



**Canal &
River Trust**

Making life better by water

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref EN010153

Our Ref [REDACTED]

Thursday 26th March 2026

frodshamsolarfarm@planninginspectorate.gov.uk

Dear Sirs

Proposal: EN010153 - Application by Frodsham Solar Ltd for Frodsham Solar Farm

Canal & River Trust (the Trust) Submission for Examining Authority's first questions (Interested Party Reference: FEAD57C19).

Please find outlined below an update on the Trust's latest position in relation to the examination of Frodsham Solar, in response to the Examining Authority's second written questions (ExQ2).

Q 2.11.1 - Residual issues with the dDCO

In previous responses the Trust has raised the matter of potential mobilisation of contaminants and silt-laden runoff, given the continuity between the River Weaver and the Weaver Navigation, and that a particular risk of contaminant mobilisation is associated with ground disturbance during foundation and earth works. Therefore at Deadline 2, the Trust sought to be consulted on and be able to review any Foundation Work Risk Assessments(s), Piling Risk Assessment(s), Construction Ground Water Surface Water Management Plan(s) and any final CEMP(s) relevant to Work Package 4a for the Frodsham SPEN Grid Connection.

The Trust largely welcome amendments to the dDCO (REP4-005) that require consultation with the Trust in Requirement 11 (Surface Water) and Requirement 12 (CEMP). However, our concerns regarding potential pollution relate to environmental mitigation such as construction surface water management (CGWSWMP(s)) and protection measures during ground disturbance and earth works in waterbodies in proximity to and continuity with the Weaver Navigation. Further to the Trust's previous comments it remains that we would seek the opportunity to be consulted on the following documents, and subsequent mitigation, to be outlined in more detail at a later date.

Firstly, the Trust request to be consulted on FWRA(s), PRA(s), CGWSWMP(s) as previously requested in relation to construction and earth works adjacent to and over the River Weaver and SPEN substation, in addition to any final CEMP or drainage strategy.

The above documents are located in the below Requirements:

Document	Requirement
FWRA(s)	(Requirement 17)
PRA(s)	(Requirement 17)
CGWSWMP(s)	Requirement 11 (3)

Secondly, the consultation reflected in the latest revision of the dDCO to be carried out with the Trust is restricted to Work No. 4A(iii), which refers to works to the substation however the construction of the

infrastructure for the cable crossing comprises ground works and earthworks which the Trust seek to be able to review.

It is requested that consultation with the Trust is extended to include all elements of Work Package 4A (i-iii) in Requirements 11, 11(3), 12, 14 and 17, which refer to broader works concerning ground disturbance and earthworks during the installation of the above and below ground electrical connection infrastructure across the River Weaver. The Trust request to be consulted on any FWRA(s), PRA(s), CGWSWMP(s) and any final CEMP(s) relevant to all elements of **all Work Package 4a** (Frodsham SPEN Grid Connection) to review mitigation prepared for potential pollution and mobilisation of contaminants during these works.

Also, the Trust seek for the following revision of text as below for preciseness.

12.—(1) No phase of the authorised development may commence until a construction environmental management plan (including, or accompanied by, the plans listed in sub-paragraph (2)(2)) for that phase has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the Environment Agency, National Highways and

*(b) **only** in respect of any construction environmental management plan which relates to Work No. 4A, the Canal and River Trust.....*

Please note, the correct title for the Trust is the Canal & River Trust, as recognised on page 7 in the dDCO (Article 2, Interpretation). We request that this title including the ampersand is used in all sections of the DCO when referring to the Canal & River Trust.

In light of the above comments, if the ExA considers it appropriate to secure that the Trust is consulted on the development of the specific documents described above (along with the other suggestions), Requirements 11, 11(3), 12, 14, and 17 could be amended to include wording along the lines of:

Surface and ground water management

11.—(1) No phase of the authorised development may commence until details of the surface water drainage strategy (which must be substantially in accordance with section 11 of the flood risk assessment and drainage strategy) for that phase has been submitted to and approved by the relevant planning authority such approval, to be in consultation with the lead local flood authority and the Environment Agency **and, in respect of a phase that involves Work No. 4A, the Canal & River Trust.**

Construction Ground Water and Surface Water Management Plan 11(3)

(3) No phase of the authorised development may commence until a construction ground water and surface water management plan (which must include measures in relation to ground and surface water monitoring during construction and one year after construction) for that phase has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the lead local flood authority and the Environment Agency, **and in respect of a phase that involves Work No. 4A, the Canal & River Trust.**

Construction environmental management plan

12.—(1) No phase of the authorised development may commence until a construction environmental management plan (including, or accompanied by, the plans listed in sub-paragraph (2)) for that phase has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the Environment Agency, National Highways and—

(b) only in respect of any construction environmental management plan which relates to Work No. 4A, the Canal & River Trust.

Construction traffic management plan

14.—(1) No phase of the authorised development may commence until a construction traffic management plan (which must be substantially in accordance with the outline construction traffic management plan) for that phase has been submitted to and approved by the relevant planning authority, such approval to be in consultation with National

Highways and the relevant highways authority and, in respect of any construction traffic management plan which relates to **Work No. 4A**, the Canal & River Trust.

Ground conditions

17.—(1) No phase of the authorised development may commence, and no part of the permitted preliminary works for that phase comprising demolition or decommissioning of existing structures, intrusive environmental surveys, geotechnical surveys and other investigations for the purpose of assessing ground conditions, diversion and laying of apparatus, and remedial work in respect of any contamination or other adverse ground conditions, may start until a ground conditions investigations and assessments strategy for that phase has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the Environment Agency, **and in respect of a phase that involves Work No. 4A, the Canal & River Trust.**

Outline Construction Traffic Management Plan

Part 2, Article 6 and Schedule 2 Article 5 in the dDCO relating to approval of any amendment to the Approved scheme, do not authorise the carrying out of any works which are likely to give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement, such as any works resulting in a material increase in construction traffic numbers.

The Trust welcome the addition of Para 4.2.6 in the OCTMP (REP4-025) outlining a commitment to 'notify the Trust in the event of any proposed increase in the number of vehicles using the SPEN Substation Access Track and Sutton Weaver Swing Bridge, over and above the forecast traffic generation specified.

In the event of an increase in traffic generation resulting in materially new effects, in the interests of being able to respond practically to any such traffic increase, the Trust request to receive adequate notice of any such increase to allow for the Trust to meaningfully respond to such measures. The Trust as a prescribed consultee would be consulted on any material or non-material amendment to the DCO however a requirement of a minimum of 5 working days being specified in the OCTMP would facilitate this.

The Trust wish to reserve the right to make further representations as part of the examination process and will continue to engage with the Applicant as needed and will keep the Examining Authority updated with regard to this matter.

Please do not hesitate to contact me with any queries you may have in relation to the above matters.

Yours sincerely,


Area Planner

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>