



# Planning Inspectorate

**Application by Frodsham Solar Ltd for an order granting development consent for the Frodsham Solar Project**

**Agenda for issue specific hearing 2 (ISH2):**

<b>Hearing</b>	<b>Date and Time</b>	<b>Location</b>
<b>ISH2</b>	<p><b>Tuesday 24 February 2026</b></p> <p><b>Hearing starts at 1.30pm</b></p> <p>Registration and seating available at venue from 1.00pm and virtual registration process from 1.15pm</p> <p><b>Wednesday 25 and Thursday 26 February 2026 (as and if required)</b></p> <p><b>Hearing starts at 9.30am</b></p> <p>Registration and seating available at venue from 9.00am and virtual registration process from 9.15am</p>	<p>Forest Hills Hotel Frodsham, Bellemonte Road, Overton Hill, Frodsham, Cheshire WA6 6HH</p> <p>and</p> <p>By virtual means using Microsoft Teams</p> <p>Full instructions on how to attend using Microsoft Teams will be provided to those that have completed the event participation form.</p>

## **Agenda**

- 1. Welcome, introductions, arrangements for the hearing**
- 2. Purpose of the issue specific hearing**
- 3. Questions from the Examining Authority**

	<b>Items 3a, 3b and 3c will likely be considered on Tuesday 24 February only</b>
3a	<p>Human Health, Fire Risk, Safety and Security</p> <ul style="list-style-type: none"> <li>i. Clarifications</li> <li>ii. Cheshire Fire and Rescue Service's position</li> <li>iii. implications of ice throw etc from nearby wind turbines</li> </ul>

	iv. hazardous pipelines
3b	<p>Traffic, Transport and Navigation</p> <ul style="list-style-type: none"> <li>i. cumulative effects of construction traffic and abnormal loads with other projects during the construction phase and replacements during the operational phase</li> <li>ii. construction traffic access plan</li> <li>iii. potential ecological impacts to the Non-Breeding Bird Mitigation Area (NBBMA) from construction and operational traffic</li> <li>iv. closure of the River Weaver</li> <li>v. control of working hours for permitted preliminary works</li> <li>vi. contractor parking</li> </ul>
3c	<p>Non-motorised users and public rights of way (PRoW)</p> <ul style="list-style-type: none"> <li>i. structural surveys of PRoWs over bridges for proposed to be used by emergency vehicles and for visitor car park access</li> <li>ii. temporary PRoW closures including impacts to the National Cycle Route 5 and the need for a communication plan</li> <li>iii. PRoW user experience within the solar array development area (SADA) during operation</li> <li>iv. PRoW condition surveys and maintenance during the construction, operational and decommissioning phases</li> <li>v. PRoW status post-decommissioning</li> <li>vi. access to the River Weaver for recreation</li> </ul>
	<p><b>Items 3d onwards will be heard in order and time is allowed on both Wednesday 25 and Thursday 26 February for all questions to be asked as necessary. The ExA will keep matters and timings under review. Parties should ensure they are available for both days/ dates in the event that both are needed.</b></p>
3d	<p>Landscape and Visual effects (including historic environment and glint and glare)</p> <p>Glint and Glare</p> <ul style="list-style-type: none"> <li>i. clarifications</li> <li>ii. assessment of impacts including traveller sites</li> <li>iii. how mitigation would be secured</li> </ul> <p>Landscape and Visual</p> <ul style="list-style-type: none"> <li>i. clarifications</li> <li>ii. post-decommissioning state</li> </ul> <p>Historic Environment</p> <ul style="list-style-type: none"> <li>i. policy<sup>1</sup></li> </ul>

<sup>1</sup> Reference may be made to the December 2025 draft NPPF and the accompanying explanatory document:  
[https://assets.publishing.service.gov.uk/media/697b71c52ff8d10a830d5d4a/Draft\\_NPPF\\_December\\_2025.pdf](https://assets.publishing.service.gov.uk/media/697b71c52ff8d10a830d5d4a/Draft_NPPF_December_2025.pdf)  
[https://assets.publishing.service.gov.uk/media/697b6bc6aacd0dc9777b4fd2/December\\_2025\\_NPPF\\_Consultation.pdf](https://assets.publishing.service.gov.uk/media/697b6bc6aacd0dc9777b4fd2/December_2025_NPPF_Consultation.pdf)

	<ul style="list-style-type: none"> <li>ii. categorisation of harm to heritage assets</li> <li>iii. public benefits</li> </ul>
3e	<p>Green Belt</p> <ul style="list-style-type: none"> <li>i. clarifications</li> <li>ii. planning policy considerations<sup>1</sup></li> </ul>
3f	<p>Biodiversity and Ecology (including Habitats Regulations Assessment (HRA) aspects</p> <ul style="list-style-type: none"> <li>i. NBBMA including but not limited to: <ul style="list-style-type: none"> <li>• interested parties' positions on Adverse Effects on Integrity (AEoI) to the Mersey Estuary Special Protection Area (SPA) and Ramsar</li> <li>• whether the NBBMA should be considered mitigation or compensation</li> <li>• the concept of repurposing an already 'in use' mitigation area and consideration of additionality</li> <li>• appropriateness of the application of the Cleve Hill approach to calculate the size of the NBBMA and exploration of alternative methods</li> <li>• shape of the NBBMA including the 'panhandle' area</li> <li>• NBBMA requirement in the draft Development Consent Order (DCO)</li> <li>• long-term management and monitoring</li> <li>• potential impact of additional PRoWs</li> </ul> </li> <li>ii. Skylark Mitigation Area (SMA) including but not limited to: <ul style="list-style-type: none"> <li>• size and location</li> <li>• baseline surveys</li> <li>• long-term management and monitoring</li> <li>• farmland birds requirement in the draft DCO</li> </ul> </li> <li>iii. cumulative and in-combination effects of other developments to the proposed mitigation areas</li> <li>iv. Biodiversity Net Gain (BNG) proposals and calculations, specifically the consideration of reedbed priority habitat</li> <li>v. baseline ornithological surveys</li> <li>vi. proposed buffer distances</li> <li>vii. potential impacts to Local Wildlife Sites</li> <li>viii. lake effect and the reliance on the use of an anti-reflective coating</li> <li>ix. proposal for disapplication of section 28E of the Wildlife and Countryside Act 1981 within the draft DCO</li> <li>x. potential noise effects from any controlled unexploded ordnance detonations</li> </ul>
3g	<p>Ground Conditions</p> <ul style="list-style-type: none"> <li>i. adequacy of the characterisation of ground conditions</li> <li>ii. soil testing proposals</li> <li>iii. article 19 of the draft DCO authority to survey and investigate the land without digging trenches</li> </ul>

	<ul style="list-style-type: none"> <li>iv. approach to unexpected contamination</li> <li>v. adequacy of proposed mitigation measures</li> <li>vi. adequacy of post construction monitoring proposals</li> </ul>
3h	<p>The Water Environment</p> <ul style="list-style-type: none"> <li>i. disapplication of Flood Risk Activity Permits</li> <li>ii. cable crossings of the River Weaver</li> <li>iii. position of bridge abutments and soffit levels</li> <li>iv. safe access and egress under flood conditions</li> <li>v. post-construction water quality monitoring</li> <li>vi. management of contaminated fire water</li> <li>vii. location of construction compounds</li> </ul>
3i	<p>Any other matters that the ExA wishes to raise including but not limited to:</p> <p>Noise, Vibration and Nuisance</p> <ul style="list-style-type: none"> <li>i. clarifications</li> <li>ii. traveller sites, including PSED</li> <li>iii. piling</li> <li>iv. nuisance – Article 8 of draft DCO</li> </ul> <p>Air Quality including Dust</p> <ul style="list-style-type: none"> <li>i. mitigation</li> </ul> <p>Waste</p> <ul style="list-style-type: none"> <li>i. adequacy of estimation of waste quantities during construction and operation (replacement)</li> <li>ii. design of Solar PV Modules and other plant to maximise reuse and recycling</li> <li>iii. capacity of waste management infrastructure</li> </ul> <p>Private wire connection</p> <ul style="list-style-type: none"> <li>i. updates on negotiations</li> <li>ii. clarification on associated development</li> </ul>

#### 4. Next steps

#### 5. Closing

## **Purpose of ISH**

Please refer to The Planning Inspectorate's Advice for members of the public: [The stages of the NSIP process and how you can have your say](#) for information about the purpose of open floor, issue specific and compulsory acquisition hearings.

## **Attendees**

The ExA would find it helpful if the following organisations could attend this hearing:

- Applicant
- Canal and River Trust
- Cheshire West and Chester Council
- Cheshire Wildlife Trust
- Environment Agency
- Frodsham Town Council
- National Highways
- Natural England
- The Royal Society for the Protection of Birds (RSPB)

However, this does not indicate that other parties will not be able to contribute. All interested parties (IP) are invited to attend and make oral representations on the matters set out in the agenda, subject to the ExA's ability to control the hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the hearing. The details set out above are indicative and the ExA may find it necessary to include additional agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the hearing in person, who has not already advised the case team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage](#) of the National Infrastructure Planning website closer to the hearing date. IPs and members of the public who wish to observe the hearing can therefore view and listen to the hearing using the livestream, or view and listen to the recording, after it has concluded.

## **Registration process**

Parties who have registered to speak (both in person and virtually) will receive a joining instruction email shortly before the hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone.

## **Procedure at ISH**

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at

hearings. Questioning at the hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.