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Our ref: 25/01959/NIP

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Date: 22 April 2026

Dear Team,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Frodsham Solar Ltd (the Applicant) for an order granting development consent for Frodsham Solar (EN010153)

Further to the 'Rule 8 letter' dated 16 December 2025 [**PD-008**], I am writing on behalf of Cheshire West and Chester Council as the host local authority with comments in relation to Deadline 6 (22 April 2026).

CWCC's submissions for Deadline 6 comprise this letter and the following:

- Cheshire West and Chester Council's responses to the Report on Implications for European Sites (RIES) (25 March 2026);
- Comments on the ExA's schedule of changes to the draft Development Consent Order (9 April 2026) [PD-018]; and
- Cheshire West and Chester Council's further comments on the Deadline 5 submissions.

Information requested by the ExA for Deadline 6 is provided further below:

- 1) Update on Green Belt Impacts Summary Table
- 2) Update on CWCC Green Belt Assessment
- 3) Response to Rule 17 – Request for further Information letter 31 March 2026 (**PD-017**)

- 4) Waste Assessment Update
- 5) Update on MoU for Runcorn Spur
- 6) Update on Statement of Common Ground (SoCG) with CWCC

Other information is also provided further below:

- 7) Update on other scheme with possible cumulative/ in-combination effects - Hob Lane Solar at land North of Rake Lane, Dunham On the Hill (25/01339/FUL)
- 8) Update on Planning Performance Agreement (PPA) – Post decision for discharging requirement.

1) Update on ISH2 Action Point 28 ii) - Green Belt Impacts Summary Table

No	Party	Action	Deadline
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

CWCC have provided comments back to the Applicant (*updated with biodiversity comments*) and the Applicant will submit the final document for DL6.

2) Update on CWCC Green Belt Assessment

Extract from ExQ2 [PD-016]:

Green Belt		
2.9.3	Applicant CWCC	<p>CWCC's Green Belt Assessment</p> <p>CWCC has noted that this document is expected to be published for consideration by its Scrutiny Committee on 27 April 2026. The ExA assumes that, in accordance with the Local Government Act 1972, the draft would be published five clear days before the Committee meeting. If so, and given that the examination is scheduled to close on 30 April 2026:</p> <ol style="list-style-type: none"> 1) could CWCC provide a copy of this draft document to the applicant as soon as it is published and to the ExA at deadline 6 (Wednesday 22 April 2026); 2) could CWCC and the applicant provide any observations on the draft document (insofar as it relates to the application site or the arguments that they have put forward) at deadline 7 (Wednesday 29 April 2026); and 3) could CWCC provide details of the Scrutiny Committee's decision in respect of the draft document at deadline 7?

Further to ExQ2 2.9.3 [PD-016] CWCC's Green Belt Assessment has been delayed, and it will not be published / considered by Scrutiny Committee on 27 April 2026. The assessment is not expected to be published before the close of the Examination.



3) Response to Rule 17 – Request for further Information letter 31 March 2026 [PD-017]

Natural England and CWCC - The ExA understands that many recent DCOs include a BNG requirement that states a BNG strategy must be approved by the Local Planning Authority (LPA) in consultation with the relevant Statutory Nature Conservation Body (SNCB). It appears in this situation that the LPA, in this case CWCC, strongly disagrees with the SNCB (Natural England). The ExA is concerned that unless this disagreement is resolved, the approval of a BNG strategy for the proposed development at the post consent stage may not be possible. The ExA requests that Natural England and CWCC respond to this concern from the ExA.

CWCC response:

As has been confirmed in NE's Deadline 5 Responses to the Examining Authority's (ExA's) second written questions (ExQ2) response (REP5-056), NE have no comment on the detail of BNG. Following discussion with NE it is understood that NE supports the LPA leading on the assessment of the BNG metric and considers that where the BNG metric is being used that the associated metric rules including trading rules should be satisfied.

Additional comments:

CWCC concur that a BNG Strategy could be a requirement of a DCO. However, it notes that in the Schedule of Changes to draft Development Consent Order issued by the ExA on 9th April, that Biodiversity Gain Plan (**BGP**) is the suggested requirement instead. The wording suggested by the ExA does not take into account CWCC's disagreement that BNG is not achieved and quotes percentages, without accounting for the trading rule error issue.

CWCC would support a BNG Strategy as a requirement in the DCO, instead of a BGP, with the following elements included in the oLEMP to ensure compliance with Policy for BNG;

A Biodiversity Net Gain Strategy document is required to demonstrate no net loss of biodiversity, using the DEFRA metric:

- A completed DEFRA Biodiversity Metric calculation demonstrating a net gain in biodiversity,
- UK Habs plans pre and post development,
- Habitat condition assessments of the habitats on site, using the DEFRA Habitat Condition Assessment Sheets,
- An outline habitat management and maintenance plan demonstrating how proposed habitats will reach target conditions per monitoring year,
- An outline annual works schedule including approximate timescales for habitat clearance and habitat creation and/or enhancement.
- Expected unit progress shown at years 1, 2, 5, 10, 20 and 30 for each habitat;
- Reporting on year 1, 2, 5, 10, 20 and 30, with biodiversity reconciliation calculations at each stage.

It is also noted that in the Hynet Carbon Dioxide Pipeline DCO (Requirement 14) a Biodiversity Net Gain Strategy is required. Potential suggested amendments for Frodsham Solar are included in **red**.

*"14.—(1) No development may commence until a scheme (~~which may comprise of up to 2 parts being one for within England and one for within Wales~~) securing the provision of BNG of 1% or greater for the **priority** habitats affected by the authorised development (as calculated using*

Department of Environment, Food and Rural Affairs' *Natural England* Biodiversity Metric 3.1, or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature consultation body), has been submitted to and approved in writing by the relevant planning authority. The scheme must set out measures to deliver and secure the maintenance for 30 years of the BNG provision.

(2) Where such a scheme is approved under this requirement, the works set out in that scheme must be carried out in accordance with the approved scheme.

(3) The approved scheme shall be maintained in accordance with the scheme of maintenance secured for 30 years of the BNG provision under sub-paragraph (2).”

Please also refer to the comments on the Deadline 5 submissions in relation to use of the statutory metric or other metric (version 4.0).

4) Update on CWCC Waste Assessment (ISH2 Action Point 58 – REP4-066)

Unfortunately, there has been a delay in the publication of CWCC's Waste Needs Assessment for the emerging Local Plan, and it is not expected to be available before the close of the Examination.

5) Update on Memorandum of Understanding relating to Runcorn CO2 spur pipeline

The Applicant and CWCC have continued to discuss matters in relation to the Runcorn CO2 spur pipeline. However, CWCC has not changed its position in relation to reserving its position on the determination of the CO2 pipeline application; and noting that it has suggested potential solutions e.g. a legal agreement, which it is understood from Frodsham Solar Ltd, that neither applicant wishes to entertain, and a potential additional requirement in the DCO relating to a temporary period when further (other) development would not be permitted following implementation of the Frodsham Solar scheme.

See CWCC's response to ExQ2 (Q2.9.15) [REP5-045] and earlier submissions: [REP4-065 and REP4-066]; in particular in response to ISH2 Agenda Item 3f and Action Point 39.

Given the impending close of the Examination at the end of this month, CWCC will proactively update PINS on progress with the determination of the Runcorn CO2 spur pipeline application (25/02108/FUL).

6) Statement of Common Ground with Cheshire West and Chester Council (SoCG)

The Applicant and CWCC have continued to discuss matters in relation to the SoCG.

As noted at Deadline 5 an updated draft was provided by the Applicant, and CWCC has only today been able to provide comments back for the Applicant's review. The parties are continuing to work together to provide a final SoCG for Deadline 7.

7) Update on other scheme with possible cumulative/ in-combination effects - Hob Lane Solar Farm at land North of Rake Lane, Dunham On the Hill (25/01339/FUL)

In CWCC's REP1-046 the application for a solar farm was noted as requiring assessment, In the Applicant's response to the LIR [REP3-042] it was noted:

"The distance and noting that the two developments lie on opposite sides of the M56 motorway, mean that cumulative effects in relation to ecology, ground, water resources, and archaeology indicate that cumulative effects are unlikely to be significant".

However, since then Natural England (NE) has commented on application 25/01339/FUL (see **Appendix A**) and identified the site is Functionally Linked Land (FLL), commenting that an appropriate assessment should be undertaken. The report to inform HRA referred to in the NE letter is provided for information (**Appendix B**)

It is expected that the appropriate assessment for Hobs Lane will need to consider the in-combination/cumulative effects (including Frodsham Solar), and it follows that the ExA / SoS will want to consider the potential for in-combination effects in respect of the Frodsham Solar DCO application.

8) Planning Performance Agreement – Post decision for discharging requirements

CWCC and the Applicant have progressed the PPA and the draft is currently with the Applicant for comment. CWCC will update the ExA on progress at Deadline 7.

Yours faithfully


Principal Planning Officer

Appendices

Appendix A – Hobs Lane application – Natural England consultee comments

Appendix B - Hobs Lane Report to Inform HRA

APPENDIX A to CWCC letter 22 April 2026

Date: 09 March 2026
Our ref: 539537
Your ref: 25/01339/FUL



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Cheshire West and Chester Council

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Dear [REDACTED]

Planning consultation: Construction and operation of a solar photovoltaic (PV) farm with associated infrastructure and landscape and ecological enhancements for a temporary operational period of 40 years

Location: Land North of Rake Lane Dunham On The Hill Chester

Thank you for your consultation on the above dated 26 January 2026, which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary of Natural England's advice – further information required

In summary, it is the advice of Natural England that it is not possible to conclude that the development is unlikely to result in significant effects on nearby European sites, and to ensure a robust and rigorous assessment an appropriate assessment should be undertaken.

The appropriate assessment should consider all of the submitted information and detailed consideration of impacts on SPA/Ramsar qualifying bird features that use the development site and land surrounding the development site.

Internationally and nationally designated sites

The application site is approx. 3km from the Mersey Estuary Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest.

In considering the European site interest, Natural England advises that the competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation Objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Natural England has also published [Conservation Advice Packages](#) which provide additional detailed information on Marine Protected Areas.

Please see the subsequent sections of this letter for our advice relating to SSSI features.

Habitats Regulations Assessment (HRA)

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant (Reprot to Inform a Habitats Regulations Assessment v2 by Avian Ecology dated 15 January 2026) . As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England notes that the proposed development has been screened to check for the likelihood of significant effects. The assessment concludes that your authority is able to rule out the likelihood of significant effects arising from the proposal.

On the basis of information provided, it is the advice of Natural England that **it is not possible** to conclude that the proposal is unlikely to result in significant effects on the European sites in question.

Natural England advises that the assessment currently does not provide enough information or certainty to justify the assessment conclusion and that your authority should not grant planning permission at this stage. Where there is a likelihood of significant effects (excluding any measures intended to avoid or reduce harmful effects on the European site), or there are uncertainties, a competent authority should undertake an appropriate assessment in order to fully assess the implications of the proposal in view of the conservation objectives for the European sites in question.

Natural England therefore advises that an appropriate assessment should now be undertaken, and the following information is provided to assist you with that assessment. Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Further information required

Natural England does not agree with the conclusions of the applicant's HRA (Avian Ecology) that likely significant effects on the above designated sites can be ruled out. The non-breeding bird survey data that supports the HRA shows that the development site and surrounding fields are used by significant numbers of SPA/Ramsar birds on occasion. We advise that this demonstrates that the land has a functional link to the SPA/Ramsar and as such potential impacts as a result of the development should be considered as a likely significant effect, with habitat loss due to displacement and disturbance of qualifying features taken through to an appropriate assessment.

The appropriate assessment should consider the strength of this functional link and how important this loss of habitat may be to the SPA/Ramsar population.

We recommend examining a range of metrics to characterise the strength of the functional linkage e.g. proportion of the SPA population held by the development site, regularity of use (over a broad scale of time), absolute numbers, use in particular conditions (e.g. is the land used as a cold weather refuge or at certain times in certain years).

We note that the survey results show significant numbers of curlew using the development site, however they have been found in higher numbers and more consistently in the fields surrounding the development site. Therefore, the HRA should also consider any disturbance impacts during both construction and operation on significant populations of birds within the surrounding fields. Noise and visual disturbance including lighting should be considered as an impact pathway within the HRA screening stage. Existing relevant bird survey evidence can be used to inform the assessment of this impact pathway.

Mersey Estuary SSSI

Our concerns regarding the potential impacts upon the SSSI coincides with our concerns regarding the potential impacts upon the international designated sites and so are set out above.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it

and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Please consult us again once the information requested above, has been provided.

If you have any queries relating to the advice in this letter, please contact me on the details below. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,



or Coastal Planning Casework

ncashire Area Team

naturalengland.org.uk



Hob Lane Solar

on behalf of Hob Lane Solar Farm Ltd.

Report to Inform a Habitats Regulations Assessment



Document Control				
Project Name:		Hob Lane Solar Farm		
Project Number:		Bellt-648-6694		
Report Title:		Information to Inform Habitat Regulations Assessment		
Issue	Date	Notes	Prepared	Reviewed
V1	09/01/2026	Draft for client comment	██████████	██████████
V2	15/01/2026	First issue	██████████	██████████

This report has been prepared in accordance with the terms and conditions of appointment [on request]. Avian Ecology Ltd. (6839201) cannot accept any responsibility for any use of or reliance on the contents of this report by any third party.

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FIGURES

- Figure 1: Site Location Plan
- Figure 2: Statutory Designated Sites Plan
- Figure 3: Extract of NECR361

Figure 4: Field Numbers Plan

1 PURPOSE OF REPORT

- 1.1.1 Avian Ecology Ltd was commissioned by Belltown Power UK on behalf of Hob Lane Solar Farm Ltd to produce a report to inform the undertaking of a Habitats Regulations Assessment (HRA) by the relevant Competent Authority (Cheshire West and Chester Council) for the proposed Hob Lane Solar Farm development (hereafter the 'Proposed Development', planning ref: 25/01339/FUL).
- 1.1.2 It provides the Competent Authority with the necessary ecological information regarding the Proposed Development with respect to its potential for Likely Significant Effects (LSEs) upon the qualifying features of European sites in the UK (i.e. those which form part of the National Site Network).
- 1.1.3 The Proposed Development is for the construction and operation of a solar photovoltaic (PV) farm with associated infrastructure and landscape and ecological enhancements for a temporary operational period of 40 years.

2 LEGISLATIVE BACKGROUND

- 2.1.1 Council Directives 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive') and 2009/147/EC on the conservation of wild birds (the 'Birds Directive') provide for the designation of sites for the protection of certain species and habitats – Special Area of Conservations (SACs) and Special Protection Areas (SPAs). Such sites designated under the Directives together with Ramsar sites (wetlands of international importance) are collectively termed 'European sites' and form part of a network of protected sites across Europe, known as the Natura 2000 network.
- 2.1.2 In the UK, the Conservation of Habitats and Species Regulations (2017) (the '2017 Regulations') transpose the Habitats and Birds Directives into national law. Changes were made to the 2017 Habitats Regulations by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the '2019 Regulations'). The 2017 and 2019 Regulations are collectively referred to as the 'Habitats Regulations'.
- 2.1.3 Under the amendment made by the 2019 Regulations SACs and SPAs in the UK no longer form part of the EU's Natura 2000 network, but form part of a national site network. The national site network includes:
- existing SACs and SPAs; and,
 - new SACs and SPAs designated under the 2019 Regulations.
- 2.1.4 Wetlands of International Importance (known as Ramsar sites) do not form part of the national site network, but many overlap with SACs and SPAs, and may be designated for the same or different qualifying features. Ramsar sites are afforded the same protection as European sites.
- 2.1.5 A Competent Authority is the body with the legal power to decide on a plan or project that might affect a European protected site. As the Competent Authority, CWaC must undertake an assessment under the Habitats Regulations, known as a Habitats Regulations Assessment (HRA), to test if a project or plan could significantly harm the qualifying features of a European site, in order to decide whether to approve the project or plan.
- 2.1.6 The Competent Authority may only approve a project or plan where it can be concluded that it will not adversely affect the integrity of a European site. The exception to this is where there are Imperative Reasons of Overriding Public Interest (IROPI) and there are no other feasible alternatives which would not affect the integrity of the European site. In this case the competent authority must

assess all compensatory measures required to ensure the protection of the overall coherence of the national site network.

2.1.7 This HRA process can involve up to four stages, as summarised in Box 1.

Box 1 Stages of Habitats Regulations Assessment

Stage 1 – Screening:

This stage identifies the likely impacts upon a European Site of a project or Plan, either alone or 'in combination' with other projects or plans, and considers whether these impacts are likely to be significant.

Stage 2 – Appropriate Assessment:

Where there are likely significant impacts, this stage considers the impacts of the Plan or project on the integrity of the relevant European Sites, either alone or 'in combination' with other projects or plans, with respect to the sites' structure and function and their conservation objectives. Where there are adverse impacts, it also includes an assessment of the potential mitigation for those impacts.

Stage 3 – Assessment of Alternative Solutions:

Where adverse impacts [on the integrity of the site] are predicted, this stage examines [whether or not there are] alternative ways of achieving the objectives of the project or Plan that avoid adverse impacts on the integrity of European Sites.

Stage 4 – Assessment Where No Alternative Solutions Exist and Where Adverse Impacts Remain:

This stage assesses compensatory measures where it is deemed that the project or Plan should proceed for imperative reasons of overriding public interest (IROPI).

2.1.8 Stages 1 and 2 are covered by Regulation 63 and Stages 3 and 4 are covered by Regulation 64 and 68.

2.1.9 With respect to Stage 2, the integrity of a European Site relates to the site's conservation objectives and has been defined in guidance as "the coherent sum of the site's ecological structure, function and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated"¹. An adverse effect on integrity, therefore, is likely to be one which prevents the site from making the same contribution to favourable conservation status for the relevant feature as it did at the time of designation.

2.1.10 The HRA screening process uses the threshold of LSE to determine whether effects on European sites should be the subject of further assessment. The Habitats Regulations do not define the term LSE. However, in the Waddenzee case (Case C127/02)², the European Court of Justice found that an LSE should be presumed and an Appropriate Assessment (AA) carried out if it cannot be excluded on the basis of objective information that the plan or project will not have significant effects on the conservation objectives of the site concerned, whether alone or in combination with any other project. The Advocate General's opinion of the Sweetman case (Case C-258/11)³ further clarifies the

¹ Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, at section 4.6.3 (Updated Version, November 2018)

² Judgment of the Court (Grand Chamber) of 7 September 2004. Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretaris van Landbouw, Natuurbeheer en Visserij. Reference for a preliminary ruling: Raad van State - Netherlands. Case C-127/02

³ Judgment of the Court (Third Chamber), 11 April 2013 Peter Sweetman and Others v An Bord Pleanála. Request for a preliminary ruling from the Supreme Court (Ireland) Case C-258/11

position by noting that for a conclusion of an LSE to be made “there is no need to **establish** such an effect...it is merely necessary to determine that there **may be** such an effect” (original emphasis).

- 2.1.11 For the reasons highlighted above the assessment process follows the precautionary principle throughout and the word ‘likely’ is regarded as a description of a risk (or possibility) rather than in a legal sense an expression of probability.
- 2.1.12 Screening can be used to screen-out European sites and elements of works from further assessment, if it is possible to determine that significant effects are unlikely (e.g., if sites or interest features are clearly not vulnerable (exposed and / or sensitive) to the outcomes of the proposal due to the absence of any reasonable impact pathways).
- 2.1.13 The screening process has two potential conclusions, namely that a project or plan, alone or in combination with other developments, could result in:
- No LSE on any of the qualifying features of the European site; or
 - LSE identified, or cannot be ruled out, on one or more of the qualifying features of the European site.
- 2.1.14 Only the second of these outcomes will trigger an AA. If one or more LSE are identified, or cannot be ruled out, it is then necessary to proceed to Stage 2 and undertake an AA.
- 2.1.15 On 12 April 2018, the Court of Justice of the European Union (CJEU) issued a judgment on Case C323/17 (People over Wind, Peter Sweetman v Coillte Teoranta)⁴ which stated (at paragraph 41):
- “Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects [mitigation] of the plan or project on that site.”*
- 2.1.16 This means that any mitigation relating to protected sites will no longer be considered at the screening stage but taken forward and considered at the appropriate assessment stage to inform a decision on whether no adverse effects on site integrity can be demonstrated.
- 2.1.17 The assessment provided within this report takes into account the CJEU ruling on ‘People over Wind’ and the precautionary principle has been applied as per the Waddenzee case.

⁴ Judgment of the Court (Seventh Chamber) of 12 April 2018 People Over Wind and Peter Sweetman v Coillte Teoranta Request for a preliminary ruling from the High Court (Ireland) Case C-323/17

3 INFORMATION TO INFORM THE ASSESSMENT

3.1 Site Description

- 3.1.1 The Site, as illustrated by the red-line boundary shown on **Figure 1**, comprises a series of agricultural fields bound by hedgerows, tree lines and woodland. The Site also supports numerous large WW2 ammunition storage buildings and five ponds.
- 3.1.2 The area surrounding the Site comprises farmland, scattered woodlands and residential housing. The M56 is situated directly north-west of the Site, with Hapsford village located to the north-east. Access to the Site is via Common Lane off the A5117 to the north-east.
- 3.1.3 The Site is described in detail in the Ecological Assessment Report⁵ (EAR) for the Proposed Development.

3.2 Project Description

- 3.2.1 The Proposed Development is described in the Planning, Design and Access Statement⁶. It would have an installed capacity of circa 30MWAC and consists of the following key components along with associated ancillary infrastructure and equipment:
- Solar PV Arrays with piled foundations and arranged on mounting frames in rows (known as 'strings') with a minimum height of 0.8 metres above ground level and maximum height of 3.2 metres. The row distance/spacing between panels will be between 2 to 6 metres;
 - 33kV substation building (30m x 8m x 5m), comprising office, welfare, monitoring and controls rooms;
 - Substation compound (40m x 25m). This includes provision for vehicular parking and material laydown;
 - 14no. inverter and transformer stations (6m x 3m x 4m);
 - 2.5 metre high perimeter fencing (stock proof);
 - Up to 3 metre high CCTV cameras facing along the perimeter fencing and mounted on poles spaced along the perimeter fencing;
 - Internal access and maintenance tracks (approximately 4 metres wide), constructed of crushed aggregate (MOT Type 3); and
 - Access improvements at the junction between Common Lane and the A5117, and widening of the carriageway in two sections along the north-eastern part of Common Lane.
- 3.2.2 The Proposed Development would also deliver extensive landscaping around the site, including new tree planting, hedgerows and grassland, and the management of existing grassland and hedgerows to maximise their ecological potential.
- 3.2.3 The Proposed Development is not directly connected to or necessary for the management of any European site and is considered to be a 'Project' under the provisions of the Habitats Regulations.

⁵ Avian Ecology (2025) Hob Lane Solar Farm Ecological Assessment Report

⁶ Stephenson Halliday (2025) Hob Lane Solar Farm Planning Design and Access Statement

3.3 European Sites

- 3.3.1 A statutory designated site plan is provided as **Figure 2**. All European sites within 2km, or where connectivity exists (e.g., via watercourses), were considered, extended to 20km where migratory geese qualifying features are present and to 30km for SACs with bats as a qualifying feature.
- 3.3.2 The Site is not located within any European site, with no such sites present within 2km of the Site or considered to have connectivity to the Site.
- 3.3.3 While no European or Ramsar sites are present within 2km of the Site, several European sites with migratory geese qualifying features are located within 20km of the Site, the core wintering foraging range for whooper swan, greylag goose and pink-footed goose and upon which potential connectivity may be identified in accordance with NatureScot guidance (2016⁷). It is therefore considered that some of the qualifying interests for which these European sites are designated may rely on habitats outside of the designated sites boundaries. Critically, such habitats (also known as functionally linked land (FLL)) can play an essential role in maintaining SPA/Ramsar bird populations, and proposals affecting these habitats and/or the birds /populations using them may therefore have the potential to affect the integrity of the European Site.
- 3.3.4 **Table 3.1** below identifies all European and Ramsar sites within 20km of the Site with migratory geese qualifying features and outlines their qualifying features, as described within the corresponding *European Site Conservation Objectives* document and *Information Sheets on Ramsar Wetlands* for the Sites.
- 3.3.5 There are no SACs designated for bats within 30km of the Site.

Table 3.1: European sites qualifying features.

European Site	Distance and Direction	Qualifying Features
Mersey Estuary SPA (SPA Marine Components GB) ⁸	2.91km north	<p>Qualifying Features:</p> <p>Common shelduck (non-breeding); Eurasian teal (non-breeding); Northern pintail (non-breeding); European golden plover (non-breeding); Dunlin (non-breeding); Black-tailed godwit (non-breeding); Common redshank (non-breeding); Waterbird assemblage.</p>
Mersey Estuary Ramsar ⁹	2.91km north	<p>Ramsar criterion 5 – Assemblages of international importance:</p> <p>Waterbird assemblage - Wintering</p> <p>Ramsar criterion 6 – species/populations occurring at levels of international importance.</p> <p>Dunlin, <i>Calidris alpina</i> - Wintering Pintail, <i>Anas acuta</i> - Wintering Redshank, <i>Tringa totanus</i> - Passage Redshank, <i>Tringa totanus</i> - Wintering</p>

⁷ SNH (2016) Assessing Connectivity with Special Protection Areas (SPAs). Scottish Natural Heritage (SNH), Inverness.

⁸ <https://publications.naturalengland.org.uk/publication/5790848037945344> (Accessed: 12th March 2025)

⁹ <https://rsis.ramsar.org/ris/785> (Accessed: 12th March 2025)

European Site	Distance and Direction	Qualifying Features
		Shelduck, <i>Tadorna tadorna</i> - Wintering Teal, <i>Anas crecca</i> - Wintering
River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid (England and Wales) SAC ¹⁰	8.11km south-west	<p>Qualifying Features:</p> <ul style="list-style-type: none"> • Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot; • Sea lamprey; • Brook lamprey; • River lamprey; • Atlantic salmon; • Bullhead; • Otter; • Floating water-plantain.
Midland Meres & Mosses - Phase 1 Ramsar ¹¹	8.26km south-east	<p>Ramsar criterion 1 – Representative, rare, or unique example of a natural or near-natural wetland type The site comprises a diverse range of habitats from open water to raised bog.</p> <p>Ramsar criterion 2 – Supports vulnerable, endangered, or critically endangered species or threatened ecological communities</p> <ul style="list-style-type: none"> • Wetland invertebrate assemblage • Wetland plant assemblage <p>Supports a number of rare species of plants associated with wetlands including five nationally scarce species together with an assemblage of rare wetland invertebrates (three endangered insects and five other British Red Data Book species of invertebrates)</p>
Midland Meres & Mosses Phase 2 Ramsar ¹²	8.40km south-east (Linmer Moss)	<p>Ramsar criterion 1 – Representative, rare, or unique example of a natural or near-natural wetland type The site comprises a diverse range of habitats from open water to raised bog.</p> <p>Ramsar criterion 2 – Supports vulnerable, endangered, or critically endangered species or threatened ecological communities</p> <ul style="list-style-type: none"> • Wetland invertebrate assemblage • Wetland plant assemblage <p>Supports a number of rare species of plants associated with wetlands, including the nationally scarce cowbane <i>Cicuta virosa</i> and, elongated sedge <i>Carex elongata</i>. Also present are the nationally scarce bryophytes <i>Dicranum affine</i> and <i>Sphagnum pulchrum</i>.</p> <p>Also supports an assemblage of invertebrates including several rare species. There are 16 species of British Red Data</p>

¹⁰ <https://publications.naturalengland.org.uk/publication/4660149109129216> (Accessed: 12th March 2025)

¹¹ <https://rsis.ramsar.org/RISapp/files/RISrep/GB653RISformer1996.pdf> (Accessed: 12th March 2025)

¹² <https://jncc.gov.uk/jncc-assets/RIS/UK11043.pdf> (Accessed: 12th March 2025)

European Site	Distance and Direction	Qualifying Features
		Book insect listed for this site including the following endangered species: the moth <i>Glyphipteryx lathamella</i> , the caddisfly <i>Hagenella clathrata</i> and the sawfly <i>Trichiosoma vitellinae</i> .

3.4 European Site Conservation Objectives

- 3.4.1 A HRA is required to assess if a project (or plan) is likely to have a significant adverse effect on the conservation objectives of a European site.
- 3.4.2 The Conservation objectives of a European site are a statement of standards which must be met to maintain (or restore) the qualifying features of the European Site at (or to) “favourable conservation status” (FCS).
- 3.4.3 The conservation status of a natural habitat is favourable when¹³:
- its natural range and area are stable or increasing;
 - the processes that maintain the structure and function of the habitat are likely to continue on a long-term basis; and,
 - its typical species are stable or improving.
- 3.4.4 The conservation status of a species is favourable when:
- the population is maintaining itself on a long-term basis;
 - the natural range of the species is stable or improving; and,
 - its habitat is stable or improving and can support the species on a long-term basis
- 3.4.5 The relevant conservation objectives of European sites listed in **Table 3.1** are provided within each European sites Conservation Advice (where available) and are summarised in **Table 4.1**.

3.5 Wintering Bird Surveys

- 3.5.1 Wintering bird surveys have been undertaken to determine if the Site and immediate surrounds constitute functionally linked land to the Mersey estuary SPA.

Methods

- 3.5.2 Survey methods are provided in full in the Non-breeding Bird Survey Report¹⁴, however are summarised below.
- 3.5.3 Non-breeding bird surveys were undertaken between January 2025 and March 2025 inclusive, and then between September 2025 and December 2025 inclusive. Surveys assessed all suitable habitats within the Site, as well as all suitable fields within a 600m buffer of the Site boundary (the Wider Survey Area).

¹³ <https://www.gov.uk/guidance/duty-to-protect-protect-serve-and-restore-european-sites>

¹⁴ Avian Ecology (2026) Hob Lane Solar Farm: Non-breeding Bird Survey Report

- 3.5.4 Target Species recorded during field surveys comprised all waterbird species including all swans, geese and ducks (excluding feral species), waders, herons, grebes, gulls and Annex 1/Schedule 1¹⁵ raptors and owls.
- 3.5.5 Secondary Species also recorded consisted of non-Annex 1/Schedule 1 raptors, gulls, notable flocks of non-wetland species, feral species (e.g. Canada goose and Egyptian goose) and Amber and Red-listed Birds of Conservation Concern (BoCC)¹⁶ species.
- 3.5.6 Walkover survey, nocturnal walkover survey and vantage point (VP) survey was undertaken, according to the methods below.

Walkover Survey

- 3.5.7 Each month between January 2025 and March 2025 inclusive, and then between September 2025 and December 2025 inclusive a single walkover survey visit was completed adopting the 'look-see' methodology (Gilbert *et al.* 1998¹⁷). During each survey visit surveyors observed each field within the Survey Area, walking the boundaries and stopping at intervals and scanning the fields for Target Species (as detailed in Paragraph 5), with binoculars.

Nocturnal Walkover Survey

- 3.5.8 Nocturnal surveys were undertaken each month between September 2025 and December 2025 and broadly followed the methods outlined for walkover survey, however were undertaken after dusk.
- 3.5.9 Surveys were carried out using Pulsar Lexion thermal imaging cameras used to aid detection of species and where possible record the birds to species level. Where individual birds were unidentifiable due to distance or small size of the species, surveyors used knowledge of behaviour and suitable habitat for these species to make an informed estimate of a species group e.g., *Calidris* wader (sanderling or dunlin).

Vantage Point Flight activity Surveys

- 3.5.10 The VP flight activity surveys were undertaken each month between September 2025 and December 2025 and followed the NatureScot guidance (SNH, 2017¹⁸) which although is intended for wind farm developments, is considered appropriate to use for proposed solar farms in the absence of guidance specific to solar farm developments. Surveys were carried out over a 3hr period and flights and activity of Target Species were recorded onto basemaps. Any activity by Secondary Species was also recorded every 15 minutes, but detailed flights of these species were not recorded.
- 3.5.11 All vantage point surveys were undertaken during daylight hours.

¹⁵ European Birds Directive Annex I species/ Schedule 1 of the Wildlife & Countryside Act 1981 (as amended)

¹⁶ Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. 2021. The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. *British Birds* 114: 723-747. Available online at <https://britishbirds.co.uk/content/status-our-bird-populations>

¹⁷ Gilbert G, Gibbons D.W. and Evans J. (1998) *Bird Monitoring Methods*. RSPB Sandy.

¹⁸ Scottish Natural Heritage (2017) Recommended bird survey methods to inform impact assessment of onshore windfarms. Available at: <https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms> (Accessed: 9th January 2026)

Assessment of Functional Linkage

- 3.5.12 For the purposes of this report, the importance of the Wintering Survey Area (the Site and Wider Survey Area) for Main Component Species of the Mersey Estuary SPA/Ramsar site is assessed using functional linkage, based on current Natural England guidance (2021)¹⁹ (the NE Report).
- 3.5.13 Given the habitats present within the Site and qualifying species present (i.e., open water and reedbed specialists) functional linkage to the Midlands Meres and Mosses Phase 2 Ramsar is not assessed.
- 3.5.14 ‘Functionally Linked Land’ (FLL) is the term used to describe areas of land (or sea) occurring outside a designated site, which are considered important (or necessary) in supporting and/or maintaining the viability of the qualifying features of a European site (i.e. SPA, SAC and/or Ramsar site).
- 3.5.15 The above report published by Natural England (2021) mapped potential areas of FLL used by waterbirds comprising qualifying features of European sites in the northwest of England, and defined thresholds for the identification of such areas.
- 3.5.16 The definition of FLL within the NE Report, developed and agreed with Natural England and RSPB, is ‘*areas of land occurring within 20km of an SPA²⁰, that are regularly used by significant number of qualifying bird species*’, with:
- a ‘significant number’ of birds defined as 0.5% of the Great British (GB) population or 1,000 individuals; and,
 - ‘regular’ defined, with reference to Stroud *et al.* (2001)²¹, as when a threshold is met in two thirds of the season for which adequate data is available.
- 3.5.17 This report determines functional linkage using the same ‘regular’ definition above; however, a ‘significant number’ for non-breeding birds is based on a more precautionary count of 1% of the non-breeding SPA or Ramsar site population (based on BTO WeBS data²²).
- 3.5.18 Therefore, functional linkage for non-breeding birds is where counts of Main Component Species (defined below) of the Mersey Estuary SPA/Ramsar site regularly (i.e. in 5 or more months (66.66%)) exceed 1% of that species’ non-breeding SPA population for the Site and/or Wider Survey Area. Allowance has however been made for species that may depend on a site for only brief periods in any given year, for example a feeding ground during passage.
- 3.5.19 Main Component Species are defined as:
- Non-breeding qualifying species listed on the SPA or Ramsar citation; and,
 - Non-breeding waterbird species occurring in numbers exceeding 1% of the national population according to the latest WeBS count.
- 3.5.20 For the purposes of this HRA report, the above definition and parameters, (i.e., numbers of Main Component Species exceeding 1% of the SPA population or over 1,000 individuals, occurring in over 66% of surveys) are referred as ‘the FLL criteria’.

¹⁹ Bowland Ecology (2021). *Identification of Functionally Linked Land supporting SPA waterbirds in the North West of England*. NERC361. Natural England

²⁰

²¹ Stroud, D.A., Chambers, D., Cook, S., Buxton, N., Fraser, B., Clement, P., Lewis, P., McLean, I., Baker, H. & Whitehead, S. (eds). (2001). *The UK SPA network: its scope and content*. JNCC, Peterborough, p56.

²² SPA populations estimated from latest 5 year average WeBS counts (2019/20 to 2023/24). Available at: <https://app.bto.org/webs-reporting/numbers.jsp> (Accessed 11th September 2025). Based on 5 year average BTO data at the Mersey Estuary.

3.5.21 Main Component Species are listed in **Table 3.3** below.

Table 3.3: Main Component Species of the Mersey Estuary SPA and Ramsar

Species	Qualifying Species	Main Component Species
Mersey Estuary SPA	Common shelduck	Pink-footed Goose
	Eurasian teal	Shoveler
	Northern pintail	Avocet
	European golden plover	Grey Plover
	Dunlin	Ringed Plover
	Black-tailed godwit	Curlew
	Common redshank	Cormorant
	Waterbird assemblage.	Little Egret
Mersey Estuary Ramsar	Dunlin	Turnstone
	Pintail	Ruff
	Redshank	Green Sandpiper
	Shelduck	Black-headed gull
	Teal	Lapwing
	Waterbird assemblage	Wigeon

Survey Results

3.5.22 Survey results are presented in full within the Non-breeding Bird Survey Report however are summarised below.

The Site

3.5.23 A total of seven Main Component Species of the Mersey Estuary SPA/ Ramsar were recorded within the Site. Of these, four species (black-headed gull, curlew, pink-footed goose and little egret) exceeded the 1% significance threshold in one month. No species exceeded the threshold in more than one month.

Wider Survey Area

3.5.24 A total of five Main Component Species of the Mersey Estuary SPA/ Ramsar were observed using the Wider Survey Area.

3.5.25 Of these, three species (black-headed gull, curlew and pink-footed goose) exceeded the 1% significance threshold. Black-headed gull exceeded the threshold in one month, pink-footed goose exceeded the threshold in two months and curlew exceeded the threshold in three months.

Summary

3.5.26 No Main Component Species of the Mersey Estuary SPA/ Ramsar was present in significant numbers (i.e., >1% the relevant SPA population) on more than two thirds (i.e., >4) of months. Use of the Site and Wider Survey Area is shown in **Table 3.1** below. Main Component Species not listed were not observed using the Site or Wider Survey Area during the surveys.

Table 3.1 – Surveys in Which Main Component Species Exceeded Significance Threshold per month
^Q denotes qualifying species listed on the Mersey Estuary SPA/ Ramsar citation

Species	Site	Wider Survey Area
Black-headed Gull	1/7	1/7

Species	Site	Wider Survey Area
Curlew	1/7	3/7
Lapwing	-	-
Little Egret	1/7	1/7
Pink-footed Goose	1/7	2/7
Shelduck ^Q	-	-
Teal ^Q	-	-

3.6 Desk Study

3.6.1 Information relating to ornithological features associated with the Mersey Estuary SPA on land within and up to 2km from the Site was gathered from RECORD - the Local Environmental Records Centre for Cheshire, Halton, Warrington & Wirral. Only recent records (i.e., those dating within the preceding 10 years) were considered relevant to the assessment.

3.6.2 In addition, the NE report was also reviewed for information pertinent to the Site and immediate surrounds. BTO Bird Track data was heavily relied upon during the production of this report.

3.6.3 The Site and its immediate surrounds (i.e., land up to 600m) is not included as known potential functionally linked land within the NE Report, however is identified as suitable habitat for waterbirds. An extract of the report showing the approximate Site boundary is presented as **Figure 3**.

3.6.4 RECORD provided no recent records of Mersey Estuary SPA/ Ramsar Main Component Species within the Site. Black-headed gull were the only Main component Species recorded on land up to 600m from the Site. Main Component Species identified during the desk study, as well as the number of records are listed below:

Avocet 1	Green Sandpiper 3	Shelduck 4
Black-headed Gull 38	Lapwing 22	Shoveler 5
Black-tailed Godwit 13	Little Egret 2	Teal 8
Curlew 12	Pink-footed Goose 1	Wigeon 2
Dunlin 5	Redshank 1	
Golden Plover 5	Ruff 1	

3.6.5 Records were principally associated with Frodsham Marsh Tank no6 and Gowy Meadows.

4 POTENTIAL FOR LIKELY SIGNIFICANT EFFECTS (SCREENING)

4.1 Overview

4.1.1 **Table 4.1** provides a summary of the consideration of the potential for LSEs upon the qualifying features of European sites listed in **Table 3.1**.

4.2 Embedded Measures

4.2.1 While the 'People over Wind' ruling requires specific mitigation measures designed to avoid or reduce impacts to European Sites to be considered only at the Appropriate Assessment Stage, measures unrelated to European Sites can still be considered at the screening stage.

4.2.2 As such, the following measures are considered as embedded for the purposes of screening:

- Inherent scheme design (i.e., the physical footprint of hard and soft infrastructure);
- Standard best practice pollution prevention measures; and,
- Measures to reduce harms to other receptors with or without incidental ecological benefits (e.g., measures to reduce noise experienced by residential receptors).

4.2.3 Where relevant to the screening of LSE any embedded measures are identified.

4.3 Potential Effects upon Qualifying Habitat Features of European Sites

4.3.1 This section addresses the potential for effects upon qualifying habitat features of European sites.

4.3.2 The Site does not form part of any European site and therefore there will be no direct effects on any static qualifying habitats or botanical features of European sites as a result of the Proposed Development.

4.3.3 Similarly, due to the separation distance between such sites, embedded pollution prevention measures and absence of any clear pathway by which impacts could occur it is considered that there is no potential for the degradation of qualifying habitat features of European Sites.

4.3.4 No additional specific measures to protect habitats and floristic qualifying features from deterioration of their physical, biological or chemical structure and functioning within any European sites are required as part of the Proposed Development.

4.3.5 The potential for LSEs upon qualifying habitat and floristic features within any European site is therefore screened out, with no requirement to take this through to Appropriate Assessment.

4.4 Potential Effects upon Qualifying Species of European Sites

4.4.1 This section addresses the potential for effects upon qualifying species, including species assemblages and supporting habitats, of European Sites, as outlined in **Table 3.1**. **Table 4.1** provides a summary of the consideration of the potential for LSEs upon the qualifying species features and their supporting habitats of European sites listed in **Table 3.1**.

4.4.2 There would be no direct impacts to any habitats or species within the boundaries of any European Site. Similarly, the Site is considered sufficiently distanced from any of the identified European sites that no impact pathways are present for indirect impacts (e.g., pollution or disturbance) to habitats and species within the boundaries of any of the identified European Sites.

4.4.3 The potential effects of the proposed development relate to the loss of functionally linked land within the Site and disturbance to birds using functionally linked land beyond the Site boundary.

Table 4.1: Screening of Potential for LSE upon European Site conservation objectives for species features.

Qualifying Species Feature(s)	Mersey Estuary SPA	
	Conservation Objectives	Potential for Likely significant Effects (LSE)
<ul style="list-style-type: none"> • Qualifying non-breeding bird species • Waterbird assemblage 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. 	<p>The potential for LSEs is considered to arise from:</p> <p><i>Construction and decommissioning</i></p> <ul style="list-style-type: none"> • Disturbance to non-breeding ornithological features foraging or roosting within adjacent functionally linked land <p><i>Construction and operation</i></p> <ul style="list-style-type: none"> • Loss of functionally linked land used by non-breeding ornithological features for foraging and or roosting <p>Such effects may affect the habitats upon which qualifying features rely, and impact upon the distribution and population sizes within the SPA.</p> <p>Screened out of AA.</p>
Qualifying Species Feature(s)	River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid (England and Wales) SAC	
	Conservation Objectives	Potential for Likely significant Effects (LSE)
<ul style="list-style-type: none"> • Sea lamprey; • Brook lamprey; • River lamprey; • Atlantic salmon; • Bullhead; • Otter; • Floating water-plantain. 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, 	<p>The site is sufficiently distanced that there is no potential for direct (e.g., habitat loss) or indirect (e.g., disturbance, pollution) impacts to qualifying species of the River Dee and Bala Lake SAC or their supporting habitats.</p> <p>There is no connectivity between the Site and the River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC. As such, there is no potential for LSE.</p> <p>Screened out of AA.</p>

	<ul style="list-style-type: none"> The distribution of qualifying species within the site. 	
Qualifying Species Feature(s)	Midland Meres & Mosses - Phase 1 Ramsar	
	Conservation Objectives	Potential for Likely significant Effects (LSE)
<ul style="list-style-type: none"> Nationally important plant species Nationally important bird assemblages Nationally important invertebrate species 	Natural England does not produce specific conservation objectives for Ramsar sites. The potential for LSE will be assessed against the overarching objective to maintain or restore favourable conservation status as outlined in section 3.4.	<p>The site is sufficiently distanced that there is no potential for direct (e.g., habitat loss) or indirect (e.g., disturbance, pollution) impacts to qualifying species of the Midland Meres and Mosses Phase 2 Ramsar site or their supporting habitats.</p> <p>There is no connectivity between the Site and the Midland Meres and Mosses Phase 1 Ramsar site. As such, there is no potential for LSE.</p> <p>Screened out of AA.</p>
Qualifying Species Feature(s)	Midland Meres & Mosses - Phase 2 Ramsar	
	Conservation Objectives	Potential for Likely significant Effects (LSE)
<ul style="list-style-type: none"> Wetland invertebrate assemblage Wetland plant assemblage 	Natural England does not produce specific conservation objectives for Ramsar sites. The potential for LSE will be assessed against the overarching objective to maintain or restore favourable conservation status as outlined in section 3.4.	<p>The site is sufficiently distanced that there is no potential for direct (e.g., habitat loss) or indirect (e.g., disturbance, pollution) impacts to qualifying species of the Midland Meres and Mosses Phase 1 Ramsar site or their supporting habitats.</p> <p>There is no connectivity between the Site and the Midland Meres and Mosses Phase 2 Ramsar site. As such, there is no potential for LSE.</p> <p>Screened out of AA.</p>

Mersey Estuary SPA

- 4.4.4 The Site is located approximately 2.9km from the Mersey Estuary SPA and as such is located within the range Main Component Species may utilise as FLL for foraging and or roosting. The NECR361 report identifies the Site as offering suitable habitat for such waterbird species being comprised of arable and grassland field, and as confirmed by the extended habitat survey.
- 4.4.5 The Proposed Development could result in the loss of FLL through construction and operation of solar panels within the Site. In addition, noise and visual disturbance experienced during construction and decommissioning phases could also disturb birds using potential FLL beyond the Site boundaries.
- 4.4.6 As described in Section 3.5, non-breeding bird surveys have been undertaken to ascertain if the Site and land up to 600m from the Site meet the FLL criteria. Surveys concluded that no Main Component Species of the Mersey Estuary SPA/ Ramsar was present in significant numbers on more than two thirds of months. As such neither the Site or the Wider Survey Area is considered to meet the definition of FLL.
- 4.4.7 It is acknowledged that the Site may be valuable to certain species only at a particular time of year (e.g., passage only), or that the 1% threshold may not be reliable for species undergoing significant population declines. As such, use of the Site and Wider Survey Area by each of the Main Component species observed in significant numbers on at least one occasion are discussed below.
- 4.4.8 Both black-headed gull and little egret were observed in significant numbers on only one occasion, which is considered to represent birds using the site opportunistically and not that the Site is FLL to the Mersey Estuary for these species.
- 4.4.9 Pink-footed goose were observed within the Site in significant numbers during one survey in October only. This is in line with expected annual migration patterns of the species, in which there is an influx of birds to the north-west during September and October before dispersal to wintering sites across England. Within the Wider Survey Area, significant numbers were recorded during the same October survey and also in smaller numbers in December. Pink-footed goose are a wide ranging species, using several fields for foraging within a range, and as such occasional use of the Site and Wider Survey Area by flocks of these species is not in itself remarkable. The wintering population of the species has also been subject to 25-year population increases of +96%²³. As such, the potential loss of a small number of fields used only infrequently (i.e., not meeting the FLL Criteria) is not considered to have a significant effect on the Mersey Estuary population of this species.
- 4.4.10 Curlew were recorded within the Site in significant numbers on one occasion, and within the Wider Survey Area on three occasions. While curlew are not alone a qualifying species of the Mersey Estuary SPA or Ramsar, they are a Main Component Species present in nationally important numbers. Curlew use of the Site and Wider Survey Area was spread over several fields (**Figure 4**), as outlined in **Table 4.2** below. None of these fields individually was used by significant numbers of curlew on more than two occasions (Field 156). As such, this is likely to represent sporadic foraging and it is not considered that either the Site or any part of the Wider Survey Area regularly support significant number of curlew and as such are not FLL for this species.

²³ Calbrade, N.A., Birtles, G.A., Woodward, I.D., Feather, A., Hiza, B., Caulfield, E., Balmer, D.E., Peck, K., Wotton, S.R., Shaw, J.M., and Frost, T.M. 2025. Waterbirds in the UK 2023/24: The Wetland Bird Survey and Goose & Swan Monitoring Programme. BTO/RSPB/JNCC/NatureScot. Thetford.

Table 4.2: Records of Curlew by Field

Bold indicated significant numbers

Field Number	January	February	March	September	October	November	December
24	16						
25		8					
26						11	
54						6	
55						8	4
62					2		
145							18
156		26					23

4.4.11 The Site is sufficiently distanced from the Mersey Estuary and with aforementioned embedded (non-specific) measures in place that no indirect impacts (e.g., from pollution events) would occur to the habitats within the Mersey Estuary. Similarly, given the separation distance between the Site and Mersey Estuary there is no potential for visual or acoustic disturbance to bird species within the SPA itself.

River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid (England and Wales) SAC

4.4.12 The Site is located within the Weaver-Gowry catchment, which discharges to the Mersey Estuary, and as such there is no hydrological connectivity to the River Dee and Bala Lake SAC.

4.4.13 Given the distance between the Site and the SAC, it is considered sufficiently distanced that no direct (e.g., habitat loss) or indirect (e.g., disturbance, pollution) impacts to qualifying species or their supporting habitats could occur.

Midland Meres and Mosses Phase 1 Ramsar, Midland Meres and Mosses Phase 2 Ramsar

4.4.14 Both of the above sites are considered to be sufficiently distanced that no direct (e.g., habitat loss) or indirect (e.g., disturbance, pollution) impacts to qualifying species or their supporting habitats could occur.

4.5 Screening Conclusion

4.5.1 In the absence of specific mitigation measures, no LSE on any of the identified European sites have been identified during either construction, operation or decommissioning of the Proposed Development. As such, no Appropriate Assessment is required.

5 ASSESSMENT OF IN-COMBINATION EFFECTS

5.1.1 Regulation 63 requires that the HRA process must consider the potential for a LSE of a proposed development either alone or in combination with other plans and projects. While no significant effect has been identified for the Scheme alone, an assessment of non-significant effects that could combine with non-significant effects of other schemes to result in a significant effect on the identified European Sites must be undertaken.

5.1.2 In-combination effects must be:

- Practically feasible; and,
- Interpreted and applied in a proportionate manner.

5.1.3 As such, the in-combination assessment has assessed solar PV developments located within 10km of the Site. The in-combination assessment has only considered schemes that are consented but not yet built or where the application is still active are considered, with withdrawn or refused schemes omitted from assessment, unless an appeal is lodged. Where a project has been constructed, it is considered part of the baseline.

Table 5.1: Review of Other Projects for Assessment of In-combination Effects.

Planning Authority and reference	Status	Development Description	Description of cumulative impacts
Cheshire West and Chester 25/03414/FUL	Awaiting decision	Construction and operation of a photovoltaic solar array and ancillary infrastructure. Gowy Marsh Waste Disposal Site Ince Lane Wimbolds Trafford Chester CH2 4JP	Impacts to qualifying species of the Mersey Estuary are avoided through the timing of works. Qualifying species potentially affected (pintail and teal) do not overlap with those identified for the Proposed Development. No cumulative impacts
Planning Inspectorate EN010153	Examination	Solar photovoltaic array with an electrical generating capacity of over 50MW comprising solar PV modules and related mounting structures, inverters, transformers, switch gear and control equipment, a substation, and underground on and off-site cabling, as well as associated energy storage equipment. Land on Frodsham Marsh, approximately 500m to the north of Frodsham, Cheshire West and Chester	Impacts to the Mersey Estuary SPA and Ramsar (including loss of FLL) are fully mitigated with compensation provided through a non-breeding bird mitigation area. No cumulative impacts

5.1.4 No other large scale solar or land use change applications that could potentially result in in-combination effects have been identified within 10km of the Site, and therefore **no potential likely significant in-combination effects have been screened in.**

6 CONCLUSION

- 6.1.1 No LSEs have been identified on the European sites and as such the Proposed Development would not result in any effect detrimental to the favourable conservation status of any of the identified European Sites either alone or in-combination with other developments.

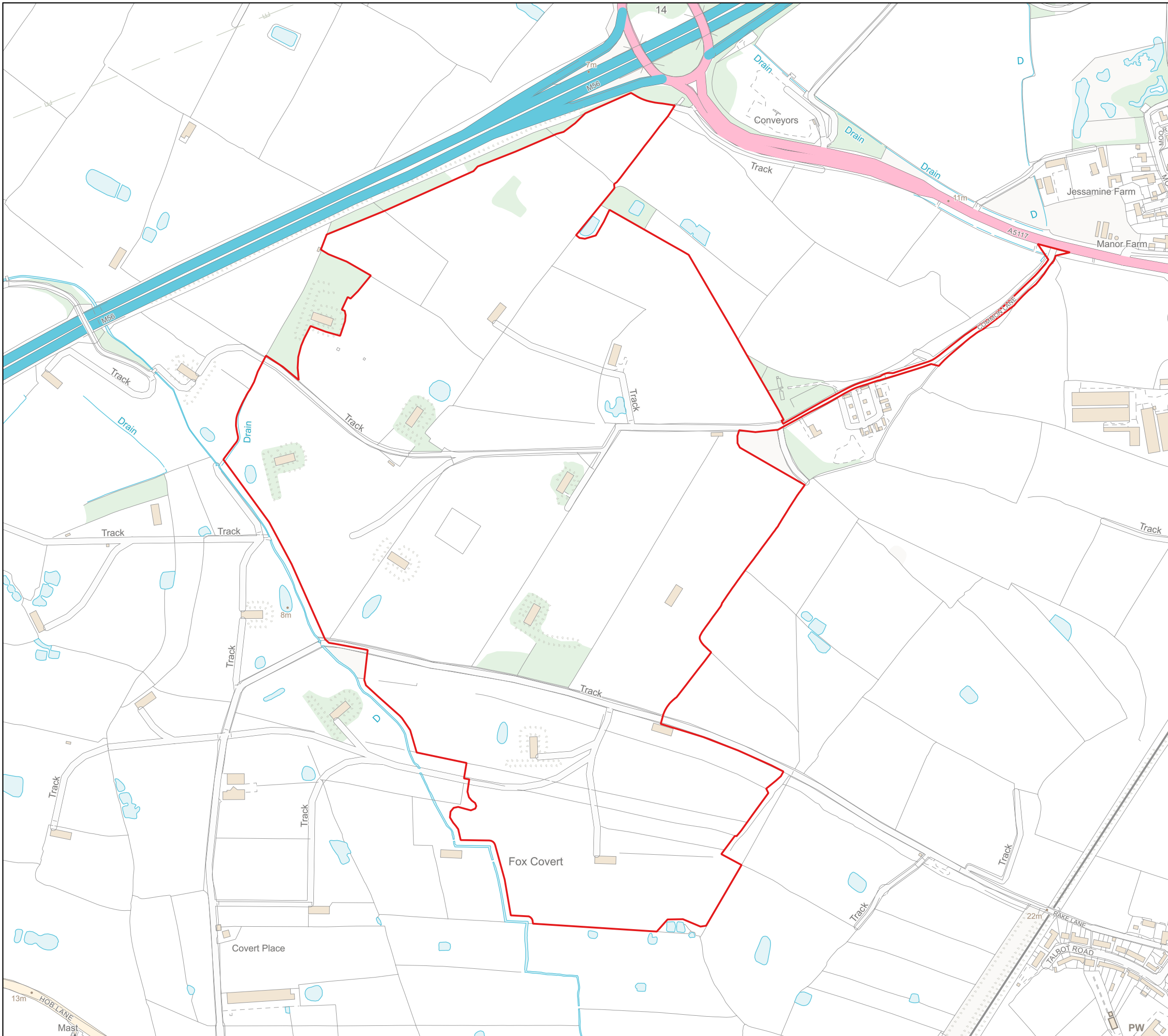
FIGURES:

FIGURE 1: SITE LOCATION PLAN

FIGURE 2: STATUTORY DESIGNATED SITES PLAN

FIGURE 3: EXTRACT OF NECR361

FIGURE 4: FIELD NUMBERS PLAN



 Site

HOB LANE SOLAR FARM

Field Survey Plan

Version: 01

Date: 20/10/2025



Avian Ecology, Suite 3c Walnut Tree Farm, Northwich Road, Lower Stretton
 WA4 4PG
 Tel: 0843 506 5116
 www.avianecology.co.uk

0 100 200 m

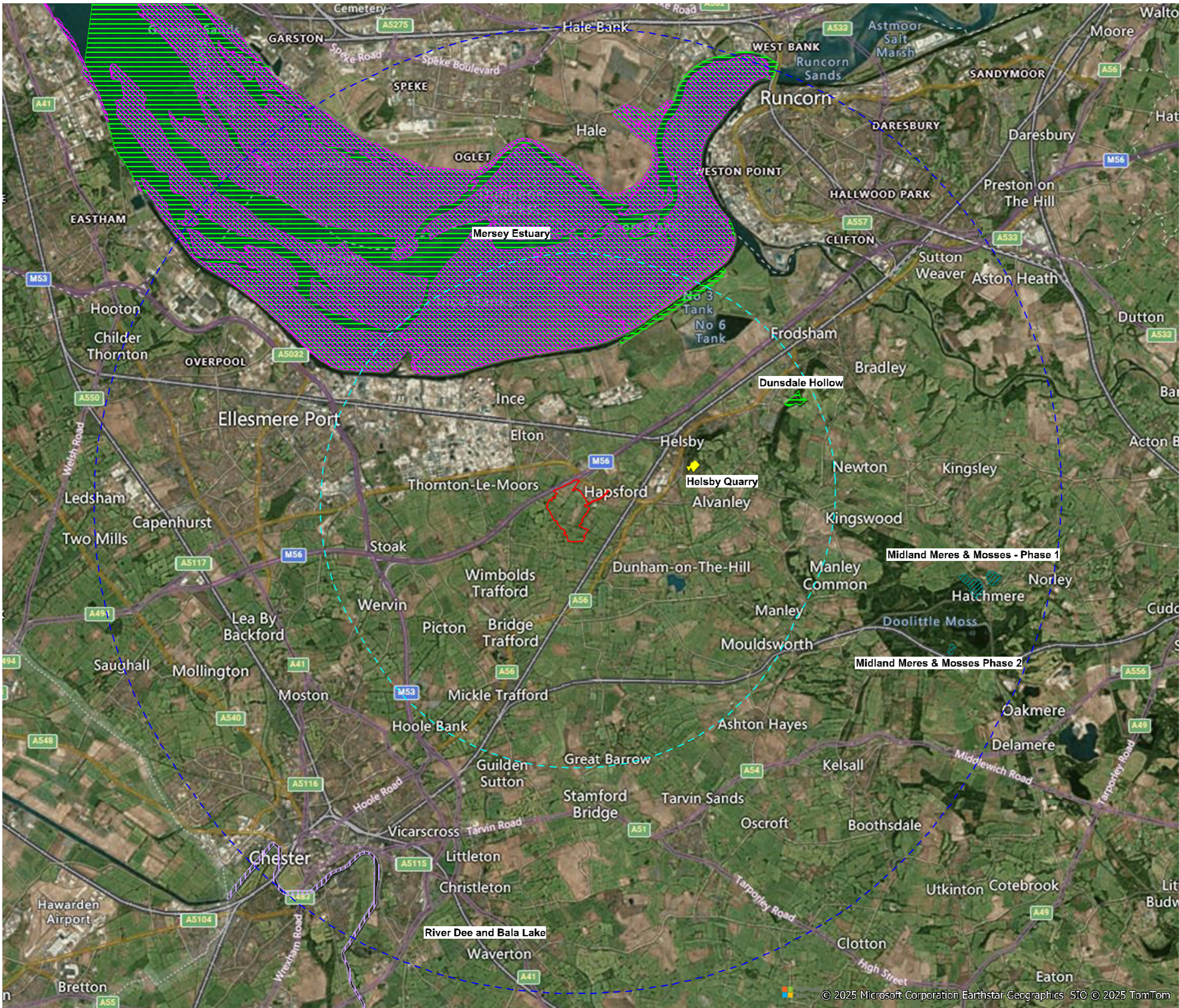


Co-ordinate System : British National Grid
 Projection: Traverse Mercator
 Datum: OSGB 1936
 Units: Metres



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Legend

- Site
- 5km Buffer
- 10km Buffer

Designated Site

- Special Protection Area (SPA)
- Special Area of Conservation (SAC)
- Site of Special Scientific Interest (SSSI)
- Ramsar
- Local Nature Reserve (LNR)

Rev	Date	Description	HD	HD
00	09/04/2025			

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HOB LANE SOLAR FARM

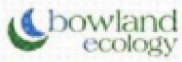
STATUTORY DESIGNATED SITES PLAN

avianecology

Avian Ecology, Suite 3c Walnut Tree Farm, Northwich Road, Lower Stretton
 WA4 4PG
 Tel: 0843 506 5116
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0 3
kilometers

Drawn by: LB
Checked by: HD
Date: 05.05.2021



Legend

Functionally Linked Land:

- Negligible potential
- Low potential
- Moderate potential
- High potential

Special Protection Area (SPA)

LCM15 Habitat Layer (CEH) - suitable habitat for water birds

- Arable and horticulture
- Improved grassland

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All data sources used to produce these maps and licencing information can be found in Appendix 1 of the Functionally Linked Land Project Report.

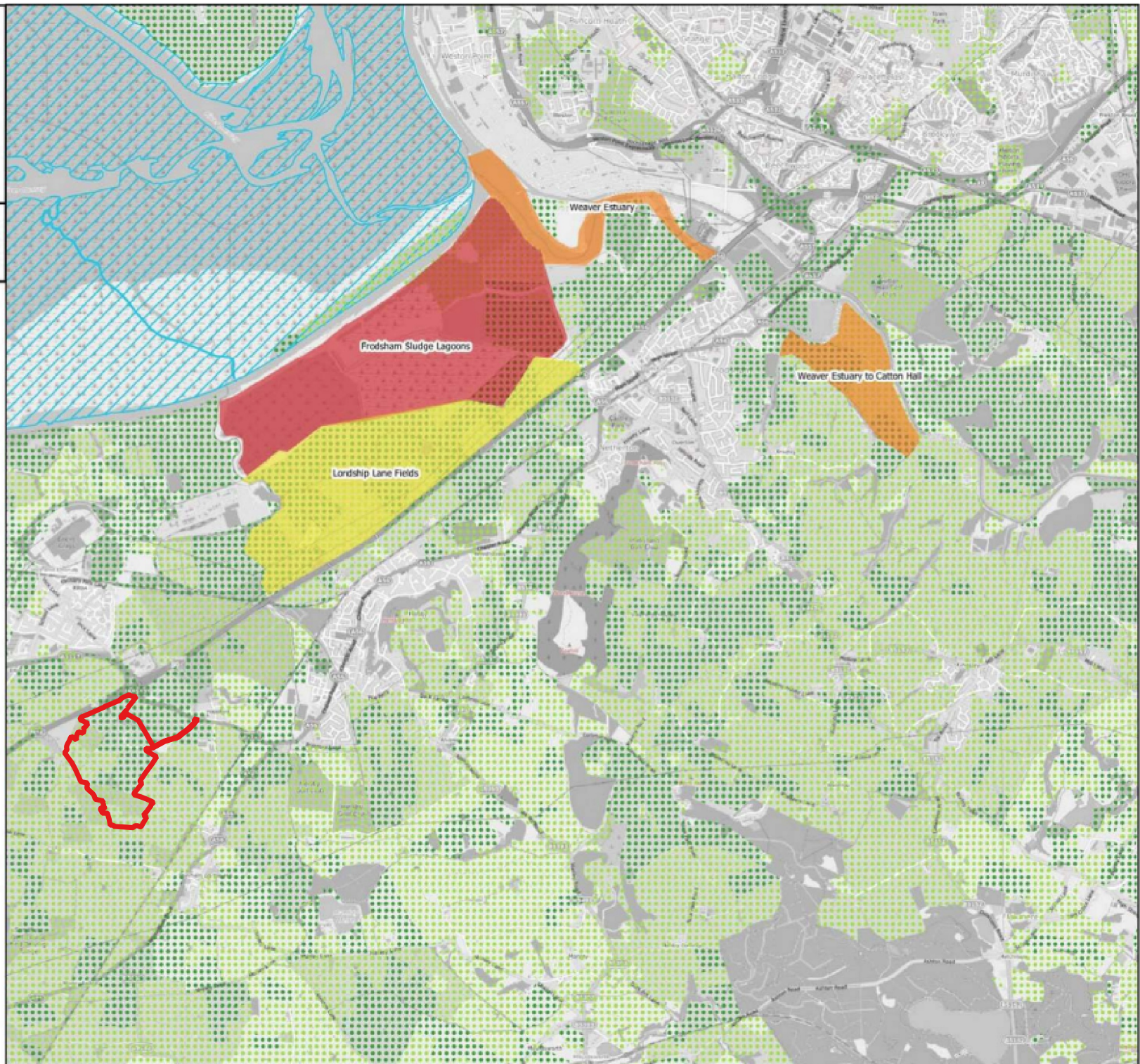
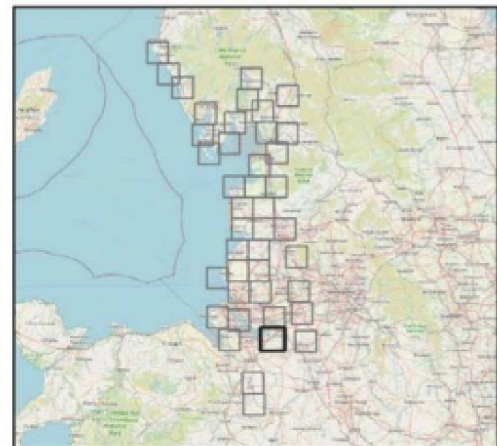


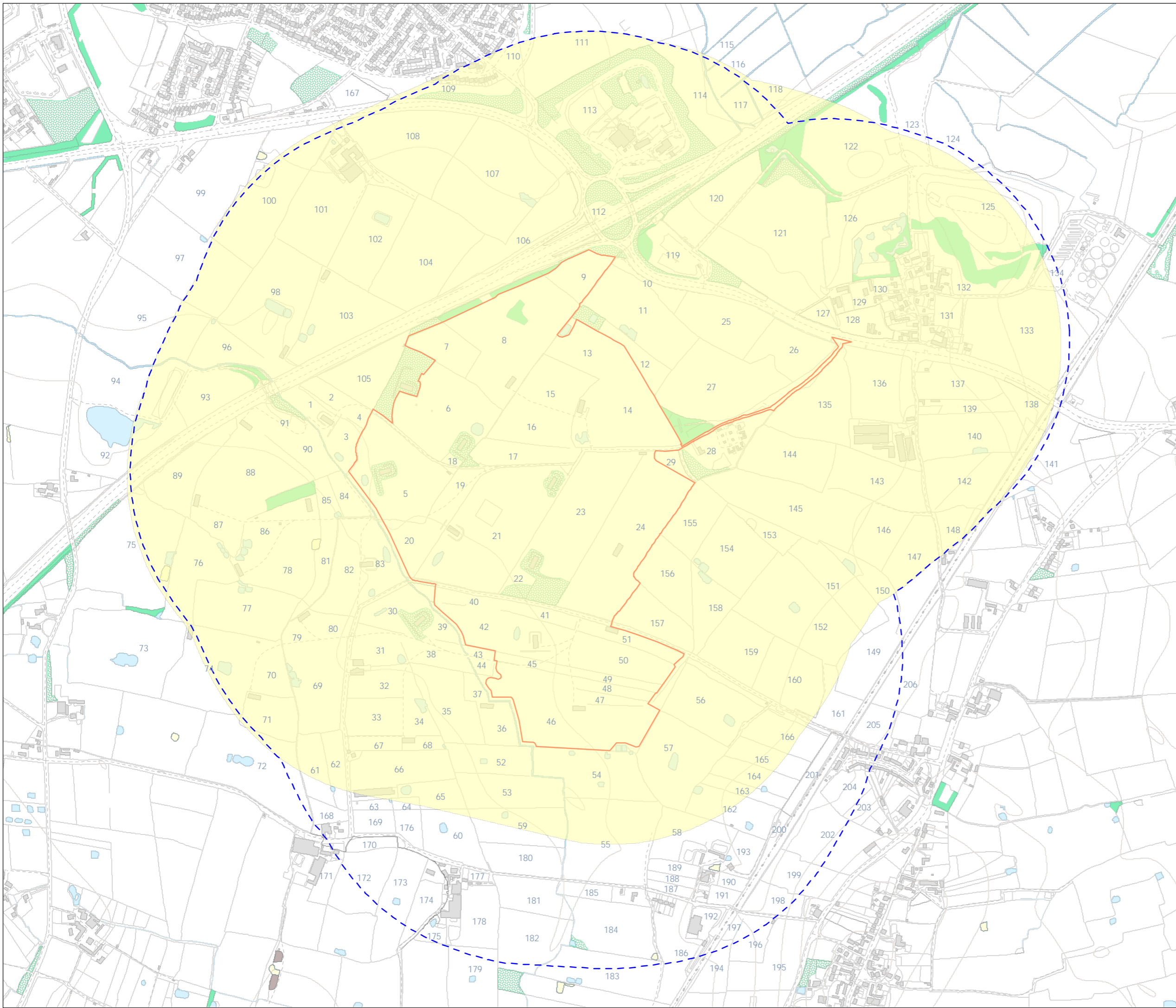
FIGURE 3: EXTRACT OF NATURAL ENGLAND REPORT NECR361

Taken from: Bowland Ecology (2021). Identification of Functionally Linked Land supporting SPA waterbirds in the North West of England. NERC361. Natural England. Reproduced under Open Government Licence

Notes

Site boundary is approximate and intended for indicative purposes only

For clarity, images have been resized and may not be to scale. The full image can be found in Appendix 9 of Identification of Functionally Linked Land supporting SPA waterbirds in the North West of England (Bowland Ecology, 2021)



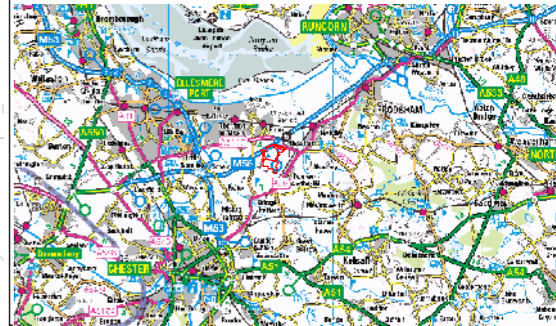
Legend

- Site
- 600m Buffer
- Survey Area

Rev	Date	Description	HD	HD
00	09/04/2025			

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HOB LANE SOLAR FARM

WINTERING BIRD SURVEY PLAN



Avian Ecology, Suite 3c Walnut Tree Farm, Northwich Road, Lower Stretton
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0 | 400

meters