

Our Ref: EN010153/DR/8.27

28 January 2026

Case Manager
Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PM

FAO: FrodshamSolarFarm@planninginspectorate.gov.uk

Application Reference: EN010153

Applicant Cover Letter for Examination Deadline 3

I write on behalf of Frodsham Solar Ltd (the “Applicant”) in response to the Examining Authority’s (ExA’s) letter dated 16 December 2025 (‘Rule 8 letter’) in respect of Examination Deadline 3. This letter sets out the submissions made by the Applicant for Deadline 3.

New Submission Documents

The table below sets out the new documents submitted by the Applicant for Deadline 3, further to the Rule 8 Letter and its Deadline 2 and 3 submissions.

New Submission Document and Applicant’s Document Reference
Applicant Response to Written Representations <i>[EN010153/DR/8.28]</i>
Applicant Response to Local Impact Report <i>[EN010153/DR/8.29]</i>
Applicant Response to Interested Party ExAQ1 Submissions <i>[EN010153/DR/8.30]</i>
Applicant Comments on Interested Parties’ ISH1 Summaries of Oral Representations <i>[EN010153/DR/8.31]</i>
Outline Non-Breeding Bird Mitigation Strategy (Previously included as Appendix B of the outline Landscape and Ecology Management Plan - REP1-028) (Clean and tracked versions provided) <i>[EN010153/DR/8.32]</i>
Outline Drainage Strategy (Previously included as Section 11 and Appendix N, O and P of ES Vol 2 Appendix 9-1: Flood Risk Assessment and Drainage Strategy – AS-019, AS-021, AS-023, AS-025, AS-027) <i>[EN010153/DR/8.33]</i>
Design Principles (Previously included as Appendix A of Design Approach Document – APP-130) <i>[EN010153/DR/8.34]</i>

Updated Application and Examination Documents

The table below sets out the updated documents submitted by the Applicant. These have all been submitted pursuant to the Applicant's Deadline 3 submissions.

Updated Document
Application Document Tracker P06 [EN010153/DR/1.5]
Draft Development Consent Order (clean and tracked versions provided) P05 [EN010153/DR/3.1]
Explanatory Memorandum (clean and tracked versions provided) P04 [EN010153/DR/3.2]
Information to Inform Habitats Regulations Assessment (clean and tracked versions provided) P04 [EN010153/DR/5.3]
ES Vol 2 Appendix 2-3: Permitted Preliminary Works P03 (clean and tracked versions provided) [EN010153/DR/6.2]
ES Volume 2 Appendix 9-2: Water Directive Framework Assessment (clean and tracked versions provided) P02 [EN010153/DR/6.2]
Design Parameters Statement P03 (clean and tracked versions provided) [EN010153/DR/7.1]
Commitments Register P04 (clean and tracked versions provided) [EN010153/DR/7.2]
Outline Construction Traffic Management Plan P04 (clean and tracked versions provided) [EN010153/DR/7.4]
Outline Construction Environmental Management Plan P04 (clean and tracked versions provided) [EN010153/DR/7.5]
Outline Operational Environmental Management Plan P04 (clean and tracked versions provided) [EN010153/DR/7.6]
Outline Decommissioning Environmental Management Plan P04 (clean and tracked versions provided) [EN010153/DR/7.7]
Outline Battery Safety Management Plan P04 (clean and tracked versions provided) [EN010153/DR/7.8]
Outline Public Rights of Way Management Plan P03 (clean and tracked versions provided) [EN010153/DR/7.9]
Outline Landscape and Ecology Management Plan P04 (clean and tracked versions provided) [EN010153/DR/7.13]
Draft Development Consent Order - Schedule of Changes P03 [EN010153/DR/8.8]
Draft Statement of Common Ground with Natural England P02 [EN010153/DR/8.4]
Draft Statement of Common Ground with Environment Agency P02 [EN010153/DR/8.17]

Matters Referred to in Annex E of the Rule 6 Letter

In respect of the matters referred to in Annex E of the Rule 6 Letter, the Applicant can update as follows:

- there is no cause to update the Book of Reference and Land and Crown Land Plans at Deadline 3, and as a result no associated tracker to set out the changes made;

- in respect of SoCGs:
 - as previously noted, no SoCG is being taken forward with Cadent in respect of the Hynet hydrogen pipeline;
 - in respect of the SoCG with Eni, since Deadline 1 a helpful meeting has been had between the parties, but no updates to the previously submitted SoCG have arisen;
 - in respect of the SoCG with National Highways, the Applicant is awaiting responses from National Highways as to queries it has raised in respect of their position, and as such no update to the SoCG can yet to be made;
 - in respect of the SoCG with Natural England and Environment Agency, the SoCGs have been updated to reflect the positions set out by the two organisations in their Deadline 1 and Deadline 2 submissions, as well as the updates provided in the examination documents by the Applicant. The Applicant has provided track change versions only of the SoCGs to show the progress since the previous revision. These documents have not been shared with Natural England and the Environment Agency, but meetings have been held with both organisations to advise them of this approach. The Applicant will seek to provide a jointly reviewed and agreed updated SoCG for Deadline 4.; and
 - in respect of the SoCG with CWaCC, no comments have yet been received on the draft previously submitted by the Applicant and so no update can yet be made. However, the Applicant has discussed the intention to hold a meeting on the SoCG to review outstanding points that are not currently agreed prior to ISH3.

The Applicant will work with the above parties to seek to update the SoCGs as soon as possible, and where possible, in good time prior to the next set of Hearings. The Applicant has not provided an updated Statement of Commonality at this deadline but intends to provide this at Deadline 4; and

- in respect of the Land and Rights Negotiations Tracker and the Statutory Undertakers Tracker, no update is submitted for Deadline 3 as discussions with the parties are continuing. The Applicant can confirm that since the Hearings, it has had progress causing email discussions with Cadent, United Utilities, SPEN, Frodsham Wind Farm, Essar and NGET (the latter of which also included a meeting). The Applicant will update these trackers as soon as there are meaningful updates to be given.

Without Prejudice Derogation Submission

Annex A of the Rule 8 letter states that a Habitats Regulations without prejudice derogation submission should be provided at Deadline 3, if required. Natural England has confirmed, in its response to the Examining Authority's Written Question Q5.1.3 [REP2-009], that it agrees with the Applicant's conclusions regarding likely significant effects and that there would be no Adverse Effect on the Integrity of the Mersey Estuary SPA and Ramsar site (AEoSI).

While Natural England has requested some additional information, much of which is contained within the updated Information to Inform the Habitats Regulations Assessment submitted at Deadline 3, the Applicant does not consider that a without prejudice derogation submission is necessary.

ISH1 Responses by Interested Parties

The Applicant has provided an *Applicants' Comments on Interested Party ISH1 Summaries of Oral Representations [EN010153/DR/8.31]* document with this submission. It is noted that this only covers a limited number of comments on the Council's summary of oral representations. Having reviewed the other submitted summaries from other Interested Parties, the Applicant is satisfied that any matters warranting a response were also raised within the Interested Parties' Written Representations and have been responded to accordingly in the Applicant's responses to those Written Representations.

Comments On Deadline 2 Submissions

The Applicant has submitted the *Applicant's Comments on Interested Party ExQ1 Submissions [EN010153/DR/8.30]*, which addresses all responses with the exception of those relating to ecological matters. Owing to the volume of ecological submissions prepared in response to the Examining Authority's Written Questions, the Written Representations of Natural England, Cheshire West and Chester Council, and the Cheshire Wildlife Trust, together with the updating of the Habitats Regulations Assessment, the Applicant has been unable to finalise its ecological and ornithological responses to these Deadline 2 submissions in time for Deadline 3.

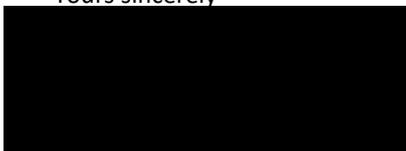
Notwithstanding this, the Applicant considers that, given the range and depth of ecological and ornithological information already submitted at Deadline 3 and earlier deadlines, it is unlikely that many substantive additional points will arise. The Applicant will, however, endeavour to submit its comments on the Deadline 2 ecological and ornithological submissions as soon as possible and no later than 6th February.

Biodiversity Net Gain

The Applicant has submitted PDF copies of the Biodiversity Net Gain spreadsheets prepared by the Applicant as AS-036 and revisions to the original metric spreadsheet as PD2-032. Following a request from Cheshire West and Chester and the Cheshire Wildlife Trust for Excel copies of the metric, these were provided on 12th January 2026, and Geographic Information System (GIS) datasets used to map and record the condition status of habitats were supplied on 28th January 2026. The Applicant's current understanding is that this information cannot be uploaded onto the examination library. However, for completeness, we have included the data issued to Cheshire West and Chester and the Cheshire Wildlife Trust with this submission.

Please do not hesitate to contact the undersigned or Andrew Russell (andrewrussell@axis.co.uk) if you have any questions or require any further information.

Yours sincerely




Development Manager on behalf of Frodsham Solar Limited (FSL)
FSL is a Cubico Sustainable Investments owned company