

## Tabulated summary on Green Belt (Action Point 28 ii from ISH2) – CWCC comments in red (Version 1 – 26 March 2026)

Action 28 from the Issue Specific Hearing 2 (ISH2) requested that a tabulated summary of the Applicant's and CWCC's conclusions in relation to harms and benefits of the Proposed Development is provided to allow these factors to be weighed in the 'green belt balance'. Accordingly, this submission has been prepared by the Applicant, with input from the Council on Table 2. The Council's input is shown in red text.

Table 2 below was provided by the ExA following ISH2. The ExA suggested the Applicant and the Council may wish to modify it to assist the ExA in its consideration of green belt matters. Some minor changes have therefore been made to the table. The Applicant has also provided some introductory commentary to help put this table in the context of the approach taken to green belt policy by the Applicant and its relationship with the overall planning balance presented in the Planning Statement.

The Applicant has completed Table 2, on the following basis:

- i) the ExA / SoS conclude that the Proposed Development is not located on grey belt and the 'tests' at paragraph 155 of the NPPF have not been met (and accordingly is inappropriate development); and/or
- ii) the ExA / SoS conclude that the Proposed Development is not Critical National Priority Infrastructure (CNP) and that the need to demonstrate very special circumstances to justify inappropriate development remains.

Likewise, the requirement in national policy (NPPF) to give substantial weight to any harm to the Green Belt is only required in the event that the Proposed Development is not located on grey belt<sup>1</sup> and is inappropriate.

Irrespective of the conclusion on grey belt and consideration of CNP policy, the Applicant has concluded that the harm to the spatial / physical and perceived openness of the Green Belt is limited, and that it would not prevent the green belt from serving purposes (a), (b), (d) or (e). The applicant concludes that there would be moderate harm to the green belt from serving purpose (c) (safeguarding the countryside from encroachment).

As a result of preparing this submission, and points raised by the ExA during ISH2, the Applicant has reviewed the conclusions set out within Chapter 8 of the Planning Statement and has revised the document to include a planning balance table that summarises the weight to be given to considerations in favour of granting consent for Proposed Development (benefits) and considerations against granting consent (harm). The revised Planning Statement will be submitted at Deadline 5, but for ease of reference, the planning balance table has been replicated below (see Table 1).

Table 2 provides a more detailed consideration of the various factors that contribute to forming an overall conclusion on the weight given to the overarching topics presented in Table 1. Consequently, the weighting applied in both tables is interconnected, with the findings presented in Table 2 informing the judgments made in Table 1. The judgements set out in Table 1 are explained in more detail in Chapter 8 of the Planning Statement.

As noted above Table 2 is provided to allow a separate Green Belt balancing exercise has to be carried out in the event that the ExA / SoS conclude that 'very special circumstances' are required to justify inappropriate development in the Green Belt. Where issues/topics are determined to have no harm or benefit following the implementation of embedded or additional mitigation, then these are not considered within Table 2 (given that they would have no material effect on the Green Belt balancing exercise). However, for completeness these issues/topics are included within overall planning balance at Table 1.

The weighting judgements have been made on balance where both positive and negative attributes are identified across the duration of the project.

The weighting used is listed at the foot of Table 2 and is consistent with that set out within NPS EN-1

### Additional commentary from CWCC

1. It may help the ExA/SoS in considering CWCC's submissions to date, that these have been prepared/presented on the basis that the development would be treated as CNP Infrastructure; and following EN-1 paragraph 4.2.30 (previous EN1 version 4.2.17) it was taken as read that the test of very special circumstances for inappropriate development in the Green Belt would be met (see paragraphs 5.2 to 5.4 of RR-037 and paragraph 6.4 of REP1-048).

*"4.2.30 This means that the Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:*

*Where development within a Green Belt requires very special circumstances to justify development; "*

*As such CWCC concentrated its representations on addressing the Applicant's contention that the proposed development was on grey belt land, and in turn that the development was not inappropriate development following paragraph 155 a) of the NPPF.*

2. Furthermore, particularly in preparing the Local Impact Report [REP1-046] CWCC steered away from attempting to carry out a balancing exercise as advocated in the Nationally Significant Infrastructure Projects: Advice for Local Authorities (see 11.2 of REP1-046):

*"The LIR should include a statement of positive, neutral and negative local impacts. However, it does not need to include a balancing exercise between positive and negative. The Examining Authority will carry out a balancing exercise of relevant impacts, including local impacts specifically reported in the LIR".*

### **Ecology weighting**

3. Please note that given the number of outstanding matters in relation to ecology, it has proved difficult to provide a definite/final weighting at this stage to each of the items listed. However, it does seem reasonably clear that there is a significant difference between the Applicant's assessment of the ecology aspects (with the operational phase (post mitigation) being categorised as benefits, with varying degrees of weight. At this stage, CWCC considers that most (not all) of those benefits at operational stage, should be considered under the harms section. The weighting of these elements is to a degree linked to the point below about clarifying where mitigation/compensation ends and enhancement begins. Generally, CWCC considers that most of the elements are mitigation or compensation and any weight in terms of the Green Belt assessment would at best be 'no weight' (and likely to be weighted as a harm of some degree, with some elements at least significant harm). CWCC also consider that the breakdown of the ecology elements would benefit from further review (and probably simplifying). This tabulated summary is therefore **draft**, and an update will be provided for **Deadline 6**.

<sup>1</sup> CWCC comment that even if the SoS considers the development to be on grey belt land, the tests in paragraph 155 of the NPPF still need to be addressed before determining that whether the development is not inappropriate.

4. The weight for the ecology aspects has therefore been 'bundled' together and identified as 'provisional' at this stage.

**Table 1: Frodsham Solar – Summary of Applicants overall Planning Balance (following implementation of mitigation)**

Issue / Criteria	Finding on Balance	Weighting
Need for renewable energy	Positive	Substantial
Need for energy security	Positive	Significant
Contribution to climate change	Positive	Significant
Need for energy storage	Positive	Moderate
Efficiency of land use	Positive	Moderate
Ecology and Biodiversity	Positive	Moderate
Tourism / rights of way	Positive	Limited
Ground Conditions	Neutral	No weighing
Agricultural Land	Neutral	No weighing
Flood Risk and Drainage	Neutral	No weighing
Water Quality	Neutral	No weighing
Air Quality	Neutral	No weighing
Socio-Economic	Neutral	No weighing
Resource and Waste Management	Neutral	No weighing
Human Health	Neutral	No weighing
Noise	Negative	Limited
Glint and Glare	Negative	Limited
Traffic	Negative	Limited
Heritage	Negative	Limited
Landscape and Visual	Negative	Moderate

**Table 2: Frodsham Solar – Summary of Parties' Positions Regarding Paragraph 153 of the 2024 NPPF (Green Belt Balance following implementation of mitigation)**

'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and **any other harm** resulting from the proposal, is clearly outweighed by **other considerations**.

Applicant			Council		
Consideration (following implementation of mitigation where appropriate)	Weight*	EL Ref & Para No	Consideration (either 'as noted by applicant' or add a new consideration on a new line)	Weight* (either 'agree' or give different weighting)	Explanation for any difference in weighting
			Harm by virtue of being inappropriate development	Substantial	As per Applicant's introduction, assuming the ExA/SoS consider that the development is inappropriate development, para 153 of NPPF.
<b>Any Other Harms</b>					

			Green Belt Purposes (Para 143 of NPPF):		
			a) to check the unrestricted sprawl of large built-up areas;	Substantial	See RR-037 (paragraphs 5.19 – 5.29)
			b) to prevent neighbouring towns merging into one another;	Substantial	See RR-037 (paragraphs 5.31 – 5.39)
			c) to assist in safeguarding the countryside from encroachment;	Substantial	See RR-037 (paragraphs 5.50 – 5.29)
			d) to preserve the setting and special character of historic towns;	Limited	See RR-037 (paragraph 5.41)
			e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Limited	See RR-037 (paragraphs 5.41)
			Openness (spatial and visual)	Significant / Substantial	<p>Acknowledging need to avoid double counting in terms of relationship with the purposes of the Green Belt, especially purpose a). CWCC place greater weight on the spatial and perceived openness impacts of the development than the Applicant.</p> <p>The spatial expanse is substantial notwithstanding less volume/mass associated with the panels than other forms of urban development, and CWCC consider the perception of impact is greater than the Applicant suggests, by reference to the surrounding industry etc. Numerous parties/documents reference the current openness of the area despite urbanising influences,</p> <p>The duration of the impact, whilst (in DCO requirement terms) time limited, is extensive, and liable to impact on openness for a generation or more. Taking 'permanence'; as an essential characteristic, loss of openness for 40 years substantially detracts from the Green Belt permanence.</p> <p>See:  RR-037 (paragraphs 5.60 to 5.67)  REP1-46 (WR) Section 6  REP1-48 (LIR) See paragraphs 11.6 to 11.10 and Appendix 4  REP2-005 (Q9.2.1)  REP3-046 (CWACC5.1 – para 5.9-5.11; 5.47-5.51; 5.53-5.66)</p>
<b>Landscape and Visual (Harm)</b>					
Landscape Fabric (Construction)	Limited	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.8 concludes the effect would be small in magnitude, minor adverse and not significant.	As noted by the applicant	agree	
Landscape Fabric (Short Term Operational)	Limited	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.38-6.8.40 concludes the change to pasture and neutral grassland and hedgerows would be small to medium in magnitude, and there would be a minor to moderate level of effect. The effects would not be significant but would have an adverse effect. APP-039 6.1 Chapter 6 Landscape and Visual	As noted by the applicant	Limited / Moderate	Table 6-7 of APP-039 provides summary of effects. Of the seven categories, four of the short-term impacts are assigned 'minor to moderate adverse' or 'moderate adverse' (pasture grassland/neutral grassland, hedgerows, scrub).It is considered appropriate to reflect this in the weighting (albeit also noting that there are some beneficial longer-term effects dealt with in the benefits section below). The table 6-7 does not explicitly address the changes in terms of the introduction of significant hard landscape./ build infrastructure within the landscape fabric (the ES chapter quantifies loss and gain or linear features etc but is less explicit in terms of hard landscape being 'overplanted' on the SADA, This is

		Amenity paragraph 6.8.45 concludes effects arising from the Proposed SPEN Grid Connection would be negligible and neutral.			noted, just to assist in understanding the reasoning for a difference in professional opinion on the landscape character assessment below. It is noted that without the proposed management and enhancement of landscaping described in 6.8.36 – 6.8.40 of APP=039 the impacts would be adverse (indicating that the enhancements are a mix of mitigation/compensation),																																															
Landscape Character impact from within Order Limit (Construction)	Significant	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.10 and APP-069 Appendix 6-6 Construction Phase Effects concludes moderate to major adverse effect on character of LCA4a which would be significant in EIA terms	As noted by the applicant	Limited/moderate.	Whilst weighting is significant in EIA terms, the construction related impacts in themselves would be temporary, and so limited to moderate weight is suggested for the Green Belt assessment, Note also paragraph 12.3 of RR-037 in relation to impacts on tranquillity.																																															
Landscape Character impact beyond Order Limit (Construction)	Limited	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.11 construction phase activities would either be visible as a very limited and small-scale presence, or not visible at all. No other character areas would experience any effect.	As noted by the applicant	agree	n/a																																															
Landscape Character impact from within Order Limit (Operational – in the short term) <sup>2</sup>	Significant	APP-039 6.1 Chapter 6 Landscape and Visual Amenity Table 6.8 concludes that the Character Area (LCA4a: Frodsham, Helsby and Lordship Marshes) would experience moderate to major adverse effect	As noted by the applicant	agree	<p>Whilst the Applicant's conclusion on the sensitivity of LCA4a (APP-070) in table 6.8 referred to is a 'medium to high' overall sensitivity, and CWCC have accepted this (LV.005 of LIR [REP1-046]) the sensitivity should be considered at the higher end, (and the effect would be at the major end of moderate to major'. It should be noted that CWCC's Landscape Sensitivity Study (March 2016) in relation sensitivity refers to the high sensitivity to very large windfarms:</p> <p>"The open, exposed landscape of the drained marsh is highly sensitive to solar PV development in principle"; (see para. 6.13 – 6.14 of RR-037 and Fig 6-3b of APP-109) "The sensitivity study for LCT4 Drained Marsh (including LCA 4a) identifies the Site as high sensitivity to solar PV development" (see REP2-005 pdf page 341 or 423)</p> <table border="1" data-bbox="1745 961 2884 1373"> <thead> <tr> <th colspan="6">LCT 4 SOLAR PV SENSITIVITY ASSESSMENT</th> </tr> <tr> <th colspan="2">LCA SENSITIVITY</th> <th colspan="4">LCT 4 SENSITIVITY</th> </tr> <tr> <th>LCA</th> <th>Sensitivity</th> <th>Very Small Solar Farm &lt;1ha [&lt;2.5acres]</th> <th>Small Solar Farm 1-6ha [2.5-15 acres]</th> <th>Medium Solar Farm 6-15ha [15-37 acres]</th> <th>Large Solar Farm 15-25ha [37-63 acres]</th> <th>Very Large Solar Farm &gt;25ha [&gt;63acres]</th> </tr> </thead> <tbody> <tr> <td>4a</td> <td>M-H</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4b</td> <td>M</td> <td>L-M</td> <td>L-M</td> <td>M</td> <td>M-H</td> <td>H</td> </tr> <tr> <td>4c</td> <td>M</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4d</td> <td>L-M</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>Assessment on the landscape character should be read in conjunction with the policy harm associated with Policy STRAT9 / ENV2/DM52 – see Appendix 3 (Landscape and Visual) of LIR (REP1-046) (LV.001, LV.002 and LV.004). See also Appendix A of WR [REP1-048] (ISH 1 Agenda Item 5 i)) – Some of which refers to character impacts perceived from outside the OL, but it is an impact on LCA 4a .</p>	LCT 4 SOLAR PV SENSITIVITY ASSESSMENT						LCA SENSITIVITY		LCT 4 SENSITIVITY				LCA	Sensitivity	Very Small Solar Farm <1ha [<2.5acres]	Small Solar Farm 1-6ha [2.5-15 acres]	Medium Solar Farm 6-15ha [15-37 acres]	Large Solar Farm 15-25ha [37-63 acres]	Very Large Solar Farm >25ha [>63acres]	4a	M-H						4b	M	L-M	L-M	M	M-H	H	4c	M						4d	L-M					
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Landscape Character impact beyond Order Limit (Operational)	Limited / Moderate	APP-039 6.1 Chapter 6 Landscape and Visual Amenity Table 6.8 concludes that the Character Areas beyond the Order Limits would range from negligible / neutral adverse effect to minor / moderate adverse effect that would not be significant.	As noted by the applicant	Limited	Of the 'other LCAs' referred to in AP-039, LCA 5f Helsby to Frodsham is the one with a minor to moderate effect identified (para. 6.8.54) and this refers to small changes to outward views, with no notable change to the underlying landscape characteristics. Overall (taking out consideration of LCA4a) the landscape character change beyond the OL is considered limited.																																															
Visual impact from within Order Limit (Construction)	Great / Significant	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.12 and APP-069 Appendix 6-6 Construction Phase Effects concludes moderate to major significant effects	As noted by the applicant	Moderate	Whilst weighting is significant in EIA terms, the construction related impacts in themselves would be temporary, and so overall moderate weight is suggested for the Green Belt assessment; even though some impacts would be major adverse and significant for their duration. Note: Decommissioning impacts would also be Limited/Moderate adverse.																																															

<sup>2</sup> CWCC note that there is no 'long-term' Landscape Character within the OL (Operational) box, so CWCC's comments relate to short and long term (i.e. the reference to 'short term- be omitted).

		on viewpoints 17, 18, 20, 21, 23 and 25 during construction			
Visual impact beyond Order Limit (Construction)	Limited	APP-039 6.1 Chapter 6 Landscape and Visual Amenity Table 6.6 (Summary of Construction Phase Effects) concludes negligible / neutral effects through to minor moderate effects from those viewpoints beyond the Order Limits	As noted by the applicant	Limited	Table 6-6 [APP-039] does conclude that there would be some moderate adverse impacts (i.e. beyond minor-moderate) such as VP13 Helsby Hill, but overall limited weight is appropriate given the temporary nature of the effect.
Visual impact from within Order Limit (Operational Short Term (Year 0))	Great / Significant	APP-039 Chapter 6 Landscape and Visual Amenity Table 6.9 (Summary of Operational Phase Effects on Viewpoints 14, 15, 17, 18, 20, 23, 25) and paragraphs 6.8.69 – 6.8.83 concludes that the effect will be minor adverse (viewpoint 20); moderate to adverse but not significant (viewpoint 14, 15, 17, 23, 25); to moderate to major adverse and significant at two viewpoints (viewpoint 18 and 25)	As noted by the applicant	Significant/Substantial	As set out in paragraph 6.21 of RR-037 and discussed at ISH2 (e.g. paragraphs 2.10 and 2.17) impact of the development experienced from within the OL is difficult to appreciate from individual representative viewpoints, as the impacts will be experienced holistically as part of a journey through the site. See also paragraph 7.9 of WR (REP1-048).
Visual impact from within Order Limit (Operational Medium / Long Term (Year 10))	Moderate	APP-039 Chapter 6 Landscape and Visual Amenity Table 6.9 (Summary of Operational Phase Effects on Viewpoints 14, 15, 17, 18, 20, 23, 25) and paragraphs 6.8.69 – 6.8.83 concludes that the effect will be minor adverse (viewpoint 20); minor to moderate but not significant (viewpoint 14, 15, 17, 23); to moderate to major adverse and significant (viewpoint 18). By year 10 landscape mitigation of visual effects at viewpoint 25 would have reduced such that it would no longer be significant.	As noted by the applicant	Moderate/Significant	The impact of proposed planting (subject to appropriate management) is accepted as lessening the visual impact of the proposed development from within the OL, but this would still be at the upper end of moderate and into significant, when considering the holistic impact visual impact. See also paragraph 6.29 of RR-037. The visual impacts (including perception of openness to the landscape character) would be long lasting, through to decommissioning (see paragraph 13.22 of LIR [REP1-046]). As noted in 6.8.69 of APP-039 “The experience of users of the byway would change from one of travelling through an open area of large-scale pasture grassland with wind turbines and other infrastructure to one of travelling through a solar farm”; and at 6.8.70 “Nevertheless, the Proposed Development would remain a prominent addition that introduces notable change from baseline in all directions. A moderate to major adverse effect would occur, which would be <b>significant.</b> ” ( <i>our emphasis</i> )”.
Visual impact beyond Order Limit (Operational Short Term (Year 0))	Limited	APP-039 Chapter 6 Landscape and Visual Amenity Table 6.9 (Summary of Operational Phase Effects on Viewpoints 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 19, 21, 22, 24, 26, 27, 28, 29, 30) and paragraphs 6.8.69 – 6.8.83 concludes that the effect will be negligible / neutral through to moderate adverse (at 6, 9 and 13 only) and not significant	As noted by the applicant	Range of Limited to Significant	This is a difficult category to summarise in one categorisation, as for the majority of the viewpoints CWCC agree with the Applicant’s assessment.  However, CWCC consider the Applicant’s assessment of moderate/non-significant impact at VP6 and 26 (St Lawrence’s Church) is underestimated (paragraph 6.30 of RR-037), and there is disagreement over VP9 (War Memorial) as expressed in 6.23 to 6.27 of RR-037. See also reference to the qualities of landscape character and the importance of the views from the distinctive landmark at the War Memorial supported by reference to the National Character Areas (NCA 60 and NCA 62) (LIR REP1-046 – LV.002) including reference to Policy GBC2 of LP2. See also paragraphs 7.1 to 7.9 of WR (REP1-048).
Visual impact beyond Order Limit (Operational Medium / Long Term (Year 10))	Limited	APP-039 Chapter 6 Landscape and Visual Amenity Table 6.9 (Summary of Operational Phase Effects on Viewpoints 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 19, 21, 22, 24, 26, 27, 28, 29, 30) and paragraphs 6.8.69 – 6.8.83 concludes that the effect will be negligible / neutral through to moderate adverse (at 6, 9 and 13 only) and not significant	As noted by the applicant	Range of Limited to Significant	Whilst the introduction of additional screen planting will have some effect to lessen impacts over time, at some of the key viewpoints (e.g. VP 3 Ship Street)[APP-111]; other views (and in particular those where CWCC have raised concerns), would remain largely as per Year 0 (e.g. VP26 St Lawrence’s Church [APP-121] and VP9 War Memorial (APP-113)
<b>Ecology and Biodiversity (Harm) – Under Review – Update to be Provided at Deadline 6</b>					
			<b>Ecology and Biodiversity categories under review</b>		
Ecological Impact (Terrestrial) (Construction) on National Statutory Designated Sites	Limited	APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.6 concludes non-significant temporary minor adverse effects			
Ecological Impact (Terrestrial) (Construction)	Moderate	APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.6 concludes that development is in part within Frodsham, Helsby and Ince Marshes			

on Non-Statutory Designated Sites		LWS resulting in a temporary significant moderate adverse effect, and non-significant minor adverse effect on Frodsham Field Studies Centre LWS			
Ecological Impact (Terrestrial) (Construction) on Habitat	Limited	APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.24 concludes non-significant minor adverse effects of habitats of principal importance, and temporary non-significant minor adverse effects on other habitats			
Ecological Impact (Terrestrial) (Construction) Species Specific	Limited	APP-040 Chapter 7 Terrestrial Ecology concludes at the following paragraph: 7.8.37 (Bats); 7.8.47 (Otter); 7.8.55 (Water Vole); 7.8.61 (Other mammals); 7.8.68 (Fish); 7.8.71 (Invertebrates) that the construction will result in minor adverse, non-significant effects			
Ecological Impact (Ornithology) (Construction) Mersey Estuary SPA / Ramsar / SSSI	Limited	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a non-significant minor adverse residual effect			
Ecological Impact (Ornithology) on Functionally linked land (Cells 1, 2, 5, 6)	Limited	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a non-significant minor adverse residual effect			
Ecological Impact (Ornithology) (Construction) Frodsham, Helsby & Ince Marshes LWS	Limited	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a non-significant, short term, minor adverse residual effect			
Ecological Impact (Ornithology) Breeding Birds (Skylark, Lapwing)	Limited	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a non-significant minor adverse residual effect on Skylark			
Ecological Impact (Ornithology) Non-breeding birds	Limited	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a non-significant short term minor adverse effect.			
Ecological (Operational) (Terrestrial) on Non-Statutory Designated Sites		APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.88 concludes that development is anticipated to result in medium to long term moderate positive effects on non-statutory designated sites which is significant.	Moved from Benefits section / Under Review		
Ecological (Operational) (Terrestrial) on Habitats		APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.94 concludes that development is anticipated to result in medium to long term minor positive effects on habitats of principal importance and other habitats which is significant.	Moved from Benefits section / Under Review		
Ecological (Operational) (Terrestrial) Species Specific		APP-040 Chapter 7 Terrestrial Ecology concludes at the following paragraph: 7.8.106 (Bats); 7.8.113 (Otter); 7.8.119 (Water Vole); 7.8.122 (Other mammals); 7.8.126 (Fish); 7.8.130 (Invertebrates) that the Proposed Development will result in minor positive, non-significant effects.	Moved from Benefits section / Under Review		
Ecological Impact (Ornithology) (Operational) Mersey Estuary SPA / Ramsar / SSSI		APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a significant moderate beneficial effect through the creation of the NBBMA creation and screening.	Moved from Benefits section / Under Review		

Ecological Impact (Ornithology) (Operational) Frodsham, Helsby & Ince Marshes LWS		APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a significant, long term moderate beneficial residual effect.	Moved from Benefits section / Under Review		
Ecological Impact (Ornithology) Breeding Birds (Lapwing)		APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a non-significant minor beneficial residual effect on Lapwing.	Moved from Benefits section / Under Review		
Ecological Impact (Ornithology) Non-breeding birds		APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a moderate beneficial long-term significant effect.	Moved from Benefits section / Under Review		
<b>Flood Risk and Drainage</b>					
Flood Risk (sequential approach)				Neutral	CWCC attribute this as neutral but included it as a consideration as the weight will depend on ExA/SoS conclusions on the proposed development in Flood Zones 2 and 3 and the adequacy of the Applicant's sequential approach.
<b>Residential Amenity</b>					
Residential Amenity (Construction) – Noise & Dust	Limited	NPS EN-3 Paragraphs 2.10.161 & 2.10.162 <sup>3</sup> describes the need to consider residential amenity impacts and with regard to construction impacts relevant to noise and vibration limited weight should be applied. REP1-012 Outline Construction Environmental Management Plan (CEMP) paragraph 1.3.3 confirms that a Construction Dust Management Plan (CDMP) will confirm measures to ensure control of dust during construction phase.	As noted by the applicant	agree	See also Paragraphs 18.3 to 18.22 of LIR [REP1-04].
Residential Amenity (Operational) – Glint and Glare	Limited	REP4-018 6.2 ES Volume 2 Appendix 6-3 Residential Properties (update) Section 2.1 reflects changes to the configuration of the Solar Panels and use of antireflective coating. It concludes that no property would experience a moderate effect, but that low glint and glare effects would be experienced at 31 properties located at the northern edge of Frodsham. No glint and glare effects are identified at either of the residential caravan sites off Brook Lane. REP4-016 6.2 ES Volume 2 Appendix 4-3 Glint and Glare states that the maximum daily duration for any impacted dwelling is predicted to be 22 minutes. The maximum median daily durations are just less than four minutes that have a median daily duration of around three minutes and 30 seconds.	As noted by the applicant	agree	See also response to ISH 1 agenda 5 j (RVVA) in WR Appendix A to REP1-048.
<b>Heritage</b>					
Heritage (Construction) Archaeological	Limited	APP-044 Chapter 11 Cultural Heritage paragraph 11.12.4 concludes a minor adverse effect on non-designated ventilation shafts and negligible adverse direct effect on ridge and furrow deposits. Duties under Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010 are considered separately. Whilst affording great weight to the desirability of preserving assets is applied, the overall harm is considered limited.	As noted by the applicant	agree	See paragraph 9.4 of RR-037 in relation to the ventilation shafts and ridge and furrow deposits; as well as Chapter 9 generally in terms of heritage matters (including peat). See also Chapter 22 of LIR [REP1-046].

<sup>3</sup> November 2023 version of NPS EN-3. Now p.10.153 and 2.10.154 in Dec 2025 NPS-EN-3.

Heritage (Operational) Setting	Limited	APP-044 Chapter 11 Cultural Heritage paragraph 11.12.6 concludes a non-significant minor adverse indirect effect on the setting of a number of heritage assets, including designated scheduled assets.	As noted by the applicant	Limited/moderate	At paragraph 22.4 of LIR [REP1-046]. it is noted that: <i>"In general it is considered that the level of harm to the significance of the designated heritage assets is less than substantial"</i> . Appendix 7 of REP1-046 details that <i>"there would be Minor adverse effects upon the settings of the following heritage assets, which include a scheduled ancient monument, a registered park and garden, and conservation areas and a Grade II listed war memorial:</i>  <i>Frodsham Conservation Area (Asset 154); Castle Park (Frodsham) Conservation Area (Asset 155) and the Castle Park Grade II Listed Registered Park and Garden (Asset 153)";</i>  And (at H.002) the impact on the setting of the Grade II listed war memorial On Frodsham Hill is attributed moderate impact.  Similarly, at H.003 to H.004 impacts on Helby Hill and St Lawrence's CA are considered to be of moderate impact (albeit less than for the war memorial).
<b>Traffic</b>					
Traffic (Construction)	Limited	APP-131 <sup>4</sup> 7.3 Transport Assessment paragraph 6.8.1 – 6.8.3 concludes that across the adopted highway network during peak period of the construction phase would be below the IEMA Rule 1 Threshold and would largely fall within accepted level of day-to-day traffic variation. Impact at key junctions would not be significant, and the impact on pedestrian and cycle amenity would be negligible.	As noted by the applicant	agree	Agree, apart from the comment about impact on pedestrian and cycle amenity, which is considered to be Moderate Adverse (see Tourism/Recreation element below).
Traffic (Operational)	Limited	APP-131 <sup>5</sup> 7.3 Transport Assessment Section 4.6 confirms that there would be an expected 10 FTE roles during operation.	As noted by the applicant	No weight	CWCC does not consider that there would harm associated with operational traffic (and the employment aspects are addressed as a benefit below).
<b>Tourism &amp; Recreation / Rights of Way (Harm)</b>					
Tourism & Recreation (inc. Rights of Way) (Construction) <sup>6</sup>	Limited	APP-045 Chapter 12 Tourism and Recreation Table 12.13 consider the impact on a series of recreational receptors (including public rights of way) during the Construction Phase of the development. It concludes that the effects would be negligible to minor adverse and not significant	As noted by the applicant	Moderate	CWCC's comments relate to construction and operational phase, (see footnote).  Table 12.13 identifies that some of the impacts are Minor adverse (including disturbance to tourism, leisure and recreational businesses and recreational use of PROW), which taken together might indicate a moderate rather than limited impact.  See Chapter 23 and Appendix 10 of LIR [REP1-046]. In terms of the pedestrian impact see Chapter 24 (especially paragraphs 24.7 and (and RR-037 – Sections 11 and 19).  The heading Tourism & Recreation also slightly underplays the scope of the issue, as it is to do with wider socio-economic impacts – e.g. impacts on local businesses generally.
					<b>General Point</b>  One impact omitted from the LIR (REP1-046) which ought to have been included is the impact on the tenant farmer and the existing farming business, It is not known whether (as with the wildfowlers) there is a mutual understanding as to the need for change/relocation, nor to the extent which the tenant farmer relies on the OL to continue carrying out farming practices. The tenant farmer has in the past utilised the OL in conjunction with use of Frodsham Score on the north side of the Manchester Ship Canal.
<b>Other Considerations (Benefits)an</b>					
<b>Need</b>					

<sup>4</sup> CWCC note reference APP-134

<sup>5</sup> CWCC note reference APP-134

<sup>6</sup> CWCC note that there is no equivalent 'operational' box. and the operational phase impacts shown in Table 12.13 referred to are the same for the operational phase (with the exception of Impact 3 where operational phase is 'negligible to minor beneficial'.

National need for Renewable Energy (Operational)	Substantial	NPS EN-1 paragraphs 3.2.6 to 3.2.8 state that there is need for the Proposed Development, that there is a need for the development, that need is urgent, and that the Secretary of State should give substantial weight to that need	As noted by the applicant	agree	n/a
National need for Energy Security (Operational)	Significant	APP-128 5.6 Planning Statement Section 2.4 confirms the need for achieving energy security and where that is set out within UK Policy and Energy Strategy.	As noted by the applicant	agree	n/a
National need to Green Economic Growth	Great	APP-128 5.6 Planning Statement Section 2.5 sets out the role that the Proposed Development would play as part of the wider engine for economic growth.	As noted by the applicant	agree	n/a
Local need for Renewable Energy (Operational)	Significant	APP-128 5.6 Planning Statement Section 2.5 and 5.3 set out the local need for the Proposed Development in the context of local climate emergency and net zero targets, local energy security and local economic security	As noted by the applicant	agree	However, CWCC note the need to avoid double counting of the benefits (in terms of the local need being part of a national need), especially in the absence of a firmer commitment to meeting local needs (e.g. private wire connection). CWCC acknowledge the Applicant's position regarding not being able to commit at this stage, and that there is a good prospect of a private wire connection, which would justify recognition on an additional local economic benefit.
Contribution to Net Zero Targets	Significant	APP-128 5.6 Planning Statement Section 2.3 confirms the legally binding commitment to achieving net zero greenhouse gas emissions by 2050 and that the Government Clean Power 2030 Action Plan includes a target that Britain's electricity demand should be met entirely by 'clean' generation by 2030	As noted by the applicant	agree	n/a
Need for Energy Storage (Operational)	Significant	APP-128 5.6 Planning Statement Section 2.3 confirms the pressing need for expanded energy storage capacity to provide flexibility in a renewables-dominated grid, and that storage systems are essential to shift excess generation to periods of high demand and maintain security of supply	As noted by the applicant	agree	CWCC acknowledge the benefits of co-location (both with the FWF and BESS)
<b>Land Use</b>					
Lack of non-Green Belt Sites	Significant	APP-053 6.2 ES Volume 2 Appendix 3-1 Alternative Site Assessment evidence that there are no alternative sites (within or beyond the Green Belt) that can meet the objectives of the Proposed Development. NPS EN-1 paragraph 4.3.22 confirms that the SoS should be guided in considering alternative proposals by whether there is a realistic prospect of any alternative delivering the same infrastructure capacity in the same timescale as the Proposed Development.	As noted by the applicant	No weight	CWCC do not regard this as a benefit 'per se', albeit the lack of an alternative non-Green Belt site is capable of contributing to the case for very special circumstances.
Efficiency of land use (co-location)	Moderate	NPS EN-3 paragraph 2.10.32 states that consideration may be given as to whether a proposal allows for continued agricultural use or co-location with other functions to maximise efficiency of land. APP-128 5.6 Planning Statement paragraph 1.10.2 states that by co-locating the solar with an existing windfarm it makes greater efficiency of land that cannot be utilised for other development, negating the need to access other land for that purpose.	As noted by the applicant	agree	CWCC note co-location above in relation to the BESS and Solar Farm as well as FWF.
<b>Ecology and Benefits (Benefit) – Under Review – Update to be Provided at Deadline 6</b>					
			<b>Ecology and Biodiversity</b>		

			categories under review		
Ecological (Operational) (Terrestrial) on Non-Statutory Designated Sites	Moderate / Great	APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.88 concludes that development is anticipated to result in medium to long term moderate positive effects on non-statutory designated sites which is significant.	Moved to Harms section / Under Review	See Harms section above	Moved issue to the harms section above, as disagree regarding weight being a positive benefit.
Ecological (Operational) (Terrestrial) on Habitats	Moderate / Great	APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.94 concludes that development is anticipated to result in medium to long term minor positive effects on habitats of principal importance and other habitats which is significant.	Moved to Harms section / Under Review	See Harms section above	Moved issue to the harms section above, as disagree regarding weight being a positive benefit.
Ecological (Operational) (Terrestrial) Species Specific	Limited	APP-040 Chapter 7 Terrestrial Ecology concludes at the following paragraph: 7.8.106 (Bats); 7.8.113 (Otter); 7.8.119 (Water Vole); 7.8.122 (Other mammals); 7.8.126 (Fish); 7.8.130 (Invertebrates) that the Proposed Development will result in minor positive, non-significant effects.	Moved to Harms section / Under Review	See Harms section above	Moved issue to the harms section above, as disagree regarding weight being a positive benefit.
Ecological Impact (Ornithology) (Operational) Mersey Estuary SPA / Ramsar / SSSI	Significant	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a significant moderate beneficial effect through the creation of the NBBMA creation and screening.	Moved to Harms section / Under Review	See Harms section above	Moved issue to the harms section above, as disagree regarding weight being a positive benefit.
Ecological Impact (Ornithology) (Operational) Frodsham, Helsby & Ince Marshes LWS	Moderate	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a significant, long term moderate beneficial residual effect.	Moved to Harms section / Under Review	See Harms section above	Moved issue to the harms section above, as disagree regarding weight being a positive benefit.
Ecological Impact (Ornithology) Breeding Birds (Lapwing)	Limited	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a non-significant minor beneficial residual effect on Lapwing.	Moved to Harms section / Under Review	See Harms section above	Moved issue to the harms section above, as disagree regarding weight being a positive benefit.
Ecological Impact (Ornithology) Other Farmland & Scrub-nesting Birds	Moderate	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a significant moderate beneficial residual effect.	Under Review		
Ecological Impact (Ornithology) Non-breeding birds	Moderate	APP-041 Chapter 8 Ornithology Table 8.20 Assessment of likely significant effects identifies a moderate beneficial long-term significant effect.	Moved to Harms section / Under Review	See Harms section above	Moved issue to the harms section above, as disagree regarding weight being a positive benefit.
Ecological Impact (Terrestrial) (Construction) Non-native invasive species	Limited	APP-040 Chapter 7 Terrestrial Ecology paragraph 7.8.74 concludes non-significant minor positive effects on non-native species	Under Review		
<b>Tourism &amp; Recreation / Rights of Way (Benefit)</b>					
Tourism & Recreation (Rights of Way) (Operational)	Limited	APP-045 Chapter 12 Tourism and Recreation Table 12.13 consider the impact on a series of recreational receptors (including public rights of way) during the Operational Phase of the development. It concludes that the effects would be negligible to minor adverse and not significant <sup>7</sup> .	As noted by the applicant	No weight/ Limited	The permissive paths could be given weight as a limited (or even moderate) benefit (see T.002 of LIR (REP1-046), and CWCC acknowledge the provision of the permissive paths, but these are considered to be part mitigation/compensation for the greater adverse impacts on the enjoyment of the existing PRoW as a result of the Proposed Development.  Also, some of the permissive paths are themselves considered to be Moderate adverse to biodiversity interests (see T.004 REP1-046).
<b>Landscape and Visual (Benefit)</b>					

<sup>7</sup> CWCC presume that this should be a reference to Impact 3 of Table 12.13 and a negligible to minor beneficial impact, not adverse.

Landscape Fabric (Operational) – Skylark Mitigation Area	Limited	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.37 concludes large magnitude of change that would result in moderate level of effect which would be beneficial and not significant in EIA terms.	As noted by the applicant	agree	However, para 6.8.37 of APP-039 refers to the value in biodiversity terms as well as landscape in reaching the conclusion the impacts would be beneficial. As the SMA is proposed as mitigation, it would not be appropriate to attribute weight to this aspect as a benefit in terms of the Green Belt assessment. This is considered a very limited benefit in landscape terms (and also time-limited to the duration of the DCO).
Landscape Fabric (Longer Term Operational - Grassland, Hedgerow and Scrub Vegetation)	Limited	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.38 – 6.3.42 concludes the proposed changes to management would diversify the structure and improve the quality of grassland, hedgerow and scrub vegetation. Paragraph 6.8.40 confirms that the enhanced management of hedgerows and provision of new planting would have a beneficial effect	As noted by the applicant	agree	However, as above, the paragraphs referred to in APP-039 refer to the biodiversity benefits, and there is a need to avoid double counting this aspect.
Landscape Fabric (Longer term Operational – Trees and Waterbodies)	Moderate	APP-039 6.1 Chapter 6 Landscape and Visual Amenity paragraph 6.8.41 – 6.3.43 concludes all retained and proposed vegetation would be managed throughout the 40-year life, with the intention of enhancing visual screening and increasing areas of habitat and habitat connectivity. A medium magnitude of change would occur that would result in a moderate to major level of effect. There would be an increase in tree cover and no loss, which would be significant.	As noted by the applicant	Limited	As above, the paragraphs referred to in APP-039 refer to the biodiversity benefits, and there is a need to avoid double counting. The magnitude of new native tree / woodland planting (para 5.8.41 of APP-039) is noted, as is the new water bodies in the NBBMA, but these are regarded as mitigation/compensation for the adverse impacts on landscape fabric and character referred to above; and in terms of the waterbodies, as mitigation/.compensation for the biodiversity impacts.
Landscape Character impact from within Order Limit (Operational – in the longer term)	Moderate	APP-039 6.1 Chapter 6 Landscape and Visual Amenity Table 6.8 concludes that the Character Area (LCA4a: Frodsham, Helsby and Lordship Marshes) experience moderate to major beneficial effects (landscape and biodiversity enhancements and enhancement to public access). Benefits identified on Residential Amenity (Rights of Way) and ecological / biodiversity are separate to Landscape Character and consequently are not 'double counted'.	As noted by the applicant	No weight / Limited	The landscape and biodiversity enhancements referred to in Table 6.8 of APP-039 are mitigation/compensation and should not be regarded as benefits in terms of the Green Belt assessment. Paragraph 6.8.52 of APP=039 (and Table 6.8) refer to the landscape character effects being generally adverse (and any benefits of landscape enhancement should be regarded in that context).

\* Weighting terminology (hierarchy amended to reflect the weight given within the [glossary to NPS EN-1](#)):

- No weight
- Limited positive / negative weight
- Moderate positive / negative weight
- Great positive / negative weight<sup>8</sup>
- Significant positive / negative weight
- Substantial positive / negative weight

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<sup>8</sup> In CWCC's LIR Appendices (RR-037) 'Great' was used to indicate the highest level of impact, and whilst only used to assign Great positive weight to the energy/climate change benefits (Appendix 2 of RR-037), it is worth noting the use of a different hierarchy between the two documents.