

I am the chair of the Mersey Estuary Conservation Group, a charity whose aim is to promote the conservation of the estuary and its surroundings. However, the comments do not reflect the views of all members, as I have not had time to consult them over the Christmas holidays. This includes the Frodsham & District Wildfowlers Club Ltd. They have said that to pass comment would be a conflict of interest for them. I also coordinate the monthly Wetland Bird Surveys Wetland Bird Survey (WeBS) for the Mersey Estuary and have been counting birds on the estuary since 1994. So, these comments, while cognisant of the objectives of the MECG, are largely from my knowledge as the WeBS co-ordinator. The area of the proposed solar farm includes within it two of the count areas of the Mersey Estuary area Frodsham Sludge Lagoons and Weston Marsh (this name is a bit misleading). I am surprised that this WeBS data has not been made use of and where it does appear in table 8-10 of the APP-041 6.1 Environmental Statement: Volume 1 Chapter 8: Ornithology it is not clear over what period that data covers and is significantly different to the data I will present.

I have answered the questions directed to the MECG in the enclosed document. I have also added my response to question 8.0.3 ES Conclusions as I think my data and views are important in this context.

Dermot Smith

18th January 2026

**Response to PINS Frodsham Solar
January 2026
FBF5AC63D**

I am the chair of the Mersey Estuary Conservation Group, a charity whose aim is to promote the conservation of the estuary and its surroundings. However, the comments do not reflect the views of all members, as I have not had time to consult them over the Christmas holidays. This includes the Frodsham & District Wildfowlers Club Ltd. They have said that to pass comment would be a conflict of interest for them. I also coordinate the monthly Wetland Bird Surveys [Wetland Bird Survey \(WeBS\) | BTO](#) for the Mersey Estuary and have been counting birds on the estuary since 1994. So, these comments, while cognisant of the objectives of the MECG, are largely from my knowledge as the WeBS co-ordinator. The area of the proposed solar farm includes within it two of the count areas of the Mersey Estuary area Frodsham Sludge Lagoons and Weston Marsh (this name is a bit misleading). I am surprised that this data has not been made use of and where it does appear in table 8-10 of the APP-041 6.1 Environmental Statement: Volume 1 Chapter 8: Ornithology it is not clear over what period that data covers and is significantly different to the data I will present.

Dermot Smith

15th January 2026

Q4.4.2 NBBMA

Are you satisfied with:

- i) The applicant's Cleeve Hill Solar Park mitigation method to calculate the amount of NBBMA required to accommodate the types of non-breeding bird utilising the OL
- ii) The relevant representation response (reference CWACC7.51 [[PD2-027](#)]) that the NBBMA would provide adequate mitigation

I am not familiar with the Cleeve Hill Solar Park mitigation measure method so cannot comment on that

However, I am not satisfied with the response to CWACC7.51. The solar farm on the site of the Manchester Ship Canal Dredging Lagoons includes areas important to birds that move between the Mersey Estuary Special Protection Area and dredging lagoon cells or cells. The cells are numbered 1 to 5 and solar farm is proposed on cells 1, 2 and 5 with cell 3 proposed as a mitigation area.

Since 2012 there has been comprehensive coverage of these cells by Wetland Bird Survey (WeBS) surveyors. The WeBS data covers all 5 cells. However, while all the cells except 4 are good for waders, cells 2 and 3 are particularly good for Lapwing, Golden Plover, Ruff and Curlew. The table below shows the average annual maximum since 2012, and the most recent average annual maximum for the last 5 years. It also shows the maximum number recorded since 2012 and in the last 5 years.

The table also shows that for Lapwing and Golden Plover 42 and 44% of the birds using the Mersey estuary are using Frodsham. The applicant's data (Table 8-12 to 16 in the APP-041 6.1 Environmental Statement: Volume 1 Chapter 8: Ornithology) rather underestimates the importance of these cells when compared to WeBS data. The birds are not evenly distributed and in the last 5 years no 6 cell has not been very suitable for Lapwing, golden plover and curlew. We have recorded an average of almost 2,000 Lapwing and 900 Golden Plover using the area. Most of these are within the applicant's boundary. So, while the figures below include no 6 cell the vast majority of the birds are using cells 1, 2 and 3. The

applicant's data referred to above does shows that most of the birds are using cells 2 and 3 with cell 1 being less used. Our observations as WeBS counters agrees with that. Their data also shows that while the largest cell, no 3, holds the largest number of birds. However, cell 2 hold does a significant number and given its size may be of equal importance. Cells no 1 and 5 are much less important.

It is a similar story for Curlew, however, the table below shows that Curlew is far less dependent on Frodsham than Golden plover and Lapwing with only 12% of the Mersey Estuary birds using Frodsham. However, this species is recoded in nationally significant numbers on the Mersey.

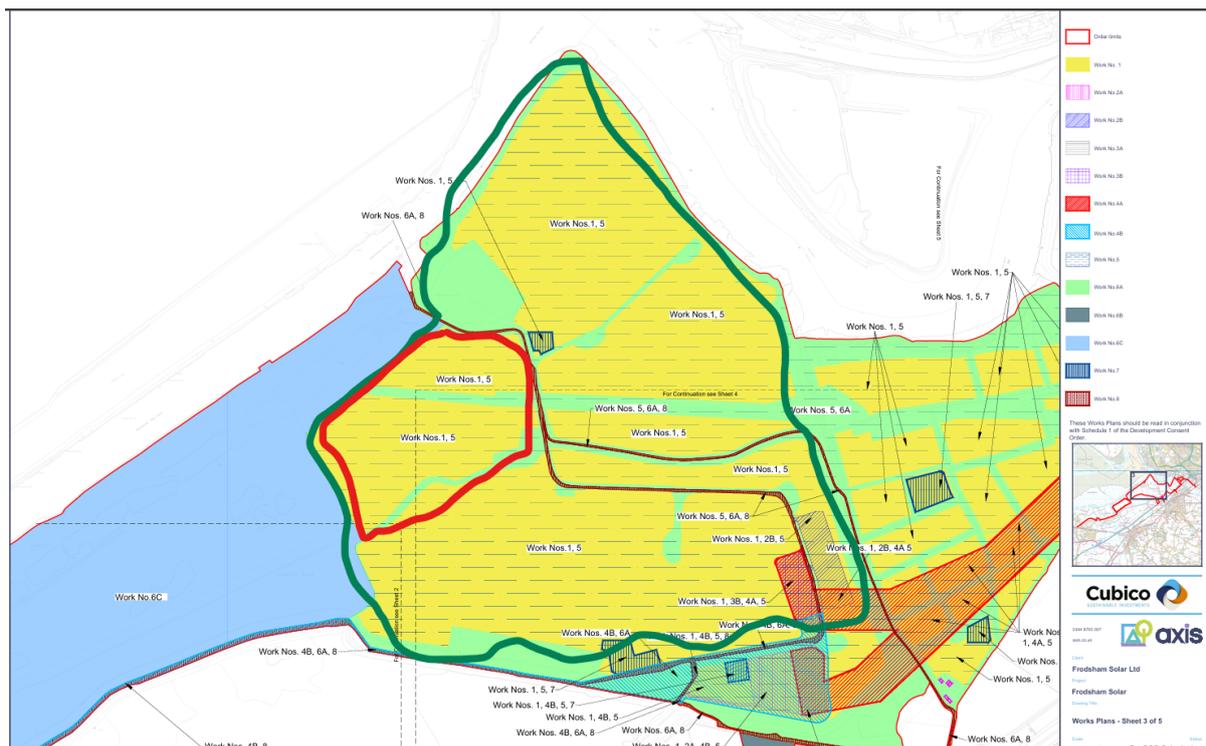
Species	Average Max since 2012	Max since 2012	Average max last 5 years (2021-25)	Max since 2021	National impt threshold	Mersey 5 year av. (2021-25)	% using Frodsham
Lapwing	1,527	3,000	1,959	3,000	6,200	4,702	42%
Golden Plover	786	1,400	921	1,400	4,000	2,097	44%
Curlew	187	500	155	322	1,200	1,343	12%
Ruff	19	130	15	24	9	18	84%

The orange column shows the nationally important threshold for each species and this shows that for Ruff the Frodsham area on its own is nationally important. This has not been identified by the applicant. The birds are not evenly distributed and the highest numbers of Ruff are usually counted in no 6 cell (not within the application area), however, these birds also use the other cells and are mixed with the feeding lapwing and golden plover and so the solar could have a significant affect on a species for which the area is nationally important.

The above data shows that the area is important for Lapwing, Golden Plover, Curlew and Ruff and the cell 2 is of particular importance. Therefore, I believe that putting solar panels on no 2 cell will have a significant impact on the birds using the area and that for lapwing, golden plover and Ruff this will have a significant impact on the birds using the Mersey Estuary Special Protection Area.

These are mobile species and prone to disturbance from raptors, foxes and people and their dogs. Currently there are large areas where they can fly to when disturbed. The proposal means that there will be a considerable reduction in the area available to these birds to disperse to when disturbed. The increase in habitat quality of cell 3 cannot make up for this reduction in overall space.

I am therefore proposing that the Non-Breeding Bird Mitigation area on cell 3 is extended to include all of cell 2. I do not think that extensive and expensive habitat creation works would be needed on cell 2, though that would be nice, as it is its current state that supports good flocks of golden plover and lapwing. The plan below shows the area of the grasslands that will be occupied by the solar farm. While much of this is only occasionally used by waders the area I have highlighted in red, cell 2, is particularly important. Even including for the improved habitat on no 3 cell I feel the reduction in total area will not be made up for in the improved habitat quality as these birds require extensive areas of open grassland. I am therefore asking for the no 2 cell, area outlined in red, to be taken out of the solar farm development and be used as part of the mitigation area.



Q4.5.1 Environmental Statement conclusions for terrestrial ecology

Are you content with the applicant's assessment in its Terrestrial Ecology Chapter 7 (Vol 1) [APP-040] that there would be no residual significant effects as a consequence of the proposed development? If you disagree with the applicant's assessment, please provide justification and relevant evidence to support your position.

I have not had time to examine this in enough detail to comment

Q4.5.4 Impacts on Local Wildlife Site (LWS)

Can you advise if you agree with the applicant's assessment that although there would be significant temporary adverse effects on Frodsham, Helsby and Ince Marshes LWS during the construction phase, and that there would be significant positive effects in the medium-long term? If you disagree with the applicant's assessment, please provide justification and evidence to substantiate your position

As outlined in my response to 4.4.2 I think the impact on overwintering birds (Golden Plover, Lapwing, Curlew and Ruff) has been underestimated. I do not think the mitigation area is big enough to accommodate the birds that use the whole area and that the increase in quality does not mitigate the loss of overall space. However, including cell 2 in the mitigation area may mitigate that effect.

Q4.5.6 If any party believes the applicant's significance of effects conclusion omitted any qualifying features associated with Frodsham, Helsby and Ince Marshes LWS, please provide justification and evidence to substantiate your position

I have not had time to consider this

Q4.5.7 Noise assessment

Are you satisfied with the applicant's noise assessment and that there would be no significant effect on any species? If you disagree with the applicant's assessment, please provide justification and relevant evidence to support your position.

Yes

Q4.6.3 NPS EN-1

Are you satisfied that the proposed development meets the following paragraph in NPS EN-1:

paragraph 4.6.15 Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project.

If no, please provide justification and relevant evidence to support your position.

Yes

NPS EN-1

Are you satisfied that the proposed development meets the following paragraph in NPS EN-1:

5.4.22 The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure.

It has considered this aspect, however, the reduction in current size means that bird species do not have enough alternative places to rest and feed if disturbed from the mitigation area. See my response to question 4.4.2

Although this question is not directed to me, I would like to provide an answer to this

Q8.0.3 ES conclusions

Q8.0.3 Are you content with the applicant's assessment that there would be no residual significant effects as a consequence of the proposed development? If you disagree with the applicant's assessment, please provide justification and relevant evidence to support your position.

The answer is no. The application does not acknowledge the significant effect on non-breeding populations of Lapwing Golden Plover, Curlew and Ruff. This could have been done easily with some interpretation of the WeBS data that provide 13 years of good quality data. The Frodsham deposits grounds are clearly functionally linked to the Mersey Estuary SPA and these species move freely between the Mersey Estuary Saltmarsh and the Frodsham grasslands.

The provision of cell 3 as a mitigation area is good. However as outlined in my answer to question 4.4.2 the area is not big enough and should be extended to include cell 2.

Further to this cell 3 is already the mitigation area for the wind farm development. So, if they are replacing the mitigation for a previous development, have they assessed the impact of the wind farm to ensure that the "new" mitigation mitigates the effect of both developments?

The wind farm mitigation may not have been well designed or managed. However, why should the mitigation for this development be re-used as mitigation for the solar farm?

Shouldn't the developer of the wind farm be responsible for ensuring that it is successful? And the applicant for the solar farm should be creating mitigation in a different place that mitigates the effect of losing large areas of important grassland.

This also makes one ask what confidence we have in the ability of this proposal to be successful?

The whole area is important for the species mentioned earlier and the areas under the solar panels will become completely unsuitable for these species once the panels have been installed. Given the evidence presented in answer to question 4.4.2 I don't think the mitigation area will mitigate all the effects. This is because these species already use the area and there is a limit to how many more birds it can accommodate even with improved habitat quality. A better balance would be to increase the size of the mitigation area to include cell No. 2.

The impact on the fields down by the Weaver Bend (known as Weston Marshes WeBS site) I think is also underestimated.. 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. Erection of solar panels in this area will have a significant impact on these species, in particular breeding waders making it totally unsuitable for them. This area is relict landscape of how the Weaver valley once was. Solar panels will completely change that character and affect its ecology.