



National Infrastructure
Planning
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Applicant
Royal Society for the Protection of Birds
Natural England

Your Ref:

Our Ref: EN010153

Date: 9 February 2026

Dear Sir / Madam

The Infrastructure Planning (Examination Procedure) Rules 2010 – rule 17 (request for further information) and rule 4 (notice of appointment of Examining Authority)

Application by Frodsham Solar Limited for an order granting development consent for the Frodsham Solar project

Rule 17 - Request for further information

We are writing under rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010.

The [Frodsham Solar Project](#) seeks to establish an area, referred to as the Non-Breeding Bird Mitigation Area (NBBMA), adjacent to the Mersey Estuary Special Protection Area and Ramsar Site, and partially within the Mersey Site of Special Scientific Interest (SSSI). The applicant describes the NBBMA proposal as being mitigation for the proposed solar farm development, acting as an enhancement of mitigation already in existence for the Frodsham Wind Farm.

Natural England (NE) have broadly supported the concept and design of the NBBMA, subject to the overarching strategy being endorsed by a nature conservation body, and that same conservation body to obtain ownership and management responsibility of the NBBMA once it has been delivered/ established by the applicant.

The applicant has provided a Letter of Intent relating to the Frodsham Solar NBBMA from Royal Society for the Protection of Birds (RSPB) into the examination [[REP2-027](#), appendix D].

The Examining Authority (ExA) recognises that the RSPB is not registered as an Interested Party to the examination. Nonetheless, the ExA requests:

- a) Clarity on the letter of intent from the RSPB.

- b) Clarity on the progress of any negotiations to formally and legally establish the RSPB as the conservation body that would be responsible for upkeep and management of the NBBMA.
- c) Whether or not the RSPB endorses and agrees to the proposed NBBMA and the accompanying Outline Non-Breeding Bird Mitigation Strategy [[REP3-032](#)], its formation methodology and that the NBBMA would represent an enhancement to the current situation and fulfil any conservation objectives.
- d) Whether the RSPB and Natural England are satisfied, in the exercise of its expertise and knowledge, that the proposed NBBMA would support the applicant's case for 'no' Adverse Effect on the Integrity of the adjacent Special Protection Area.
- e) If the RSPB can provide the examination with any evidence of its own as to the suitability of these proposals.

Responses should be submitted by **deadline 4 (5 March 2026)**. The ExA are holding issue specific hearings on 25 and 26 February 2026, in which this matter is likely to be discussed in detail. The RSPB may wish, as well as providing a written submission, to attend that hearing. An agenda will be published on the project page of the national infrastructure website at least five days in advance of the hearing date.

Other interested parties may also wish to respond to this request.

Rule 4 – appointment of Lead Panel Member

On 9 February 2026 Mr Jason Rowlands informed the Planning Inspectorate that, due to personal circumstances, he is no longer able to continue in his role as the lead member of the panel for this project and has submitted his resignation from the panel under s66(3) of the Planning Act 2008.

Mr David Wallis has been appointed by the Planning Inspectorate, on behalf of the Secretary of State, under delegated powers to be the lead panel member. A copy of the amendment of appointment notice can be viewed under the documents tab on the project webpage or in the Examination Library at reference [PD-015].

Yours faithfully

David Wallis

Lead member of the panel of Examining Inspectors

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