



To:

Frodsham Solar Limited,
Natural England,
Cheshire West and Chester Council
Cheshire Wildlife Trust,
The Crown Estate,
British Pipelines Agency Limited (BPAL),
Essar Oil (UK) Limited (Essar),
Shell UK Limited,
Liverpool Bay CCS Limited,
Cheshire Green Property Limited,
Inovyn Chlorovinyls Limited (ICL),
Representatives or executor of Joan Margaret Nicholas,
Representatives or executor John Ainsworth

Our Ref: EN010153

25 August 2026

Dear Sir or Madam,

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

Application by Frodsham Solar Limited (“the Applicant”) for an Order granting Development Consent for the proposed Frodsham Solar (“the Proposed Development”)

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 30 April 2026, the Examining Authority (“ExA”) submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 29 July 2026. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application.
2. There are issues on which the Secretary of State requests **the Applicant, Natural England (NE), Cheshire West and Chester Council (CWCC), Cheshire Wildlife Trust (CWT), the Crown Estate, British Pipelines Agency Limited (BPAL), Essar Oil (UK) Limited (Essar), Shell UK Limited, Liverpool Bay CCS Limited, Cheshire Green Property Limited, Inovyn Chlorovinyls Limited (ICL), and the representatives or executor of Joan Margaret Nicholas and John Ainsworth** to provide updates or information as appropriate.

Generation Capacity

3. The Secretary of State notes that the generation capacity of the Proposed Development decreased by 13MW at DL6. The **Applicant** is requested to confirm the new generating capacity of the Proposed Development and is asked to explain whether any changes to the generating capacity have implications for the conclusions of the Greenhouse Gas assessment, and to provide a revised assessment as necessary.

Outline Landscape and Ecology Management Plan (oLEMP) and Reedbed and Scrub

4. The Secretary of State notes that the Applicant submitted a revised version of the oLEMP at DL7¹. The revisions included a commitment to achieving the relevant Statutory Biodiversity Metric trading rules in respect of reedbed and scrub, and provided that where this cannot be achieved through on-site provision alone, any residual shortfall would be addressed through the creation or purchase of appropriate off-site biodiversity units. Associated with this, the Applicant proposes an amendment to Requirement 9(2)(f) of the draft Development Consent Order to remove reference to excluding reedbed.
5. **NE, CWCC and CWT** are invited to comment on the revisions made to the oLEMP by the Applicant at DL7. They are also invited to comment on the following amendments to Requirement 9(2)(f) concerning the final LEMP, in relation to reedbed and scrub, and the unit value for watercourses (shown in ***bold italics***):

“(f) how the plan proposals will contribute to the achievement of a quantified uplift of a minimum of 20% in habitat units (~~excluding reedbeds~~), ~~10%~~***7.5%*** in watercourse units and 75% in hedgerow units for the authorised development as a whole during the operation of the authorised development, to be quantified using the statutory biodiversity metric calculation tool published by DEFRA;”

Skylark Mitigation

6. Concerns were raised during the Examination regarding the survey work undertaken and the adequacy of the proposed skylark mitigation measures to address the adverse effect on the local skylark population identified in Chapter 8 of the Environmental Statement [APP-041] [REP RR-019, RR-037, REP1-046, REP4-075, REP5-051, REP7-028 and REP7-039].
7. The Secretary of State notes the Applicant's conclusion that the number of breeding skylark pairs that can reasonably be expected within the Order Limits (including the Solar Array Development Area, Non-Breeding Bird Mitigation Area and Skylark Mitigation Area) would be below the baseline of 21 breeding pairs

¹ [EN010153-000930-7.13 Outline Landscape and Ecology Management Plan P08 tracked.pdf](#)

recorded in the Environmental Statement, with between 9 and 11 pairs predicted following implementation of the proposed mitigation.

8. The **Applicant** is requested to provide further justification for the proposed skylark mitigation, including whether alternative locations on land outside of the Order Limits were explored and the reasons for selecting the proposed approach to mitigation.
9. The Secretary of State notes the Applicant's commitment to monitoring and adaptive management for Skylark in the oLEMP. The **Applicant** is requested to explain the proposed adaptive management and to revise the oLEMP as necessary, to provide greater detail on the adaptive management, by providing (for example); options for monitoring, success criteria, and possible remedial actions if monitoring suggests the skylark mitigation areas are not accommodating the required number of skylark pairs.
10. The **Applicant** is invited to explain whether it considers compensation for any residual impact on skylark may be feasible and if so, is invited to provide revised documentation as necessary, or otherwise explain how this could be secured.

Ecological Data Sharing

11. The **Applicant** is requested to revise the oLEMP and outline Construction Environmental Management Plan to provide that pre-construction, construction and post-construction and operational survey and monitoring data is regularly shared in the appropriate formats with the relevant Local Environmental Records Centre(s) and relevant national and regional environmental recording schemes.

Crown Consent

12. The **Applicant** and the **Crown Estate** are requested to provide an update confirming whether or not the Applicant has obtained Crown Consent under s 135(1) of the Planning Act 2008 for the acquisition of rights over Crown land. If consent has not been obtained, the reasons for this should be clearly set out, and a clear timeline detailing when Crown Consent is expected to be obtained by should be included.

Land Rights

13. The Secretary of State notes that negotiations remain ongoing with British Pipelines Agency Limited (BPAL), Essar Oil (UK) Limited (Essar), Shell UK Limited and Liverpool Bay CCS Limited with regard to Protective Provisions. **The Applicants, BPAL, Essar, Shell UK Limited and Liverpool Bay CCS Limited** are requested to provide an update on whether agreement has been reached on the form (or inclusion) of their respective Protective Provisions, and if not, when agreement is expected.

14. The Secretary of State notes that land acquisition negotiations remain ongoing with various parties. **The Applicants, Cheshire Green Property Limited, Inovyn Chlorovinyls Limited (ICL), and the representatives or executor of Joan Margaret Nicholas and John Ainsworth** are requested to provide an update on these negotiations.

DEADLINE FOR RESPONSE

15. The deadline for response is **23:59 on 8 September 2026**.
16. Responses should be submitted **by email only** to FrodshamSolarFarm@planninginspectorate.gov.uk.
17. Responses will be published on the Frodsham Solar project page of the National Infrastructure Planning website **as soon as possible after 8 September 2026**:
<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010153>
18. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Proposed Development or any part of the project.
19. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,

John Wheadon

John Wheadon

Head of Energy Infrastructure Planning Delivery & Innovation

Department of Energy Security & Net Zero