



The Planning Inspectorate
Temple Quay House
Bristol
BS1 6PN

Our ref: [REDACTED]
Your ref: EN010153
Date: 26 March 2026

To whom it may concern

ENVIRONMENT AGENCY DEADLINE 5 RESPONSE.

FRODSHAM SOLAR PROJECT, FRODSHAM MARSHES

This response constitutes the Environment Agency's Deadline 5 response.

We have reviewed the submitted documentation at Deadline 4 for the Frodsham Solar Farm. Following our review, we have responded to the outstanding issues raised within our Relevant Representation [[RR-024](#)] (dated 26 August 2025, ref. [REDACTED]) in turn below.

For our response, we have provided the following appendices consisting of:

- [Appendix A:](#)
 - Our comments regarding the issues we raised in our Relevant Representation
- [Appendix B:](#)
 - A summary of our position

As our response at Deadline 4 was extensive and required the applicant to provide extra information into the examination. The required updates were not included at Deadline 4, therefore our position remains unchanged at Deadline 5 regarding issues:

- EA006
- EA007
- EA010

The Applicant has submitted documentation for us to review regarding the above issues a head of Deadline 5, and have outlined the documentation will be submitted into the examination at Deadline 5. We will provide our response to the above issues at Deadline 6.

Yours faithfully

██████████
Planning Specialist

Direct e-mail NITeam@environment-agency.gov.uk

APPENDIX A – Our comments regarding the issues we raised in our Relevant Representation

EA004

This issue was resolved at Deadline 1. However, following the discussion held at the Issue Specific Hearing 2, we note that other statutory bodies were not content with the wording of the Unexpected Contamination Protocol.

The Applicant has updated Table 5-5 of the 7.6 Outline Operational Environmental Management Plan P05 (Clean) [[REP4-028](#)].

Point 2 of the unexpected contamination protocol has been updated as follows;
“Where the Applicant determines that it intends to continue to undertake development in the identifiable perimeters of the area in which the suspected contamination is located and the relevant planning authority (in consultation with the Environment Agency) determine that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the relevant planning authority, following consultation with the Environment Agency.”

The intent of this change is not clear. It could be interpreted that if contamination is found the applicant may consider not developing further in that area. The section should therefore be made clearer.

Here is suggested wording for this section of the unexpected contamination protocol;
‘Prior to the recommencement of construction on that localised area of land within the Order limits, suitable investigation and risk-based land contamination assessment for the discovered contamination (to include any required amendments to the remedial scheme and verification plan) must be submitted to and approved in writing by the local planning authority (in consultation with the Environment Agency).’

APPENDIX B – EA Summary of Position

Subject	Relevant Rep Reference	Deadline: 5
Water Quality	EA001	Issue Resolved
Water Quality	EA002	Issue Resolved
Groundwater and Contaminated land	EA003	Issue Resolved
Groundwater and Contaminated land	EA004	Issue Resolved
Flood Risk	EA005	Issue Resolved
Flood Risk	EA006	Not Resolved
Flood Risk	EA007	Not Resolved
Water quality	EA008	Issue Resolved
Flood Risk	EA009	Issue Resolved
Flood Risk	EA010	Not Resolved
Flood Risk	EA011	Issue Resolved
Flood Risk	EA012	Issue Resolved
Flood Risk	EA013	Issue Resolved
Flood Risk	EA014	Issue Resolved
Flood Risk	EA015	Issue Resolved
Flood Risk	EA016	Issue Resolved
Flood Risk	EA017	Issue Resolved
Flood Risk	EA018	Issue Resolved
Flood Risk	EA019	Issue Resolved
Water quality	EA020	Issue Resolved
Biodiversity	EA021	Issue Resolved