



Planning Inspectorate

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

Issue Specific Hearing 2

Date: 24-26 February 2026

Action points

No	Party	Action	Deadline
		24 February 2026	
1	Applicant	Elicit a letter from Cheshire Fire and Rescue Service (CFRS) to confirm: i. its position on the application; ii. whether CFRS has taken account of the resourcing implications associated with it responding to a BESS fire; iii. in light of interested parties' concerns relating to contamination risks from chemicals in the ground and the potential impacts on these from a BESS fire, the ability/ concerns of the service to deal with such contaminants being airborne.	4
2	Applicant	Update Outline Battery Safety Management Plan to cite latest guidance and to address typographical error in paragraph 3.2.12 of [REP3-027].	4
3	Applicant / CWCC	Submit evidence of approved control mechanism which is in place in respect of ice build-up on the nearby wind turbines (condition 42 of the wind farm permission).	4
4	Applicant	Provide Health and Safety Executive's consultation response (i.e. its land use planning advice).	4
5	Applicant	Review Figure 1-6 [APP-105] and in particular the key to ensure that it includes all annotations (e.g. hatched areas) and that the names associated with the pipelines are relatable to the protective provisions in the draft DCO.	4
6	Applicant	Respond on the suitability (having regard to surface condition, potential flooding, and availability) of access routes for emergency vehicles to attend a BESS fire, also having regard to National Highways' position regarding the use of bridges over the M56 motorway.	4
7	Applicant	To update the OOMP to confirm that the angle and tilt of panels will be recorded, monitored and	4

		reported so as to avoid any scenario where glint and glare could occur to the M56.	
8	CWCC	To respond to the most recent edits to the CTMP, thus potentially resolving the issue regarding the construction access traffic plan for HGVs	4
9	Applicant	To consider any revisions to Article 20 of the dDCO regarding aligning the 2 week period and the 'as long as reasonably necessary' terminology.	4
10	Applicant	Investigate whether the weaver navigation can be a suitable alternative to mitigate the closure of the River Weaver.	4
11	Applicant	To confirm with the fire and rescue service if removing brook furlong would cause a problem to response times,	4
12	Applicant	Will give consideration as to when structural surveys could come forward (i.e. in the examination).	4
13	National Highways	Provide weight limits of the bridges.	4
14	CWCC	To explore the FWF planning permission for any emergency response plan and fire access, then to give details of any restrictive weight signage that might deter fire appliances from crossing.	4
15	Applicant	A simpler clearer plan to be provided showing existing paths to be closed/ stopped up and where the alternatives/ diversions would be delivered (with reference to article 13 of the dDCO).	4
16	Applicant	To consider whether the detailed Public Rights of Way Management Plan needs to be directed to any body other than Cheshire West and Chester Council for approval (i.e. Peak and Northern Footpaths Society).	4
17	Applicant	To provide a clearer definition of "phase" in respect of a timescale for repairing any damage to PRoW.	4
18	Applicant	Explain clearly temporary closures where alternative not provided and justification as to why not.	4
19	Applicant	Check and/ or amend the OPWRMP to ensure an initial condition survey of PRoW is undertaken prior to any development commencing on site, to establish a baseline from which any repairs etc would be made.	4
20	Applicant	Update the ODEMP to include clauses about notifying the Council about the future of permissive paths once the land is returned to landowners.	4
		25 February 2026	
21	Applicant	Provide a short note, together with an annotated plan, detailing the specific dwellings that may be affected by glint and glare along with a brief explanation of the level and duration of effect; and the consideration that was given to the traveller sites	4

		and the conclusions relating to the living conditions of the occupants of the traveller sites.	
22	Applicant	Update [APP-067] to remove legacy references to there being moderate glint and glare effects.	4
23	Applicant	Amend the draft DCO so that a requirement includes the submission and approval of details of an anti-reflective coating.	4
24	Applicant	Refine wording of the 'Applicable Design Parameter' for 'Design' on page 8 of [REP3-012] to clarify the angles of panels and the area to which the 5° difference relates.	4
25	Applicant	Review and update the Glint and Glare Assessment [APP-056] to address any discrepancies, for example paragraph 2.3.1 which says that panel tilt will be secured by the dDCO.	4
26	Applicant	In the context of comments from the Council relating to the potential for a lifetime extension beyond the projected lifetime of the proposed development, explain why permanent land acquisition and rights are being sought for a time-limited scheme.	4
27	Applicant CWCC	In respect of the historic environment: i. provide a response to the December 2025 draft NPPF and any implications this might have in respect of the applicant's conclusions (action for the applicant but CWCC may comment if it wishes to); and ii. provide a tabulated summary or 'read across' of the applicant's and CWCC's conclusions in relation to the effects of the development using the same terminology as NPS EN-1 and the NPPF.	5
28	Applicant CWCC	Provide: i. an updated Green Belt Assessment (Appendix A of the Planning Statement [APP-128]); and ii. a tabulated summary or 'read across' of the applicant's and CWCC's conclusions in relation to harms and benefits of the that the parties considered should be weighed in the 'green belt balance', taking account of CWCC's comment that it considers some of the benefits listed by the applicant to be mitigation.	5
29	NE	NE to provide a clear position in respect of the Mersey Estuary SPA and Ramsar site. In addition, and in respect of the qualifications it made it in response to Question 5.1.3 regarding adverse effects on integrity, provide a clear response setting out its position from scratch.	4
30	RSPB	RSPB to submit into the Examination its position on whether there would be adverse impacts on the	4

		integrity of the Mersey Estuary SPA and Ramsar site.	
31	Applicant	Submit into the examination representation on case law relating to the definitions of 'mitigation' and 'compensation', with particular emphasis on how such would be considered under the Habitats Regulations Assessment.	4
32	NE	NE to set out its position on what constitutes mitigation and compensation, and why it considers, in the HRA context, the proposals from the applicant are not to be viewed as compensation.	5
33	CWCC	CWCC to provide response on mitigation and compensation case law from the applicant.	5
34	NE and RSPB	NE and RSPB to watch the recordings for this session and respond, as necessary, to any comments on any matters that are felt necessary from any party making oral representations.	5
35	NE	Can Natural England confirm their position that, if a conservation body for NBBMA is not secured at the close of the examination (albeit with letters of support and intent), the position regarding AEoI would remain the same.	4
36	Applicant	Confirm size of skylark mitigation area that ES conclusions are based on / provide correct figure. If 5.58ha is correct, amend the HRA to match and provide justification as to why 30ha reduced to 5.58ha between pre-app and application phases of the project.	4
37	Applicant	To reflect upon the requirement in the Five Estuaries OWF Order (Farmland Bird Compensation Strategy) and explain, with reference to the case law set out under action point 31 above, whether the proposed skylark mitigation strategy can be classed as mitigation.	4
38	Applicant	Submit summary of the specific scientific/ academic papers evidenced in the oral representations of the applicant in relation to effects on skylark / appropriateness of skylark mitigation into the examination.	4
39	Applicant, CWCC	Make any further submissions in respect of the interaction between any DCO and any permission for the Runcorn spur in respect of the concern relating to the NBBMA. Set out a logical and reasonable solution for resolving the differences (including Liverpool Bay CCS Ltd commentary as applicable) and for assessing the impacts if the Runcorn Spur Pipeline was to be delivered after the NBBMA had been established.	4 and 5

		Provide views on the logistics, pros and cons of imposing a Grampian-style requirement on the DCO preventing work beginning on the NBBMA unless and until the pipeline was laid and/ or the potential for a section of pipeline to be laid by the applicant. Also set out what powers the applicant, as landowner, would have on timing of the works of the Runcorn Spur (if approved).	
40	Applicant	NE to provide its position regarding disapplication of section 28E of the Wildlife and Countryside Act 1981.	4
41	NE and RSPB	Provide an opinion regarding whether the baseline ornithological surveys are complete/ sufficient enough for the applicant's conclusions to be robust.	4
26 February 2026			
42	Applicant	For the contaminated land specialist and fire specialist to confer together about the potential for ground-warming/ heating during a fire, the modelled temperatures likely to occur at various depths beneath and laterally from the BESS in the event of a fire, and the potential for any contaminants to be released and changed into higher toxic compounds. A short technical note to be provided on this.	4
43	Applicant	The applicant list all the chemicals mentioned by Interested Parties in the relevant representations. For each substance I would like the applicant to respond on 4 points: i) the potential toxicity and risk to human health and the environment from that chemical ii) the need for this proposed development to test for each substance iii) what testing has already been carried out and iv) what testing is planned for more detailed investigation phases.	4
44	CWCC, Cheshire Fire and Rescue, EA	Respond to the applicant's chemical summary note and the representations from Cllr Mrs Sumner (watch recording of today's event for details), and whether the risks are appropriately scoped and can be managed.	5
45	Applicant	To consideration alterations to the wording in Table 5 and paragraph 4.1.26 of the CEMP regarding 'significant' unexpected contamination and the applicant determining if remediation is necessary.	4
46	Applicant	To confirm the necessary guidance and standards for dealing with assessment and remediation of contaminated land appears across the management plans	4
47	EA	Following a review of PRoW issues, the EA will include an update on flood risk activity permits in its forthcoming response.	4

48	Applicant and EA	Update management plans for bridge deck heights (bridge abutments and soffit levels) of 5.3m AOB in liaison with the EA. EA to confirm all acceptable with CP22 and CP17.	5
49	CWCC	To respond in writing to confirm the finished floor level of 6.52m AOD is acceptable for the refuge area	4
50	EA	To respond whether 6 months regularity for water quality monitoring and monthly thereafter would be sufficient to capture seasonal variations.	4
51	Applicant	To update the flood evacuation plan with the measure from the CEMP regarding evacuation of materials stored in compounds in a flood event. To also confirm what it means by 'raised marginally' and how that has been accounted for in the flood risk methodology.	5
52	EA	Response to applicant's documents under action point 51.	6
53	CWCC	To update on the planning status of both traveller sites and the timescale for handling any related planning matters	4
54	Applicant	Summary of consultation undertaken with the traveller site, specific measures (if any) taken to engage with those parties and service of any notices under PA2008.	4
55	Applicant	To refer to stakeholder management and consultation plan on the face of the dDCO. This includes amendments to the OCEMP to ensure consultation with the traveller sites.	4
56	CWCC	Confirm position regarding noise nuisance and issues with article 8.	4
57	Applicant	To review article 8 of dDCO with a view to reaching a mutually agreeable position when major replacement works are occurring.	4
58	CWCC	Council to confirm when the needs assessment for waste would come in and the weight the ExA should give to that document. Also to reflect on the waste policy position and the proposal's acceptability in respect of NPS EN-1 para 5.18.8.	4