant Representations (PD2-027)</b>.</p>
CWT1	Cheshire Wildlife Trust	The lack of adequate mitigation in the proposals is highly concerning. The proposals would result in the loss of Functionally Linked Land, partial loss of a Local Wildlife Site, and loss of mitigation land for the earlier windfarm development. It is highly concerning that no	The Applicant does not accept that the mitigation is inadequate. The proposed mitigation measures, primarily the creation of high-quality wetland habitats, represent an ambitious conservation strategy, which will deliver mitigation for the Proposed Development in

Ref	Party	Comment	Applicant's Response
		additional habitat is being proposed, and while existing habitat will be altered in a way that may improve its suitability for birds, there will be a net loss of biodiversity (as measured by the Biodiversity Net Gain metric.	<p>addition to existing Frodsham Wind Farm (FWF) mitigation obligations, combined with substantial enhancements that will benefit multiple wetland bird species, including SPA species. The habitats will be managed over a 40-year period, which is well beyond the current FWF commitments which expire in 2042.</p> <p>The nature and scale of mitigation relating to Functionally Linked Land (FLL) have been discussed extensively with Natural England (NE) and the Royal Society for the Protection of Birds (RSPB).</p> <p>It is the Applicant's position that the mitigation proposed will be at least adequate for all SPA species which will be affected by the Proposed Development and are already impacted by the Frodsham Wind Farm, and in fact will be beneficial for many SPA species.</p> <p>The Applicant has prepared a revised Information to Inform Habitats Regulations Assessment (HRA) report (<b>APP PD2-009</b>) which sets out how mitigation is achieved. The basis for mitigation is detailed in Section 1.5 of the revised Outline Non-breeding Bird Mitigation Strategy (oNBBMS), presented as Appendix B of the revised Outline Landscape and Ecology Management Plan (oLEMP) (<b>PD2-023</b>). Section 1.6 of the same document presents additional benefits which will be provided under the oNBBMS.</p> <p>It is the Applicant's intention that the on-going management measures presented in the oNBBMS are undertaken by a recognised nature conservation organisation. Discussions are on-going with RSPB, which has provided a Letter of Intent, dated 20<sup>th</sup> November 2025, to this effect. A copy of the RSPB letter is included as Appendix D of the Applicant's 'Response</p>

Ref	Party	Comment	Applicant's Response
			<p>to Local Planning Authority and Statutory Environmental Body Relevant Representations' (<b>PD2-027</b>).</p> <p>The oNBBMS does not include those additional wider enhancements throughout the Order limits, including habitat betterment within the Lum (scrapes and reeded areas) and the Biodiversity Enhancement zone which is located north-east of the NBBMA. These areas will provide additional benefits for wetland birds, in particular for dabbling ducks (see Section 6.8 of the revised oLEMP (PD2-023).</p> <p>The Applicant has provided extensive comments on the impacts of the Proposed Development to the Local Wildlife Site in Sections CWACC7.86 to CWACC7.91 (pages 117 to 121) in the 'Response to Local Planning Authority and Statutory Environmental Body Relevant Representations' (<b>PD2-027</b>). This includes consideration of both qualifying habitats and species. It is not accepted that the Proposed Development will be detrimental to any of these features, and in fact there will be a substantial benefit through the delivery of Biodiversity Net Gain (BNG). Consequently, the Applicant does not agree there will be a net loss of biodiversity. Further comments on BNG are presented in row CWT5 of this table below.</p>
CWT2	Cheshire Wildlife Trust	<p>The applicants argue that the "wider site is evidently little used by SPA species", yet this is directly contradicted by the findings that the site is Functionally Linked Land. Nonetheless, to compensate for this loss, the methodology for a solar farm in Kent has been used to calculate the area of land required to mitigate for these losses, arriving at a figure of approximately 63ha. The use of this approach is not appropriate for this</p>	<p>The Applicant's does not agree that its position is contradictory. While the wider site is acknowledged as containing areas of Functionally Linked Land (FLL), the level and consistency of use across the site varies substantially, which is presented in the revised HRA report ( <b>PD2-009</b>) where species numbers and spatial distribution are broken down in paragraphs 5.3.15 to 5.3.76. This variability of bird activity across the Order</p>

Ref	Party	Comment	Applicant's Response
		development due to several issues. Only three bird species were included in the calculations, the bird surveys across the site are temporally inconsistent, and many areas of the site were not surveyed across all years. More generally, this mitigation would be delivered within the existing Non-Breeding Bird Mitigation Area (NBBMA), land that is already allocated and legally secured as mitigation for the windfarm. For mitigation to be meaningful, it must be additional, not a re-allocation of areas already managed, however well. Moreover, as referred to above, the proposed enhancements result in a net loss of biodiversity units according to the BNG metric. This approach does not address the impacts to Frodsham Marshes that will be caused by the Solar Farm.	<p>limits is also shown in multiple sources of third-party (desk study) data, which are also presented in the revised HRA report. The numbers of birds associated within Frodsham Sludge Lagoons and Weston Marshes parts of Frodsham Marsh (and covering the Proposed Development) consistently yield significantly different numbers of SPA birds utilising these areas compared to the wider Order limits, which is as to be expected given the very different nature of habitats in each. Regardless, the revised HRA adopts a precautionary approach whereby it is assumed that the entire Order limits is either FLL or has the potential to be FLL (by virtue of irregular use). This assertion has formed the basis of the nature and scale of the mitigation provided.</p> <p>The Applicant recognises that the use of Bird-Day Calculations should not be solely relied upon. These have been used as an indicative tool for carrying capacity and are not intended as an absolute metric. This is fully detailed in Section 2.6 of the revised oNBBMS (Appendix B of the oLEMP (<b>PD2-023</b>)).</p> <p>For the reasons set out above, the Applicant does not agree that the mitigation approach is inappropriate or insufficient.</p> <p>Further comments on BNG are presented in Section CWT5 below.</p>
CWT3	Cheshire Wildlife Trust	When the Frodsham Wind Farm was constructed, the planning conditions stipulated that the management of Cells 2 and 5 would "maintain the fields, for the duration of the lifetime of the wind farm, in a condition that is favourable for (Redacted) which will be lost and reconstructed, these areas will total approximately	The Applicant does not agree that 137 ha of Frodsham Wind Farm mitigation land would be significantly impacted or destroyed. Frodsham Wind Farm (FWF) management obligations for Cells 2 and 5 apply until 2042. Use of these areas (and the entire Order limits) by SPA birds has been quantified to form part of the

Ref	Party	Comment	Applicant's Response
		<p>137ha of wind farm mitigation land that will be destroyed or significantly impacted by the Solar Farm. In essence, the Solar Farm proposal would reduce the size of the site without providing any compensation land on top of what has already been secured for the windfarm. The reduction in size and associated fragmentation of this core further threatens its ecological function, resilience, and the ability of wildlife to thrive in the area.</p> <p>Furthermore, concentrating all mitigation for the loss of Frodsham Marshes within the NBBMA creates a high level of risk. If this area is impacted by disease, further development, or other ecological pressures, there will be no fallback, and bird populations and other wildlife of the marshes could suffer severe declines.</p>	<p>existing ecological baseline on which assessment and mitigation have been based. The Proposed Development's oNBBMS does not remove existing obligations, it rather adds to and extends them through the creation and long-term management which would not happen in the absence of the Proposed Development.</p> <p>Only limited areas overlap with the Proposed Development's infrastructure, and their functional role is fully offset by over 53 ha of high-quality, hydrologically controlled wetland within the oNBBMS (Appendix B of the oLEMP (<b>PD2-023</b>)).</p> <p>The mitigation proposed is deemed 'additive', effectively quality over quantity, and is based on functional equivalence. The mitigation area will be of substantially greater value to SPA birds than that currently available (to 2042) through FWF, and will extend the availability by at least 27 years.</p> <p>The proposal does not fragment ecological resources; the NBBMA forms a cohesive, enhanced habitat block, which is adjacent to the Mersey Estuary and Cell 6 (outside the Order limits), which is further supported by additional areas within the Order limits including enhancements of The Lum (adjacent to the Weaver Bend) and a series of dried up ponds and reedbed adjacent to Marsh Farm. The NBBMA will be subject to active, adaptive management by a conservation body, ensuring resilience and optimising conditions.</p> <p>In summary, the Proposed Development does not reduce existing mitigation, it enhances and extends it,</p>

Ref	Party	Comment	Applicant's Response
			while delivering a more reliable and higher-quality habitat resource for SPA species.
CWT4	Cheshire Wildlife Trust	<p>Though the site is internationally important for non-breeding birds, the site's value at a county and local scale is an important consideration. The site is used by a range of species,(Redacted) The grassland onsite also provides foraging habitat for(Redacted)which have not been adequately considered.</p> <p>The 5ha of proposed skylark mitigation area is nowhere near enough. According to research data, skylark density generally varies between (Redacted)(outside the NBBMA) would be required (assuming maximum density).</p> <p>On a larger scale, Frodsham, Helsby, and Ince Marshes Local Wildlife Site remains one of the largest areas of open grassland in Cheshire and is a core strategic site in the forthcoming Cheshire Local Nature Recovery Strategy. It holds significant potential for future habitat restoration projects and for investment in natural capital initiatives such as BNG and nature-based solutions, which are likely to increase in the coming decades. This loss would be a long-term setback for nature recovery in Cheshire and the UK.</p>	<p>The Applicant notes that the names of species made by the Cheshire Wildlife Trust are redacted, however the Applicant assumes that this species referred to are considered local and county scale species.</p> <p>All species, breeding and non-breeding species (collected through field and desk study) have been considered and assessed comprehensively throughout the revised HRA (<b>PD2-009</b>) and the ES Volume 1 Chapter 8: Ornithology (<b>APP-041</b>) which considers LWS at paragraph 8.8.21 and breeding bird species at paragraph 8.8.33, particularly ground nesting birds and Schedule 1 birds. The assessment concludes that these species will be protected through the embedded design measures and will benefit from the substantial areas of habitat creation and enhancement proposed throughout the Order limits. These habitat improvements are expected to provide a moderate positive effect on boundary-thriving and farmland species.</p> <p>It is also important to note that the grassland within the NBBMA will be of substantial higher quality and botanically diverse, replacing lower quality grassland, and this does not include wider areas throughout the Order limits, including margins, biodiversity enhancement zones and other neutral grasslands (paragraph 8.7.4; <b>APP-041</b>) contributing cumulatively to a greatly improved habitat mosaic for a range of species.</p> <p>Skylark were assessed across the Order limits and were recorded at low densities (see Table 8-18 in <b>APP-041</b>),</p>



Ref	Party	Comment	Applicant's Response
			<p>consistent with the predominance of intensively managed or short-grazed pasture, which offers limited nesting opportunity. The SMA is designed as high-quality, long-term, purpose-managed nesting habitat, replacing land of comparatively low breeding suitability. It will be secured and managed for the full operational lifespan of the Proposed Development, with no infrastructure present, ensuring uninterrupted ground-nesting opportunity.</p> <p>The SMA sits within a wider enhancement framework, including botanically diverse grassland around the SADA, margin management and connectivity improvements across the landscape. These measures collectively increase the availability of foraging habitat for skylark beyond the SMA alone (as set out in section 8.7 of <b>APP-041</b>). This does not include the active management (from a conservation body) of the area during the operational phase.</p> <p>The Applicant has provided extensive comments on the impacts of the Proposed Development on the Skylark Mitigation Area in Sections CWACC7.70 to CWACC7.74 (pages 103 to 106) in the 'Response to Local Planning Authority and Statutory Environmental Body Relevant Representations' (<b>PD2-027</b>).</p>
CWT5	Cheshire Wildlife Trust	During pre-application consultations, the applicants committed to delivering a Biodiversity Net Gain, though this commitment has now been scaled back to exclude watercourses due to the impacts of the scheme. We are extremely disappointed that unlike other developments, Biodiversity Net Gain has not been used to inform the design of the scheme; however, we acknowledge that NSIPs are not yet subject to statutory BNG.	The Applicant has provided extensive comments on Biodiversity Net Gain in Sections CWACC7.92 to CWACC7.100 (pages 122 to 128) in the 'Response to Local Planning Authority and Statutory Environmental Body Relevant Representations' ( <b>PD2-027</b> ).

Ref	Party	Comment	Applicant's Response
		<p>Nevertheless, whether it is voluntary or not, BNG must be adhered to completely to be considered as such. This includes the metric being filled out correctly, habitat trading rules applied, best practice standards respected, and supporting evidence provided.</p> <p>We have serious concerns about the BNG metric as completed by the developer, which is the basis of the measurability of biodiversity net gain. The land under the solar panels has not been classified according to UK Habitat Classification guidance, which would designate it either as 'sealed surface' or, at best, poor-condition grassland. Correct classification is highly likely to demonstrate that the scheme does not meet the 10% BNG target.</p> <p>Additionally, the trading rules have not been met, particularly as it pertains to reedbed, which is a Priority Habitat and one of the most important habitats for birds in the UK. The trading rules are an essential component of biodiversity net gain, preventing important habitats from being compensated for with less important ones. The applicants justify the lack of compensation for this high distinctiveness habitat by focusing on the poor condition in which it is in, undermining the very principles of BNG.</p> <p>Furthermore, a significant amount of information, justification, and documentation is missing from the submission regarding BNG. The Biodiversity Net Gain Report does not include the required justification for the</p>	<p>The Applicant has also conducted an update survey in relation to the areas of the watercourses identified and these have been included within the revised BNG Metric Spreadsheets (<b>PD2-032</b>). This shows on-site net changes of +28.42% (habitat units), +88.92% (hedgerow units) and +11.21% (watercourse units). As such, the Proposed Development exceeds biodiversity gains using the Defra Metric.</p> <p>It is not agreed that the land under the panels should be classified as sealed surface and the approach used is consistent with all other solar farm planning applications (DCO or otherwise) that the Applicant is aware of. This point is discussed in detail under CWACC7.100 the 'Response to Local Planning Authority and Statutory Environmental Body Relevant Representations' (<b>PD2-027</b>). Since this submission, it is understood that Natural England has confirmed that the UKHab Classification solar panel habitat type does not apply to the metric.</p> <p>The Applicant has also provided full commentary on reedbeds and Priority Habitats in the 'Response to Local Planning Authority and Statutory Environmental Body Relevant Representations' (<b>PD2-027</b>), which includes a note 'Further Information on the Classification of Reedbeds' as Appendix C. This document provides a detailed review of reedbed habitats against both JNCC and UKHab definitions. Following the review, an area formerly classified as reeded located within Frodsham Windfarm East has now been reclassified as g3.16, due to not meeting soil moisture criteria. Further, several areas which may meet the UKHab definition of reedbed, are not considered priority habitat but rather smaller stands of reed.</p>

Ref	Party	Comment	Applicant's Response
		<p>habitats chosen to replace existing habitats, the condition assessment sheets are blank , and the map of the habitat codes in the metric is missing. This lack of information prevents adequate and thorough assessment of the BNG plans for the scheme.</p> <p>More broadly, the scheme falls short of CIEEM's good practice principles for BNG, such as ensuring additionality, transparency, and adherence to the mitigation hierarchy. If a national infrastructure project chooses to commit to BNG voluntarily, it should set a positive example, not a minimal one.</p>	<p>Whilst the BNG provided does not fully accord with trading rules with regards to reedbed, even under a mandatory BNG scenario, Rule 4 of the metric guidance expressly allows deviation from trading rules where there is clear ecological justification and where the proposed habitats represent the most appropriate outcome for the site context. In this case, compliance with the trading rules on reedbeds would be ecologically inappropriate and contrary to the primary mitigation objectives of the project, i.e., to the aims and objectives of the oNBBMS.</p> <p>The Applicant does not agree that any information is missing. The ES and accompanying BNG documents included:</p> <ul style="list-style-type: none"> <li>• full habitat maps and codes</li> <li>• baseline UKHab condition assessments</li> <li>• post-development habitat proposals</li> <li>• metric calculations</li> <li>• justification for habitat selection within constraints created by the NBBMA and SPA requirements</li> </ul> <p>All material necessary for examination of the BNG position has been supplied. Where CWT refers to "blank condition sheets", these appear to relate to templates within the metric tool rather than to an absence of survey data. All condition assessments are presented in the submitted documentation.</p> <p>It is therefore the Applicant's position that the BNG metric (PD2-032) fully accords with CIEEM's good practice principles for BNG, and that the gain provided as part of the Proposed Development exceeds the 10%</p>

Ref	Party	Comment	Applicant's Response
			threshold (and which do not yet apply to DCO applications).
CWT6	Cheshire Wildlife Trust	<p>There are three main developments that are of particular concern due to their cumulative impacts in combination with this development. The Hynet Runcorn Carbon Dioxide Spur pipeline (Ref 78) has recently been rerouted to go through the NBBMA, which is not explicitly stated by the applicants and therefore not appropriately assessed. If permitted, the pipeline development would nullify the mitigation efforts, which rely almost entirely on the NBBMA's success. The in-combination effects must be examined before being dismissed.</p> <p>The Hynet Hydrogen Pipeline (ref 38) is routed to go through the area proposed to be the Skylark Mitigation Area by the Solar Farm. The location appears to have been selected despite knowledge that it would be subject to further disturbance, undermining its suitability as mitigation. General impacts of the pipeline are dismissed as 'short term and temporary', though it is mentioned that "there is potential for cumulative effects on [...] breeding birds such as skylark and lapwing, associated primarily with temporary disturbance and habitat loss during the construction phase" in the Ornithology Chapter. However, nowhere is there any discussion of the effects on the Skylark Mitigation Area and the displaced skylarks as a result of the in-combination effects of the two proposals.</p>	<p>The Applicant acknowledges the concern regarding the routing of the Hynet CO<sub>2</sub> Spur Pipeline in relation to the NBBMA. The project is included within the in-combination assessment in paragraph 8.6.23 of the revised HRA (<b>PD2-009</b>). The outline Construction Environmental Management Plan (as updated alongside this submission) includes mechanisms to ensure that the Applicant and the promoters of the Hynet Runcorn Carbon Dioxide Spur pipeline and the Hynet Hydrogen Pipeline coordinate to secure the delivery of the NBBMA and also its integrity following its creation.</p> <p>The NBBMA will be established and functioning before any works begin in the Solar Array Development Area, as noted in Section 4.0 of the revised HRA (<b>PD2-009</b>), ensuring continuity of Functionally Linked Land. Any future pipeline scheme would require its own consent, ecological impact assessment and HRA and could not proceed if it would compromise the integrity of the Mersey Estuary SPA. The Proposed Development's mitigation is therefore not dependent on, or displaced by, unconsented third-party development.</p> <p>For the Hynet Hydrogen Pipeline, impacts are assessed as temporary and linear. As set out in the ES Chapter 8: Ornithology (<b>APP-041</b>) from paragraph 8.11.15 onwards and in the pipeline's PEIR, construction is expected to proceed at approximately 150 to 300 metres per day, with the section laid in about one month. This short duration is not expected to affect the long-term function of the Skylark Mitigation Area over its 40-year management period. Skylarks are known to recolonise</p>

Ref	Party	Comment	Applicant's Response
		The existing Frodsham Wind Farm is not included as a development in any of the discussions of cumulative impacts. The wind farm will be losing several of its main mitigation areas due to the Solar Farm development and those are not being directly compensated for elsewhere; these are considerable cumulative impacts that have not been discussed and have certainly not been addressed.	<p>quickly following brief disturbance, and the Applicant remains confident that the SMA will continue to deliver the required mitigation.</p> <p>The Applicant confirms that the existing Frodsham Wind Farm (FWF) has been fully incorporated into the HRA baseline (see Section 5.4 and paragraph 8.1.6 and 8.6.2 of <b>PD2-009</b>). Its mitigation areas, particularly Cells 2, 3 and 5, inform both the baseline ecological description and the design of the NBBMA to maintain and enhance their function. As an operational development, FWF is treated as baseline rather than an in-combination project under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This point is being explored further with Natural England. The NBBMA provides an improved, long-term management regime compared with existing FWF commitments, ensuring ecological resilience and no loss of mitigation function.</p>
CWT7	Cheshire Wildlife Trust	We defer to CWaCC's Natural Environment Officer's comments on the following topics: - Potential main issues for the examination and the impacts being weighted more positively than are currently understood (7.5 - 7.6) - Decommissioning and the uncertainty of the long-term retention of habitats used for mitigation (7.30)	The Applicant notes this, and all responses to these issues have been fully responded to and addressed in the 'Response to Local Planning Authority and Statutory Environmental Body Relevant Representations' submission ( <b>PD2-027</b> ).

Ref	Party	Comment	Applicant's Response
		- Lack of sufficient bird survey data (7.36) - Monitoring frequency (7.48) - The phasing of works as mitigation for construction(Redacted) - Reptiles and lack of survey (7.113) - Peat and the further investigations necessary (8.7)	
MECG1	Mersey Estuary Conservation Group	The above data shows that the area is important for Lapwing, Golden Plover and Ruff and I am concerned that solar panels on NO 2 bed will have an adverse impact on these species. Even including for the improved habitat on no 3 bed I feel the reduction in total area will not be made up for in the improved habitat quality as these birds require extensive open areas of grassland. I am therefore asking for the no 2 bed area to be taken out of the solar farm development.	<p>The Applicant recognises the importance of Cell 2 for lapwing, golden plover and ruff, as reflected in the submitted baseline data (Section 5.3 of the revised HRA (<b>PD2-009</b>)). These species have been central to the design of the mitigation strategy, which includes the creation of the NBBMA on Cell 3 and enhancements across other areas to ensure that sufficient Functionally Linked Land is maintained.</p> <p>While Cell 2 will form part of the Solar Array Development Area, the assessment concludes that the displacement effects arising from the installation and operation of panels can be fully mitigated through the delivery of high-quality habitat within the NBBMA (Table 8-1 of the revised HRA (<b>PD2-009</b>)). The mitigation area has been specifically designed to provide open, accessible, and well-managed grassland of equivalent or greater functional value than that lost, and its implementation prior to construction ensures no temporal gap in habitat availability.</p> <p>Extensive open habitat is recognised as important for lapwing, golden plover and ruff, and the NBBMA has been designed to retain that openness and support these species throughout the non-breeding season (Table 8-2 of the revised HRA (<b>PD2-009</b>)). The Applicant is therefore confident that the strategy</p>

Ref	Party	Comment	Applicant's Response
			<p>provides adequate replacement habitat and avoids an adverse effect on the Mersey Estuary SPA.</p> <p>For these reasons, the Applicant does not consider the removal of Cell 2 from the Proposed Development to be necessary, as the mitigation proposed is sufficient to maintain ecological function for the affected species.</p>
MECG2	Mersey Estuary Conservation Group	<p>I am also concerned about the loss of habitat in the fields down by the Weaver bend. The field just inland from the Weaver has some very good habitat and wetland scrapes (I created the scrapes in 1998 and they have been improved since. It is hard to understand the importance of these areas by looking at bird counts as the area is densely vegetated and does not attract large flocks of birds but does hold many breeding species including reed bunting, stonechat and reed, sedge and grasshopper warbler. It may also contain breeding redshank and snipe or at least has the potential to if managed better. I am therefore asking for the panels next to the Weaver to be taken out.</p>	<p>The Applicant recognises the contributor's long-standing familiarity with the fields adjacent to the Weaver bend, including the area known as the Lum. While no breeding redshank or snipe were recorded during the two years of survey, the proposed enhancements to the Lum, such as improved water management, new scrapes, and retained and created reedbed are expected to increase the suitability of this area for these species in future.</p> <p>Species such as warblers, stonechat and reed bunting will not be adversely affected by the Proposed Development. On the contrary, the habitat enhancement measures delivered across the Order limits (ES Chapter 8: Ornithology, paragraph 8.7.4 (<b>APP-041</b>)) are likely to expand suitable breeding and foraging areas for these species.</p> <p>It is also important to note that the Solar Array Development Area (SADA) does not occupy the entire landscape in this location. A buffer has been maintained between the SADA and the River Weaver, with additional planting incorporated to break up the infrastructure area. The Lum and its associated habitats will be retained and enhanced (including scrapes and reeded areas), ensuring continued and improved ecological value for the species highlighted (Figure 2-3a of ES Chapter 2: Figures (<b>APP-106</b>)).</p>



Ref	Party	Comment	Applicant's Response
PNFS1	Peak and Northern Footpaths Society	PNFS request to be a consultee on the development of the full PRoW Management Plan and any stopping up or diversion of RB108.	<p>Requirement 15 of the <b>draft DCO (as updated alongside this submission)</b> requires that before any phase of the authorised development may commence the detailed public rights of way management plan (which must be substantially in accordance with the outline public rights of way management plan (<b>PD2-021</b>)) for that phase has to be submitted to and approved by the relevant planning authority.</p> <p>The power to substitute and permanently stop up a section of Frodsham RB108 as shown on the Street Works, Public Rights of Way, Vehicular Usage and Access Plans (<b>AS-008</b>) is set out in article 13 of the draft DCO. This requires the Applicant to have both agreed the route of the substitute public right of way for the section of RB108 with the relevant highway authority and to have provided the substitute public right of way before Frodsham RB108 as shown on the plan can be permanently stopped up. Requirement 15 ensures that before the powers under article 13 can be exercised that the relevant planning authority has to have approved the detailed public rights of way management plan for that phase first.</p> <p>The application to discharge this requirement will be lodged on the council's planning portal and it will be made available for comment by any organisation or individual, including the Peak and Northern Footpaths Society. Comments provided to the council will then be taken into account by the relevant planning authority when determining the application.</p>
CNC1	Cycle North Cheshire	CNC request that the development schemes in the area work in harmony with each other to deliver a much	The Applicant has made commitments to improving elements of the Site for access, including existing

Ref	Party	Comment	Applicant's Response
		needed improvement to the marshes roads to leave them in a useable condition for leisure use.	<p>pathways. The Design Principles set out in Appendix A of the <b>Design Approach Document (APP-130)</b> establish the Applicant's commitment Retain, enhance and encourage public access through the life of the proposals. This is secured through Requirement 6 of the <b>draft DCO (as updated alongside this submission)</b>.</p> <p>The <b>outline Landscape and Ecology Management Plan (oLEMP) (as updated alongside this submission)</b> and the <b>outline Public Rights of Way Management Plan (oPRoWMP) (PD2-021)</b> set out the approach that will be adopted to the creation and management of access on the Site. Paragraph 5.1.7 of the oPRoWMP, confirms that works would be undertaken to improve the condition of existing public rights of way within the Order Limits where appropriate, for example in locations subject to flooding or where paths become muddy or impassable, and that a maintenance and review regime will be set out in the detailed PRoW Management Plan</p> <p>Regarding other development schemes, the contribution these projects make to the public rights of way on Frodsham Marshes is beyond the control of the Applicant and will depend on the commitments made by those developers or the controls imposed on their planning permissions or development consents.</p>
CNC2	Cycle North Cheshire	CNC request that the Applicant's community benefit proposals be utilised to support the development of the CWaC Local Cycling and Walking Infrastructure (LCWIP) plan for Frodsham to link from the Halton border to Helsby.	See response to IPTC7. The CBF would be available for measures such as improving local access in the local community. This would be subject to a successful application made to the independent organisation that would administer and manage the CBF.



## 2.3 Response to Statutory Undertaker and Other Project Promoter Relevant Representations

2.3.1 Table 2-3 to 2-11 provides the Applicant's responses to the points raised in the relevant representations received from statutory undertakers and other project promoters.

**Table 2-3: Eversheds Sutherland (International) LLP on behalf of Inovyn Enterprises Limited and Inovyn Chlorvinyls Limited (RR-001/RR-004)**

Relevant Representation: RR-001/RR-004		Respondent: Eversheds Sutherland (International) LLP on behalf of Inovyn Chlorvinyls Limited and Inovyn Enterprises Limited	
Ref	Comment from Relevant Representation	Applicant's Response	
INN1	Both Inovyn entities seek to reach a negotiated settlement with the Applicant in respect of the Proposed Development's interactions with their interests.	<p>The Applicant has been liaising closely with the Inovyn Parties' representation to progress a negotiated settlement.</p> <p>This has included undertaking a review to determine whether Inovyn Enterprises Limited's interest in respect of its option for a saline water pipe and outfall (shown in the Book of Reference submitted with the DCO Application (<b>APP-020</b>) as affecting plots 3-25 and 3-31) is actually affected by the Proposed Development. Following an update to the Land Registry data affecting the title of plots 3-25 and 3-31, Inovyn Enterprises Limited's interests are no longer shown to be included in those plots and the Book of Reference (<b>as updated alongside this submission</b>) has been updated to account for this. It is the Applicant's understanding, following a review of the updated Land Registry data and information received from Inovyn Enterprises Limited's representative, that Inovyn Enterprises Limited's interest as described in RR-001 lies outside of the Order limits and will not be affected by the Proposed Development at all.</p>	

Relevant Representation: RR-001/RR-004		Respondent: Eversheds Sutherland (International) LLP on behalf of Inovyn Chlorvinyls Limited and Inovyn Enterprises Limited
Ref	Comment from Relevant Representation	Applicant's Response
		Negotiations remain ongoing in respect of reaching a settlement about the Proposed Development's interactions with Inovyn Chlorvinyls Limited's interests (see INN2 below).
INN2	Inovyn Chlorvinyls Limited query the extent of land powers that are sought over their interest.	The Applicant has confirmed to this party that the land in question (plot 5-3) is needed as part of the flexibility required for delivery of the SPEN Cable Connection (overhead line) and for scheme landscaping (the latter thus explaining why full compulsory acquisition powers are proposed for this plot).

**Table 2-4: United Utilities Water Limited (RR-006)**

Relevant Representation: RR-006		Respondent: United Utilities Water Limited (UU)
Ref	Comment from Relevant Representation	Applicant's Response
UUW1	UU seek to reach agreement with the Applicant in respect of the form of Protective Provisions.	In August 2025 the Applicant received UU's 'preferred' form of Protective Provisions. In response the Applicant noted that there was only one paragraph of difference between that 'preferred' form and the Protective Provisions in the Applicant's DCO and explained why it was needed. The Applicant is awaiting confirmation from UU as to whether or not it accepts the Applicant's position.

Relevant Representation: RR-006		Respondent: United Utilities Water Limited (UU)
Ref	Comment from Relevant Representation	Applicant's Response
UUW2	UU seek confirmation that there is sufficient room to divert UU assets if this is required.	The Applicant can confirm that there is sufficient room in the Order limits to divert UU assets on the basis that the design has allowed for the pipeline easements associated with the UU assets.
UUW3	We wish to draw to the applicant's attention the need to carefully consider landscaping and ecological proposals in the vicinity of our assets. Ecological enhancement proposals on top of our assets will not be acceptable. The applicant must agree any changes in levels and proposed crossing points (access points and services crossing our assets) in writing with UUW. The applicant must not assume that changes in levels will be acceptable, and the details of any crossing points will need to be agreed. This is because changes in levels can affect the structural integrity of our assets and the hydraulic performance of our assets which can result in the increase or displacement of flood risk from the public sewer.	Section 4.4 of the outline Landscape and Ecological Management Plan (as updated alongside this submission) identifies the utilities that cross the Site and the associated easements. The landscape design has only proposed grassland within these easement corridors in locations where tree planting / woodland does not already exist.
UUW4	<p>Having reviewing the latest documentation, we wish to specifically note the following points which are additional to our submission of 19 December 2024.</p> <p>Under the heading of Land Drainage on page 4 of the Flood Risk Assessment and Drainage Strategy, it states that there are no public sewers crossing the site.</p> <p>We wish to highlight that Figure 5E of the Non-Technical Summary identifies proposed screen planting to provide glint and glare mitigation adjacent to the M56 Motorway. This appears to be sited on top of a number of public sewers. Any approach to planting, including changes in levels, in the vicinity of our assets must be agreed with UUW in accordance with our 'Standard Conditions for Works Adjacent to Pipelines' (Document Ref: 90048 Issue 3.1</p>	Paragraph 4.4.2 of the oLEMP (as updated alongside this submission) acknowledges that planting within the easement of UU assets must be agreed with UU, and undertaken in accordance with UU standards. It is noted that there is substantial existing woodland cover present in the proximity of the sewers adjacent to the M56 .

Relevant Representation: RR-006		Respondent: United Utilities Water Limited (UU)
Ref	Comment from Relevant Representation	Applicant's Response
	July 2015). As noted above, a copy of this document can be found on our website.	
UUW5	UUW wishes to note the importance of any approach to planting new trees and landscaping giving due consideration to the impact on utility services noting the implications that can arise as a result of planting too close to our assets. This can result in root ingress, which in turn increases the risk of drainage system failure and increases flood risk. Further details on suitable trees for planting near our assets can be found in our 'Standard Conditions for Works Adjacent to Pipelines.	This comment is noted. See UUW4.
UUW6	<p>UUW notes the submitted drainage strategy which proposes to discharge surface water to an alternative to the public sewer. It is imperative that any approach to surface water drainage discharges to an alternative to the public sewer in accordance with sustainable drainage principles. UUW will not accept the connection of any dewatering proposals to the public sewer. In this regard, it is critical that the applicant secures the necessary discharge rights as part of the development consent order.</p> <p>The drainage strategy states that there is no foul water connections to the public sewer proposed.</p> <p>Notwithstanding the above points, our proposed Protective Provisions ensure that any approach to drainage which interacts with the public sewer would need to be agreed with UUW.</p>	<p>The requirement to obtain a discharge consent should this be required is included within the <b>Other Consents and Licences Statement (APP-127)</b>.</p> <p>Section 11 of <b>ES Vol 2 Appendix 9-1 Flood Risk Assessment and Drainage Strategy (AS-019)</b> describes the drainage strategy for the Proposed Development and details how drainage principles will be designed in accordance with the principles of CIRIA C753 publication 'The SuDS Manual' (2015).</p>



Relevant Representation: RR-006		Respondent: United Utilities Water Limited (UU)	
Ref	Comment from Relevant Representation	Applicant's Response	
UUW7	It is important that the proposals have no impact on the hydraulic performance of our assets. The applicant should note that the Order Limits are (in part) within a reservoir flood zone which must be appropriately considered in the flood risk assessment. In addition the hydraulic performance of our public sewers must not be adversely affected. For example, any works to watercourses must not adversely affect the operation of our assets which outfall into the watercourse.	Section 6 of <b>ES Vol 2 Appendix 9-1 Flood Risk Assessment and Drainage Strategy (AS-019)</b> considers the various potential sources of flooding at the Site, including from reservoirs. No works to watercourses are proposed as part of the Proposed Development.	
UUW8	The applicant has not confirmed whether any water will be required from UUW either during the construction process or during the operational life of the development. This has not been discussed with UUW and therefore remains an outstanding matter.	The Applicant acknowledges the need to agree any supply from, or connection to, water mains for the Proposed Development with United Utilities. The Applicant received a response from United Utilities in relation to a commercial drainage and water enquiry which confirmed that the Site is connected to the mains water supply and that the location is not at risk of receiving low pressure water or flow.	

**Table 2-5: Canal and River Trust (RR-010)**

Relevant Representation: RR-010		Respondent: Canal and River Trust
Ref	Comment from Relevant Representation	Applicant's Response
CRT1	<p><b>Land rights and works with potential</b></p> <p>The draft DCO contains powers to enable the acquisition of land, new rights over land and the imposition of restrictions that are required to construct, operate and maintain and decommission the Proposed Development. The Applicant has identified a number of land parcels in connection with the works, which may affect the rights of the Trust. We are reviewing these carefully and would seek to negotiate with the Applicant for the rights they require. The Trust objects to the compulsory acquisition of its land and rights on the basis that it is willing to enter voluntary agreements with the Applicant. Powers of compulsory acquisition should only be granted as a last resort. The Order Limits include the Access Track which serves the existing SPEN substation. The Trust responded to the Applicant's Section 42 consultation and confirmed that the Access Track is used by the Trust for access to Marsh Lock and that access is required at all times (24 hours a day, 7 days a week) and that the Trust's use of the Access Track should not be affected during any phase of the Proposed Development. The Trust requires access to Marsh Lock and its infrastructure along this Access Track at all times (24 hours a day, 7 days a week) for operational requirements, (regarding canal and lock infrastructure, water control and emergency management with any vessels in the area). The Land parcels relating to the Access Track are Plots: 5-17, 5-19, 5-20, 5-21, 5-22 and 5-23 as shown in the Land Plans. For plots 5-19, 5-20, 5-21, 5-22, 5-23, the purpose the Applicant is seeking to acquire rights is for 'access use rights', and for plot 5-17 the purpose is for 'SPEN connection cable rights' and 'SPEN substation connection rights' in connection with delivering the works to the substation. A construction compound is indicated adjacent to the north of Plot 5-17, and it is critical that no part of the works impede or obstruct movement or use of the Access Track at any time. The Trust is owner of a section of the Access Track that runs along the south of the Weaver Navigation from the north of the SPEN</p>	<p>Following the receipt of the Relevant Representation, the Applicant updated the Land and Crown Land Plans and Book of Reference at Procedural Deadline B to remove plot 5-22, which is the plot in which the CRT holds a freehold interest.</p> <p>At Deadline 1, the Applicant has put in place drafting into the draft DCO and Outline Construction Environmental Management Plan that access to Marsh Lock must be maintained at all times.</p>

Relevant Representation: RR-010		Respondent: Canal and River Trust
Ref	Comment from Relevant Representation	Applicant's Response
	substation (abutting the top of plot 5-17) to Marsh Lock, which interacts with Plot 5-17. The Trust requires use of the shared access track from the A56 to Marsh Lock (5-17, 5-19, 5-20, 5-21, 5-22 and 5-23) for operational use and maintenance of its infrastructure. Therefore, powers in the draft DCO have the potential to interfere with the Trust's use of the Access Track to Marsh Lock which provides access to our infrastructure for operational requirements that is required at all times (24 hours a day, 7 days a week).	
CRT2	<p><b>Protective Provisions for the Trust</b></p> <p>Where nationally significant infrastructure projects have the potential to interact with, or impact, the Trust's network, the Trust seeks to secure protective provisions within the DCO, to ensure any controls and mitigation needed would be secured satisfactorily by the DCO if granted. The Trust would seek protective provisions in the DCO to protect its interests (of which the Trust can provide a first draft) and to negotiate an agreement for use of the Access Track to ensure that the Trust's operations are not impacted by the Proposed Development. The Trust is not aware of any direct correspondence from the Applicant with the Trust regarding the use of the Access Track, however, the Trust will continue to engage with the Applicant to seek to agree appropriate protections for the Trust through protective provisions and an agreement. Throughout the works the Trust would require vehicle and pedestrian access to Marsh Lock to be maintained at all times to ensure that the critical access to our infrastructure and operational requirements can be operated unimpeded.</p>	With the above changes made to the application documentation, no Protective Provisions are considered to be required for CRT.
CRT3	<p><b>Construction Traffic Impacts</b></p> <p>The submitted Transport Assessment confirms that the Main Access Route to the solar array site would be from the south west, leading from Pool Lane</p>	The Applicant confirms that the forecast number of vehicle movements are adequate and it does not anticipate the predicted number of vehicles movements on the SPEN Substation Access Track to exceed the level of vehicle use outlined in the Transport Assessment.

Relevant Representation: RR-010		Respondent: Canal and River Trust
Ref	Comment from Relevant Representation	Applicant's Response
	<p>and Grinsome Road, which would serve the proposed solar farm and ecological mitigation areas in construction, operational and decommissioning phases. Sutton Swing bridge to the north east of the site (on the A56) is owned and managed by the Trust and it has dimensional restrictions which may affect any proposed construction traffic routes. It is welcomed that the Main Access and construction routes do not cross the Sutton Swing bridge as reflected in the Outline Construction Traffic Management Plan (oCTMP) to be secured by the DCO. The Draft DCO includes powers (Part 3, Art 16) to undertake traffic regulation measures and the restrictions of the Sutton Swing Bridge may be applicable. If a Trust owned bridge would be impacted, this matter could be addressed through mechanisms in draft protective provisions for the Trust. The works proposed to the SPEN substation to the north of the River Weaver require use of the Access Track to the existing SPEN substation.</p> <p>The submitted Transport Assessment (TA) states, regarding the construction of the grid connection to the existing SPEN Frodsham Substation, 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 along the existing SPEN Substation Access Track. The submitted details outline that these highway links have been scoped out of the environmental assessment and not considered further within the detailed assessment due to the minimal level of traffic generation associated with the grid connection works. Appendix B (page 176 of the Transport Assessment) outlines that 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. Appendix B of the TA shows the anticipated number of vehicles using the access over the construction period. The SPEN substation connection works comprise two construction compounds, foundation and trenching works to erect and</p>	<p>The <b>outline Construction Traffic Management Plan (oCTMP) (as updated alongside this submission)</b> sets out the anticipated vehicle numbers in section 4.2. The Applicant confirms that that mitigation measures and management of construction traffic set out within the oCTMP, and subsequent final CTMP which must be in substantial accordance with the oCTMP, would also apply to the Frodsham Substation Access Track. The final version of the CTMP will need to be approved prior to construction works on the SPEN Substation being undertaken. The Applicant has revised the oCTMP to include a commitment to consult with CRT on the CTMP prior to it being submitted for approval to the relevant planning authority.</p>

Relevant Representation: RR-010		Respondent: Canal and River Trust	
Ref	Comment from Relevant Representation	Applicant's Response	
	<p>support trident poles, stringing of the cables to the supporting poles, trenchwork for cables and associated construction traffic along this Access Track to facilitate these works. In our Section 42 consultation response, the Trust concurred that the levels of traffic generation as shown in the Transport Assessment along the Access Track is minimal, and had no concerns, subject to those traffic construction figures in Appendix not increasing beyond those assessed. However, given the works proposed for the SPEN substation site, the Trust seek clarification that the works to the SPEN substation, in connection with grid connection, would not exceed the level of vehicle use outlined in the Transport Assessment and that the construction machinery and plant for these works can be accommodated in 15 HGV vehicles and 22 construction staff visits outlined.</p> <p>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, as outlined in our Section 42 consultation response, 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.</p> <p>The Transport Assessment refers to how the access is used currently by HGV traffic and is fit for purpose. The Access Track is subject to regular inspection by the Trust, which has noted movement as evidenced by longitudinal cracking in areas, and the means of supporting the roadway along the river sections, or condition below water level, is not known.</p> <p>The Transport Assessment refers to the potential for the transportation of abnormal loads. The Trust would require details of any indivisible abnormal</p>		

Relevant Representation: RR-010		Respondent: Canal and River Trust
Ref	Comment from Relevant Representation	Applicant's Response
	<p>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 <a href="mailto:abnormal.loads@canalrivertrust.org.uk">abnormal.loads@canalrivertrust.org.uk</a>. 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 remains no indication that the proposed works require the closure of the Weaver Navigation in any phase of the Proposed Development as it falls outside the Order Limits.</p> <p>The Outline Construction Traffic Management Plan refers to traffic management throughout the works, and the Trust would seek clarification that mitigation measures and management of construction traffic would also apply to the Access Track, where applicable.</p>	
CRT4	<p><b>Design and Visual Impact</b></p> <p>The Trust welcome inclusion of viewpoints along the canal corridor within the LVIA, to act as proxies for boat users along the canal itself (Viewpoints 27-29), and that waterborne receptors have been included in the LVIA. The Trust concurs with the findings of the LVIA that intervening planting, topography and screening helps to reduce the impact on canal users and amenity of the corridor which is experienced at a lower level. Chapter 6 of the Environmental Statement reflects that the new grid connection to the SPEN Frodsham Substation, via overhead cables, supported on wooden poles of 10-12m in height, would not have an unacceptable visual impact given the context, and does not necessitate further changes to the design approach of the Proposed Development, with which the Trust concur. The Trust welcomes the mitigation outlined, during each phase, including the retention and protection of existing vegetation, minimising any adverse</p>	<p>The Applicant notes this comment.</p> <p>In relation to the Trust's comment that in relation to the final LEMP they would "<i>seek for this to continue to reflect the maintenance and enhancement of the planting along the canal corridor, particularly around canal-side vegetation and visual amenity</i>", the Applicant notes that neither the Weaver Navigation nor its bankside habitats are within the Order Limits. The Applicant therefore has no control now or in the future to maintain or enhance the planting along the canal corridor.</p>

Relevant Representation: RR-010		Respondent: Canal and River Trust
Ref	Comment from Relevant Representation	Applicant's Response
	<p>effects from construction lighting and the planting of additional trees and hedgerows in the interests of safeguarding the softer landscape character of and experience of the Weaver Navigation.</p> <p>The retention and enhanced management of existing vegetation, new planting and the long-term maintenance as outlined in the outline Landscape and Ecology Management Plan (OLEMP) are welcomed. A fully detailed Landscape and Ecology Management Plan will be developed in accordance with the OLEMP and the Trust would seek for this to continue to reflect the maintenance and enhancement of the planting along the canal corridor, particularly around canal-side vegetation and visual amenity.</p>	
CRT5	<p><b>Contamination and Ground Conditions</b></p> <p>In connection with works for foundation and excavation works for the SPEN Grid Connection, mitigation outlined in Construction Dust Assessment Plan should apply to the Access Track to SPEN Frodsham Substation.</p>	<p>The <b>Environmental Statement Volume 2 Appendix 4-2: Construction Dust Assessment (APP-055)</b> outlines the mitigation practices to be employed to minimise fugitive dust emissions. Table 7.1 specifies the recommended mitigation measures to be taken. Paragraph 7.2.4 confirms that the measures set out would apply to the individual work packages. This is further confirmed within Requirement 12 of the <b>draft DCO (as updated alongside this submission)</b> which secures the preparation of a dust management plan as part of the CEMP for each phase of the authorised development. This would include the use of the access track to SPEN Frodsham Substation in order to undertake the SPEN Grid Connection works.</p>
CRT6	<p><b>Water</b></p>	<p>The <b>outline Construction Environment Management Plan (as updated alongside this submission)</b> secures the requirement for the Applicant to produce both a Foundation Works Risk Assessment (FWRA) and a Piling Risk</p>

Relevant Representation: RR-010		Respondent: Canal and River Trust
Ref	Comment from Relevant Representation	Applicant's Response
	It should be clarified that the above documents (PRA, FWRA and OCEMP) should safeguard against potential impact of the foundation and excavation works for the trident poles for the SPEN connection.	<p>Assessment (PRA) based upon site investigations (both current and proposed) and where foundation works are needed.</p> <p>Requirement 12 of the <b>draft DCO (as updated alongside this submission)</b> secures the preparation of a CEMP for each phase of the authorised development. This would include the construction of the trident poles which form part of the SPEN Grid Connection works.</p>

Table 2-6: WSP on behalf of Liverpool Bay CCS Limited (RR-011)

Relevant Representation: RR-011		Respondent: WSP on behalf of Liverpool Bay CCS Limited
Ref	Comment from Relevant Representation	Applicant's Response
LB1	<p><b>Construction Sequencing and Programme</b></p> <p>LBCCS welcomes the Applicant's commitment to collaborate and engage in the drafting of a Statement of Common Ground, specifically on matters relating to the construction programme and environmental mitigation measures, as set out in the Commitments Register (Document Reference: APP-133) in Row C14. LBCCS further acknowledge that the Runcorn Spur Pipeline Proposed Development has been specifically considered as part of the proposed construction sequencing set out in Paragraph 4.1.56 of the Outline Construction Environmental Management Plan (OCEMP) (Document Reference: APP-136). LBCCS notes the Applicant's position within the OCEMP that:</p>	<p>The Applicant has set out its position in respect of how the Proposed Development and the Runcorn Spur Pipeline interact in its Summary of Oral Submissions at ISH1, Technical Note on Pipeline Interactions and the SoCG LBCCS submitted at Deadline 1.</p> <p>In summary, the Applicant remains committed to working with LBCCS to ensure that the two projects can be brought forward whilst also mitigating environmental impacts (including to Ecology).</p>



Relevant Representation: RR-011		Respondent: WSP on behalf of Liverpool Bay CCS Limited
Ref	Comment from Relevant Representation	Applicant's Response
	<p>"In respect of the Eni Runcorn carbon dioxide pipeline: construction of the Proposed Development in Cells 1, 2 and 5 would not occur simultaneously with construction of that pipeline within Cell 3. Furthermore, should both projects be undertaking construction in Cells 1, 2, and 5, these would be phased in order to avoid any potentially significant cumulative arising, for example, avoiding noisy activities from both projects being undertaken close to the boundary of the NBBMA at the same time."</p> <p>While LBCCS appreciates the consideration of the Runcorn Spur Pipeline Proposed Development in the OCEMP (Document Reference: APP-136) in regard to cumulative matters, concerns persist surrounding the construction timeline for the parts of the Frodsham Solar DCO being developed in Cells 1, 2, and 3.</p> <p>LBCCS has proactively engaged with the Applicant on this matter through the pre-application phase and conditionally consider the two schemes to be compatible with each other. During those discussions LBCCS and the Applicant agreed that the Runcorn Spur Pipeline Proposed Development works in Cells 1, 2 and 3 would be completed before the works as part of this DCO commenced. This approach has subsequently informed the planning applications submitted for the Runcorn Spur Pipeline Proposed Development. The Frodsham Solar DCO submission documentation indicates that these construction-related considerations have not been formally addressed by the Applicant.</p> <p>LBCCS considers it essential for the viability of the Runcorn Spur Pipeline Proposed Development that construction of the pipeline occurs prior to</p>	<p>This includes a commitment to the establishment of a Working Group in which LBCCS will be invited to become a member and that the Applicant's detailed CEMP must reflect what is agreed in that Working Group.</p> <p>The Applicant has advocated that it should be a condition of the Runcorn Spur Pipeline planning permission that LBCCS become a member of this group and that its detailed EMPs must reflect what is agreed in that Working Group.</p> <p>The Applicant does not consider it appropriate that the Proposed Development, a project that is a Critical National Priority in national policy, should be beholden to an assumption that LBCCS has made, that it will come before the Proposed Development, i.e. it should not be required to wait for the Runcorn Spur Pipeline project to come forward.</p> <p>LBCCS needs to consider the impacts of its project coming forward at the same time as, or after, the Proposed Development, and suggest mitigation measures accordingly – that is a realistic scenario, and a robust HRA and EIA of that project is only possible with those scenarios considered.</p> <p>In the absence of a DCO or any other form of consent for the Runcorn Spur Pipeline, the Applicant does not agree in principle to Protective Provisions (PPs) for the benefit of LBCCS.</p>

Relevant Representation: RR-011		Respondent: WSP on behalf of Liverpool Bay CCS Limited
Ref	Comment from Relevant Representation	Applicant's Response
	<p>commencement of the Non-Breeding Bird Mitigation Area works (NBBMA) (Works Number 6C) in Cell 3 and Works Numbers 1, 4B, 5, 6A, 7 and 8 taking place in Cells 1 and 2. Should they be constructed prior to the Runcorn Spur Pipeline Proposed Development, LBCCS' development would not be consistent with or immediately physically compatible with the affected Works Numbers. LBCCS regards this as a significant risk, hindering a project with strong national and local planning policy support.</p> <p>Given the above, LBCCS therefore object to the Frodsham Solar DCO unless assurances can be agreed between LBCCS and the Applicant that the construction of the Runcorn Spur Pipeline Proposed Development can take place sequentially with the construction of the key work areas of the Frodsham Solar DCO.</p> <p>LBCCS acknowledge that construction schedules are subject to change and iterate that other measures i.e. through an agreed DCO requirement could be employed to ensure the successful development of both projects.</p> <p><b>Protective Provisions</b></p> <p>LBCCS has and will continue to liaise with the Applicant to agree protective provisions in the Frodsham Solar Project DCO for the Runcorn Spur Pipeline Proposed Development. LBCCS has already communicated to the Applicant its desired points of agreement within the proposed protective provisions. These include matters concerning: erection of structures, utilities and services, planting restrictions, excavation and ground levels, pipeline</p>	<p>Furthermore, in the absence of a DCO, the Applicant has no opportunity to put in place reciprocal arrangements other than through an Agreement between the Parties.</p> <p>Many of the points that LBCCS is seeking to put into PPs are dependent on timing of the respective projects and would not be appropriate if the Runcorn Spur Pipeline were to come after the Proposed Development and the Applicant considers it is not appropriate for it having to obtain retrospective consent.</p> <p>The two projects need to be designed together, rather than restrictions being put in place now which unduly restrict the benefits of either scheme.</p>

Relevant Representation: RR-011		Respondent: WSP on behalf of Liverpool Bay CCS Limited
Ref	Comment from Relevant Representation	Applicant's Response
	<p>protection, blasting works, surfacing and construction works and vehicle access.</p> <p><b>Minor Inconsistencies</b></p> <p>LBCCS would like to draw attention to inconsistencies in the Applicant's DCO documents relating to how the route and the stage of the Runcorn Spur Pipeline Proposed Development are described. LBCCS would be happy to engage with the Applicant regarding this matter to describe the identified inconsistencies.</p>	

Table 2-7: SP Energy Networks plc (RR-018)

Relevant Representation: RR-018		Respondent: SP Energy Networks plc
Ref	Comment from Relevant Representation	Applicant's Response
SPEN1	SPEN seek to reach agreement with the Applicant in respect of the form of Protective Provisions.	The Applicant has been seeking clarity from SPEN as to whether any changes are required to the Protective Provisions already included in the DCO (and which are based on those with the Hynet carbon pipeline), but has not yet received a response.
SPEN2	SPEN wish to ensure that there is a construction management plan to manage impacts to utilities.	The Applicant notes that the detailed CEMP will take account of utilities. Paragraph 2.4.6 of the Outline Construction Environmental Management Plan (as updated alongside this submission) confirms that the Applicant would liaise with utility companies to implement necessary safeguarding measures.

Relevant Representation: RR-018		Respondent: SP Energy Networks plc
Ref	Comment from Relevant Representation	Applicant's Response
		In any event, SPEN will be able to consider all details of how works will be carried out in and around its assets pursuant to its approvals under the Protective Provisions.
SPEN3	SPEN request more information in relation to the interaction between the Proposed Development and its assets.	The Applicant has been liaising with SPEN to clarify and then provide the information it wishes to see.
SPEN4	SPEN request confirmation that the Proposed Development's mitigation proposals will not impact upon SPEN's assets.	The Applicant notes that section 4.4 of the Outline Landscape and Ecology Management Plan (as updated alongside this submission) identifies the utilities that cross the site and establishes the easements in place, to ensure that landscaping and ecological mitigation are designed and implemented cognisant of the utility assets on the Site.

**Table 2-8: CMS Cameron McKenna Nabarro Olswang LLP on behalf of Cadent Gas Limited (RR-020)**

Relevant Representation: RR-020		Respondent: CMS Cameron McKenna Nabarro Olswang LLP on behalf of Cadent Gas Limited
Ref	Comment from Relevant Representation	Applicant's Response
CG1	Cadent seek to reach agreement with the Applicant in respect of the form of Protective Provisions in respect of its existing assets (and as part of those discussions, more information in relation to the interaction with Cadent assets).	The Applicant has had positive discussions in respect of the Protective Provisions, and a number of changes were made to reflect this progress at Procedural Deadline B. Only a small number of commercial related matters remain to be resolved, and the parties are endeavouring to resolve these as soon as possible within the New Year.

Relevant Representation: RR-020		Respondent: CMS Cameron McKenna Nabarro Olswang LLP on behalf of Cadent Gas Limited
Ref	Comment from Relevant Representation	Applicant's Response
CG2	Cadent seek to reach agreement with the Applicant in respect of protections for the Hynet Hydrogen Pipeline Project.	Relevant measures to ensure co-ordination between the parties have now been put in place within the Outline Construction Environmental Plan and are agreed.
CG4	Cadent seek confirmation that there is sufficient room to divert their assets if this is required.	The Applicant can confirm that there is sufficient room in the Order limits to divert Cadent assets on the basis that the design has allowed for the pipeline easements associated with the Cadent assets.

**Table 2-9: National Grid Electricity Transmission plc (RR-021)**

Relevant Representation: RR-021		Respondent: National Grid Electricity Transmission plc
Ref	Comment from Relevant Representation	Applicant's Response
NGET1	NGET seek to reach agreement with the Applicant in respect of the form of Protective Provisions and requests information as to how the interaction with other projects and the effects on NGET's apparatus and access to Frodsham Substation will be managed.	<p>NGET will be able to consider the impacts to access to Frodsham Substation and its assets via the protections in the Protective Provisions.</p> <p>The Applicant has received and responded to suggested amendments proposed by NGET to the Protective Provisions contained within the draft DCO and as at Deadline 1, is awaiting a further response.</p> <p>The Applicant considers that none of the points raised by NGET are insurmountable, and agreement should be able to be reached prior to the end of Examination.</p>

**Table 2-10: Mills & Reeve LLP on behalf of National Gas Transmission Plc (RR-032)**

Relevant Representation: RR-032		Respondent: Mills & Reeve LLP on behalf of National Gas Transmission Plc
Ref	Comment from Relevant Representation	Applicant's Response
NGT1	NGT seek to reach agreement with the Applicant in respect of the form of Protective Provisions.	Agreement has been reached with NGT on the form of Protective Provisions to be included in the DCO, and with the final revisions made in the DCO submitted at Deadline 1, it is understood that NGT should be able to withdraw its objection to the Proposed Development.

**Table 2-11: Osborne Clarke LLP on behalf of Frodsham Wind Farm Limited (RR-047)**

Relevant Representation: RR-047		Respondent: Osborne Clarke LLP on behalf of Frodsham Wind Farm Limited
Ref	Comment from Relevant Representation	Applicant's Response
FWF1	Frodsham Wind Farm Limited seek to reach agreement with the Applicant in respect of Protective Provisions and associated Side Agreement/Asset Protection Agreement.	The Applicant has been in extensive negotiations with Frodsham Wind Farm Limited on the Protective Provisions and associated Side Agreement and good progress has been made. The Applicant will keep the ExA updated on progress with these negotiations.

