



# **Frodsham Solar**

## **Statement of Common Ground with National Highways**

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**December 2025**



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**Revision P01**

# Document Control

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## 1.0 INTRODUCTION

### 1.1 Purpose of this Document

1.1.1 This is a Statement of Common Ground ('SoCG') made between the following parties:

***Frodsham Solar Ltd (hereafter referred to as 'the Applicant')***

**and**

***National Highways (NH)***

1.1.2 The purpose of this SoCG is to identify areas of agreement and, where appropriate, disagreement, between the parties in respect of the Frodsham Solar development (the 'Proposed Development'). The SoCG clearly sets out the progress being made on unresolved issues between the Applicant and NH. Where matters are yet to be agreed, the parties will continue to work proactively to reach consensus.

1.1.3 The SoCG will be updated as more information becomes available and as a result of ongoing discussions between the Applicant and NH, and updates will be provided to the Examining Authority (ExA) at subsequent examination deadlines.

### 1.2 The Proposed Development

1.2.1 The Proposed Development comprises a new solar energy generating station and an associated on-site Battery Energy Storage System (BESS) on land at Frodsham Marsh, Frodsham, Cheshire West and Chester ('the Site'). The Proposed Development also includes the associated infrastructure for connection to the local electricity distribution network, as well as a private wire electricity connection that would enable local businesses to utilise the renewable energy generated by the Proposed Development.

1.2.2 The current design for the Proposed Development would enable the generation of approximately 147 megawatts (MW) of electricity<sup>1</sup>, as well as the storage of approximately 100 MW of electricity in a BESS. The precise generating capacity and

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

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storage capacity will be subject to detailed design, but it should be noted that at present the grid connection offer from the District Network Operator (DNO) is for 100 MW export and 50 MW import. As noted above, the Proposed Development would also be capable of exporting electricity directly to local businesses.

1.2.3 Subject to obtaining the necessary consents, construction is anticipated to commence in January 2028 and be completed in mid to late 2030. The Proposed Development comprises a temporary development with an operational phase of up to 40 years. Decommissioning activities would therefore commence in 2070, 40 years after final commissioning.

1.2.4 The Proposed Development has been divided into the following Work Packages, or 'Works' as follows:

- i) Work No. 1 – a ground mounted solar photovoltaic generating station;
- ii) Work No. 2 – a Battery Energy Storage System (BESS);
- iii) Work No. 3 – an on-site substation (Frodsham Solar Substation);
- iv) Work No. 4a – an electrical connection from Frodsham Solar Substation (Work No. 3) to Frodsham SPEN Substation including
- v) Work No 4b - a direct private wire connection from Frodsham Solar Substation (Work No. 3) to nearby businesses;
- vi) Work No. 5 - works including electrical cables and communication cables connecting Work No. 1 to Work No. 3; Work No. 1 to Work No. 2; and, Work No. 2 to Work No. 3;
- vii) Work No. 6a - works to create, enhance and maintain green infrastructure;
- viii) Work No. 6b - works to create skylark plots to provide skylark foraging habitat;
- ix) Work No. 6c – the creation and management of a Non Breeding Bird Mitigation Area.;
- x) Work No. 7 - construction and decommissioning compounds; and
- xi) Work No. 8 – works for the improvement, maintenance, repair and use of existing streets, private tracks, public rights of way and access roads.

1.2.5 There are a number of distinct development areas within the Site as follows:

- i) The Solar Array Development Area (SADA) that would include solar photovoltaic (PV) modules and support frames, internal access tracks, cabling, inverters,

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transformers, the solar array substation (known as the ‘Frodsham Solar Substation) and the BESS;

- ii) Main Site Access route;
- iii) SPEN Grid Connection linking Frodsham Solar Substation to the SP Energy Networks (SPEN) Frodsham Substation
- iv) SPEN / National Grid Substation and access to the substation compound
- v) Private Wire Connection to local businesses
- vi) Non Breeding Bird Mitigation Area (NBBMA)
- vii) Skylark Mitigation Area

1.2.6 These areas are illustrated on **ES Vol 3 Figure 1-2: Proposed Development Areas, Environmental Statement: Volume 3 Chapter 1 Figures (APP-105)**.

1.2.7 A more detailed description of the Proposed Development is provided within **Environmental Statement: Volume 1 Chapter 2: The Proposed Development (APP-035)**.

### 1.3 The Site

1.3.1 The Site is located approximately 500 m to the north of the centre of Frodsham Town Centre within the administrative areas of Cheshire West and Chester Council (CWaCC), which is the Local Planning Authority (LPA).

1.3.2 The Site is approximately centred on National Grid Reference (NGR) 351000E, 378500N and is located approximately 500 m to the north Frodsham Town Centre at its nearest point.

1.3.3 The Site comprises a single red line boundary that covers all land expected to be included within the Proposed Development, which in total is approximately 337.5 ha. The Solar Array Development Area covers an area of approximately 246 ha, and would be located at the eastern extent of Frodsham and Helsby Marsh, an area of land between the Mersey Estuary and the M56. The northern boundary of the Solar Array Development Area is formed by the River Weaver and the former INEOS Inovyn Dredging Deposit Ground, the north-west boundary by the Manchester Ship Canal, with the Mersey Estuary lying beyond. The western boundary of the Solar Array Development Area is formed by two of the former Manchester Ship Canal Dredging Deposit Ground Cells; Cell 3 and Cell 6. Cell 3 forms part of the NBBMA.

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

- 1.3.4 The Main Site Access is from the west, leading from Pool Lane roundabout. Vehicles accessing the Site would turn onto Grinsome Road (a private road) from Pool Lane roundabout and travel east towards Protos<sup>2</sup> for approximately 1.5 km, routing north at Grinsome Road Roundabout, along Road 1 of Protos. Vehicles would then turn east along Marsh Lane which provides access to Frodsham Wind Farm. The Frodsham Wind Farm access tracks provide access to the Solar Array Development Area. There would be no access to the Site from Frodsham during construction, operation or decommissioning, other than for emergency vehicles, and access to the potential new public car parking area on Moorditch Lane, via Brook Furlong.
- 1.3.5 The Manchester Ship Canal forms the northern boundary of the Site and is separated from the Mersey Estuary by Frodsham Score, a 100-200 m wide strip of low-lying marshland. The Mersey Estuary and Frodsham Score are designated as a Special Protection Area (SPA), SSSI and Ramsar site. The SSSI also covers a strip of land approximately 100m wide on the southern side of the Manchester Ship Canal, the eastern 500m of which lies within the Site. The Solar Array Development Area is also designated as a Local Wildlife Site (Frodsham, Helsby and Ince Marshes Local Wildlife Site) and as Green Belt.
- 1.3.6 Neither the Site nor the immediate surrounding area is covered by any statutory landscape designations, e.g. National Parks or National Landscapes (formally referred to as Areas of Outstanding Natural Beauty (AONB)). There are no designated heritage assets within the Site.
- 1.3.7 The eastern half of the Site lies within Flood Zone 3a, which benefits from flood defences along the River Weaver. The Manchester Ship Canal Dredging Deposit Ground Cells in the western half of the Site are raised and so lie within Flood Zone 1.

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

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1.3.8 A detailed description of the Site is provided in **Environmental Statement: Volume 1 Chapter 1: Introduction (APP-034)**.

#### **1.4 Status of the SoCG**

1.4.1 This SoCG is a 'live' document that will be updated and amended as the project progresses. It identifies the matters relating to the Proposed Development that have been agreed between the parties, the matters under discussion, together with other matters not agreed. It is intended that it will be finalised and signed by the Applicant and NH as requested by the Examining Authority during the Examination of the submitted application.

1.4.2 A signing sheet between the Applicant and NH is provided at Appendix A.

### **2.0 ROLE OF NATIONAL HIGHWAYS IN DCO PROCESS AND SUMMARY OF CONSULTATION**

#### **2.1 Role of National Highways**

2.1.1 NH is the strategic highways authority and is a statutory consultee as prescribed under Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).

2.1.2 NH is responsible for the maintenance and operation of the strategic highways network, with the nearest part of this to the Proposed Development being the M56 and the bridges which cross over it.

#### **2.2 Summary of Consultation and Engagement Undertaken**

2.2.1 The Applicant consulted with National Highways during the pre-application process in respect of the development of its assessments of the impacts of the Proposed Development traffic flows to the strategic road network. It has also undertaken extensive engagement with NH to seek to deal with the concerns it has raised in its Relevant Representation, including Teams meetings and email exchanges to try and reach an agreed position.

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### 3.0 MATTERS OF AGREEMENT

3.1.1 Following on from that engagement and consultation, the following matters are agreed:

- the Applicant's approach to the Transport Assessment [APP-134];
- the conclusions of the ES/TA in respect of the impacts of the Proposed Development alone;
- the Applicant's conclusions in respect of the operational period;
- the Applicant's conclusions in respect of the decommissioning period;
- that the Applicant will engage with NH on Abnormal Movement Loads;
- the Applicant's conclusions in respect of Glint and Glare to users of the M56;
- the content of the CTMP (accounting for the change to be made by the Applicant at Deadline 1 to paragraph 7.1.4 that National Highways, as well as CWaCC, can invite other development promoters to the working group proposed by that plan; and
- all DCO Requirements, save for those that are referred to in Section 4: Matters under Discussion below.

### 4.0 MATTERS UNDER DISCUSSION

4.1.1 At this juncture in this SoCG the Applicant has set out in the table below the progress that has been made on matters that are under discussion, based on the themes in NH's Relevant Representation. This SoCG does not seek to set out the detail of parties' position on these matters – the detail of this is set out in NH's Relevant Representation and the Applicant's response to it in PD2-027 and will be set out in the Summaries of the Parties' Oral Submissions at ISH1.

4.1.2 In respect of the matters that are under discussion, the table below sets out an update of where the parties are at in respect of discussions on the points in question to show that progress has been made.

4.1.3 Where a matter is not represented in the table, it should be assumed that it is either:  
(i) agreed between the parties and has never required detailed discussion; or, (ii) not relevant to the discussion between the parties.

MATTER UNDER DISCUSSION	PROGRESS UPDATE
Cumulative traffic impacts during the construction stage	NH are finalising a note reflecting their updated position on cumulative traffic impacts for the Applicant to consider.
Interaction of the Proposed Development with Weaver Lane bridge and the implications of this for the drafting of the DCO	The Applicant has undertaken a measurement of the parapet on this bridge and has acknowledged that it is not as high as NH standards require. Following discussion with NH as to whether or not potential alternative options could be feasible, the Applicant has determined that it will no longer bring forward proposals to convert usage of this bridge to a bridleway. At Deadline 2 the Applicant will therefore update the DCO and associated documentation to upgrade Weaver Lane to a cycle track instead (i.e. not for horse riders). The Applicant will work with NH prior to that deadline to confirm that this revised proposal is acceptable to them without works being required to the bridge.
Interaction of the Proposed Development with Brooks Furlong bridge and the implications of this for the drafting of the DCO	The Applicant has asked NH a number of questions about their history of dealing with this bridge and the current vehicular uses that take place upon it. Discussions will continue on this point once responses are received.

Whether NH should be added as a consultee to Requirements 6, 7 and 15	NH's consultee role has been discussed between the Parties, and in respect of NH's requests in its Relevant Representations, the Applicant has either made the change to the DCO, or NH has accepted the Applicant's reasoning for why it has not added NH.  NH is still considering the Applicant's provided reasoning for Requirements 6, 7 and 15.
Ensuring there are sufficient protections for NH's existing rights where they may need to co-exist with rights required for the Proposed Development	The Parties are confident that a solution to this matter can be found through drafting in the Book of Reference – this will be sought to be finalised early in the New Year.
NH being content with the scope of what is proposed under Work No. 6A	The Parties intend to discuss this matter early in the New Year.
Scope of NH's Protective Provisions including the interaction with the articles in Part 3 of the DCO and Work No. 8 in Schedule 1.	Progress on these matters is related to the position on Weaver Lane bridge and Brooks Furlong bridge and National Highways undertaking a detailed review of the changes made at Procedural Deadline B.
Whether article 46(4) should be amended to not apply to NH's Protective Provisions	

## Appendix A - Agreement

### FRODSHAM SOLAR LTD:

Name: Mark Flaherty

Signature: \_\_\_\_\_

Position: Development Manager

On behalf of: Frodsham Solar Ltd

Date: \_\_\_\_\_

### NATIONAL HIGHWAYS:

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Position: \_\_\_\_\_

On behalf of: National Highways

Date: \_\_\_\_\_

