



This letter is sent by email only to

FrodshamSolarFarm@planninginspectorate.gov.uk

David Wallis
Lead member of the panel of Examining Inspectors
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

21/04/2025

Dear Mr Wallis

Please accept this letter as our response to the Examining Authority's **Rule 17 - Request for further information**, EN010153, dated 31 March 2026.

The RSPB

We work locally in the UK and around the world protecting habitats, saving species and addressing the nature and climate emergency. We do this through five main work areas: **science, species, places, people** and **policy**, taking 2 of these.

With respect to science, our world-leading research allows us to take a 'bird's-eye view' of the overarching problems facing nature and the planet and then identify the solutions that make a real difference. We establish the conservation interventions that will have the most impact, and then we monitor and test these actions to measure success.

In terms of places, Nature needs other nature to survive. That's why we work to create more, bigger, better and well-connected protected areas for nature on land and at sea. We manage more than 200 nature reserves in the UK from the Fetlar Island in the Shetlands to the Marazion Marsh in Cornwall.

RSPB NW England
Myers Farm
Storrs Lane
Silverdale
Carnforth
LA5 0SW

 @RSPBEngland

rspb.org.uk



The RSPB is part of BirdLife International, a network of passionate organisations, working together to save nature across the world.

Patron: His Majesty The King **President:** Dr Amir Khan **Director, RSPB England:** Michael Copleston.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654. Registered address: The Lodge, Pottton Road, Sandy, Bedfordshire, SG19 2DL

Our response

The Examining Authority (ExA) asked –

"RSPB – in your DL5, you state: "Our position (we believe) shared by Natural England is that full inclusion of cell 2 is essential to adequately mitigate any adverse effect on the integrity of the SPA. Partial inclusion would not deliver the level of ecological resilience required, per our response to 2.2.9."
Correspondence from Natural England to the <https://national-infrastructure-consenting.planninginspectorate.gov.uk/> examination to date shows the organisation does not share your position on the need for inclusion of cell 2. What do you say about this?"

And further

Applicant, Natural England, RSPB – the ExA is concerned that, at this late stage of the examination, the correspondence received so far appears to suggest a lack of joined-up thinking and co-ordination. The ExA is well aware of the duties under the Habitats Regulations and the gravitas those matters have in the decision-making process. The ExA look forward to a more collaborative and unified response at DL6 to assist the Secretary of State in reaching a decision. Hopefully, the applicant's proposed solutions will aid in reaching that consensus".

To answer both questions together -

As a result of the concerns raised by the ExA the RSPB has met with the Natural England (NE) team to discuss our position.

During this discussion NE listened to, and then agreed with our conclusions with regard to Cell 2, and have notified both ourselves and the applicant that their position has in part modified, their comment as a result to the applicant, copied to ourselves (by email dated 16/04/2026) is below –

"As you are aware our advice regarding the NBBMA has always been subject to a conservation body taking on the management and therefore their acceptance that the NBBMS can work on the ground and the required high-level management can be achieved. RSPB's advice is that they do not consider that the NBBMA can be successful without the addition of Cell 2 to support both from an operational and ecological point of view. This changes things considerably, as from the operational perspective we consider that the RSPB's views would likely be the same as for any conservation body, which casts doubt on the conclusions

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f @RSPBEngland

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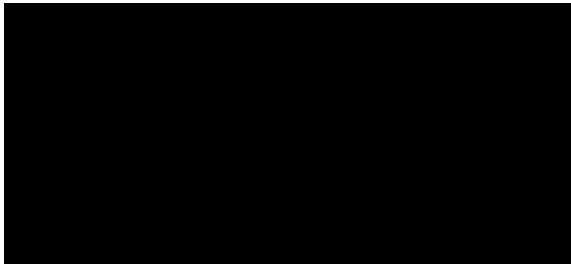
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of no AEO SI as a result. We do not now consider that there is sufficient certainty regarding the conclusions for scenario 1 and so we are not able to advise that a conclusion of no adverse effect can be reached for this scenario.

We do however advise that scenario 2, as described in the position paper and with the support of RSPB (as a representative conservation body) would have the required level of certainty and in that case we could support a conclusion of no AEO SI. In order to conclude the HRA at this stage we advise that scenario 2 is taken forward by the applicant and that the ongoing discussions with RSPB continue so that a robust mitigation package is put in place that can be accepted by RSPB, and give the required confidence that it can be managed in the long term”.

We understand that in response the applicant will only pursue Scenario 2 (confirmed by Axis, 20/04/2026), and as this was our position, we are obviously happy for it to remain so, I am also able to confirm we are happy to be considered the managing conservation body for the NBBMA as discussed with both NE and the applicant.



██████████, Area Manager Northwest England

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