Cheshire Wildlife Trust

Frodsham Solar DCO - EN010153

Relevant Representations

Cheshire Wildlife Trust (CWT)

27 August 2025

Introduction

The Cheshire Wildlife Trust is the region's leading wildlife conservation charity, and we advocate for the region's wildlife on behalf of our 17,000 members.

It is well acknowledged that we are in a climate crisis, but we are also facing a biodiversity crisis. The UK is already one of the most nature-depleted countries in the world, and one in six species in the UK is at risk of extinction. This is not an abstract problem: natural habitats continue to be lost to agriculture and development. As a result, insects lose food sources, birds lose nesting sites, and mammals lose the cover they depend on for survival.

The Cheshire Wildlife Trust works to help nature's recovery in Cheshire by protecting local wildlife sites, planting trees and restoring meadows, and inspiring people to care about the nature around them. We also work with developers, recognizing that development is essential for communities and tackling climate change, and can contribute to nature's recovery when designed responsibly. Occasionally, however, proposals are so damaging that wildlife in the region is fundamentally threatened.

Our representation against the Frodsham Solar Farm arises from this principle. After reviewing the documents for this scheme, it is clear that losses to wildlife have neither been avoided, mitigated, nor compensated. Cheshire Wildlife Trust has successfully consulted with developers in the past, including solar farms and other large infrastructure projects, to help them design schemes that incorporate nature into the development. Unfortunately, this scheme does not reflect that collaborative approach. Despite expressing our concerns consistently for the last two years, these issues remain unresolved, leaving us no choice but to outline them formally here.

Our concerns

The Mersey Estuary is an internationally important wetland site that supports hundreds of thousands of migratory birds each year. As modelled by Natural England and independently determined by the applicants[1], the land at Frodsham Marshes, particularly within the site boundary, is 'functionally linked land' to the SPA. This indicates that the area, despite its degraded habitat, is important for the same bird species that use the estuary. It represents an opportunity for habitat restoration, not loss. The Frodsham Solar Farm, combined with other proposed developments in the area, would eliminate this restoration potential. This land could instead be used to improve habitats for birds and deliver Biodiversity Net Gain within Cheshire West. With so much development pressure in

[1] Information to Inform HRA, doc ref EN010153/DR/5.3, para. 6.5.4

the area, this remaining site of biodiversity interest is a crucial asset that risks being compromised for decades by this scheme.

While we object to the scheme in principle due to its unsuitable location, we also object to the design and proposals themselves due to the lack of mitigation and compensation for habitat loss, the failure to adequately assess and deliver Biodiversity Net Gain, and the insufficient consideration of cumulative impacts with other proposed developments.

Mitigation

The lack of adequate mitigation in the proposals is highly concerning. The proposals would result in the loss of Functionally Linked Land, partial loss of a Local Wildlife Site, and loss of mitigation land for the earlier windfarm development. It is highly concerning that no additional habitat is being proposed, and while existing habitat will be altered in a way that may improve its suitability for birds, there will be a net loss of biodiversity (as measured by the Biodiversity Net Gain metric).

Loss of Functionally Linked Land

The applicants argue that the "wider site is evidently little used by SPA species"[2], yet this is directly contradicted by the findings that the site is Functionally Linked Land[3]. Nonetheless, to compensate for this loss, the methodology for a solar farm in Kent has been used[4] to calculate the area of land required to mitigate for these losses, arriving at a figure of approximately 63ha[5]. The use of this approach is not appropriate for this development due to several issues. Only three bird species were included in the calculations[6], the bird surveys across the site are temporally inconsistent, and many areas of the site were not surveyed across all years[7]. More generally, this mitigation would be delivered within the existing Non-Breeding Bird Mitigation Area (NBBMA), land that is already allocated and legally secured as mitigation for the windfarm. For mitigation to be meaningful, it must be additional, not a re-allocation of areas already managed, however well. Moreover, as referred to above, the proposed enhancements result in a net loss of biodiversity units according to the BNG metric. This approach does not address the impacts to Frodsham Marshes that will be caused by the Solar Farm.

---

[2] Outline Landscape and Ecology Management Plan, Appendix B (oNBBMS), EN010153/DR/7.13, para. 2.6.2
[3] Information to Inform HRA, doc ref EN010153/DR/5.3, para. 6.5.4
[4] OLEMP – Annex 1, doc ref EN010153/DR/7.13
[5] This figure is not consistent across documents
[6] OLEMP – Annex 1, doc ref EN010153/DR/7.13
[7] Ornithological Survey Report, EN010153/DR/6.2, table 2.2

Loss of mitigation for Frodsham Windfarm

When the Frodsham Wind Farm was constructed, the planning conditions stipulated that the management of Cells 2 and 5 would "maintain the fields, for the duration of the lifetime of the wind farm, in a condition that is favourable for wintering wader species"[8]. Alongside Cell 3, which will be lost and reconstructed, these areas will total approximately 137ha of wind farm mitigation land that will be destroyed or significantly impacted by the Solar Farm. In essence, the Solar Farm proposal would reduce the size of the site without providing any compensation land on top of what has already been secured for the windfarm. The reduction in size and associated fragmentation of this core further threatens its ecological function, resilience, and the ability of wildlife to thrive in the area.

Furthermore, concentrating all mitigation for the loss of Frodsham Marshes within the NBBMA creates a high level of risk. If this area is impacted by disease, further development, or other ecological pressures, there will be no fallback, and bird populations and other wildlife of the marshes could suffer severe declines.

Loss of Local Wildlife Site

Though the site is internationally important for non-breeding birds, the site's value at a county and local scale is an important consideration. The site is used by a range of species, including badgers, bats, otters, and watervoles. The grassland onsite also provides foraging habitat for BoCC red-listed breeding birds such as lapwing, curlew, and skylark, which have not been adequately considered.

The 5ha of proposed skylark mitigation area is nowhere near enough. According to research data[9], skylark density generally varies between 0.05-0.1 territories/ha, increasing to 0.3 for set-aside land. This means that for 21 pairs of skylarks, at least 14ha of skylark mitigation land (outside the NBBMA) would be required (assuming maximum density).

On a larger scale, Frodsham, Helsby, and Ince Marshes Local Wildlife Site remains one of the largest areas of open grassland in Cheshire and is a core strategic site in the forthcoming Cheshire Local Nature Recovery Strategy. It holds significant potential for future habitat restoration projects and for investment in natural capital initiatives such as BNG and nature-based solutions, which are likely to increase in the coming decades[10]. This loss would be a long-term setback for nature recovery in Cheshire and the UK.

---

[8] Outline HCMP for the Frodsham Wind Farm, app. 10/00597/DECC

[9] Donald, P.F. and Vickery, J.A. (2000). '*The importance of cereal fields to breeding and wintering Skylarks Alauda arvensis in the UK*.' Ecology and Conservation of Lowland Farmland Birds p140-150

[10] Environmental Audit Committee, House of Commons. *The role of natural capital in the UK's green economy*, First Report of Session 2024–25

BNG

During pre-application consultations, the applicants committed to delivering a Biodiversity Net Gain, though this commitment has now been scaled back to exclude watercourses due to the impacts of the scheme. We are extremely disappointed that unlike other developments, Biodiversity Net Gain has not been used to inform the design of the scheme; however, we acknowledge that NSIPs are not yet subject to statutory BNG. Nevertheless, whether it is voluntary or not, BNG must be adhered to completely to be considered as such. This includes the metric being filled out correctly, habitat trading rules applied, best practice standards respected, and supporting evidence provided.

We have serious concerns about the BNG metric as completed by the developer, which is the basis of the measurability of biodiversity net gain. The land under the solar panels has not been classified according to UK Habitat Classification guidance[11], which would designate it either as 'sealed surface' or, at best, poor-condition grassland. Correct classification is highly likely to demonstrate that the scheme does not meet the 10% BNG target.

Additionally, the trading rules have not been met, particularly as it pertains to reedbed, which is a Priority Habitat and one of the most important habitats for birds in the UK. The trading rules are an essential component of biodiversity net gain, preventing important habitats from being compensated for with less important ones. The applicants justify the lack of compensation for this high distinctiveness habitat by focusing on the poor condition in which it is in, undermining the very principles of BNG.

Furthermore, a significant amount of information, justification, and documentation is missing from the submission regarding BNG. The Biodiversity Net Gain Report[12] does not include the required justification for the habitats chosen to replace existing habitats, the condition assessment sheets are blank[13], and the map of the habitat codes in the metric is missing. This lack of information prevents adequate and thorough assessment of the BNG plans for the scheme.

More broadly, the scheme falls short of CIEEM's[14] good practice principles for BNG, such as ensuring additionality, transparency, and adherence to the mitigation hierarchy. If a national infrastructure project chooses to commit to BNG voluntarily, it should set a positive example, not a minimal one.

---

[11] UKHab Ltd (2023). UK Habitat Classification Version 2.0 ; page 326, section 83
[12] Document reference: EN010153/DR/7.12
[13] Outline Landscape and Ecology Management Plan: EN010153/DR/7.13 – Appendix C
[14] The Chartered Institute of Ecology and Environmental Management

Cumulative impacts

There are three main developments that are of particular concern due to their cumulative impacts in combination with this development.

The Hynet Runcorn Carbon Dioxide Spur pipeline (Ref 78) has recently been rerouted to go through the NBBMA, which is not explicitly stated by the applicants[15] and therefore not appropriately assessed. If permitted, the pipeline development would nullify the mitigation efforts, which rely almost entirely on the NBBMA's success. The in-combination effects must be examined before being dismissed.

The Hynet Hydrogen Pipeline (ref 38) is routed to go through the area proposed to be the Skylark Mitigation Area by the Solar Farm. The location appears to have been selected despite knowledge that it would be subject to further disturbance, undermining its suitability as mitigation. General impacts of the pipeline are dismissed as 's*hort term and temporary*'[16], though it is mentioned that "*there is potential for cumulative effects on [...] breeding birds such as skylark and lapwing, associated primarily with temporary disturbance and habitat loss during the construction phase*" in the Ornithology Chapter[17]. However, nowhere is there any discussion of the effects on the Skylark Mitigation Area and the displaced skylarks as a result of the in-combination effects of the two proposals.

The existing Frodsham Wind Farm is not included as a development in any of the discussions of cumulative impacts. The wind farm will be losing several of its main mitigation areas due to the Solar Farm development and those are not being directly compensated for elsewhere; these are considerable cumulative impacts that have not been discussed and have certainly not been addressed.

[15] Information to Inform HRA, doc ref EN010153/DR/5.3, para. 6.7.31
[16] Information to Inform HRA, doc ref EN010153/DR/5.3, para. 6.7.20
[17] Doc EN010153/DR/6.1, para. 8.11.10

Other matters

We defer to CWaCC's Natural Environment Officer's comments on the following topics:

- Potential main issues for the examination and the impacts being weighted more positively than are currently understood (7.5 - 7.6)
- Decommissioning and the uncertainty of the long-term retention of habitats used for mitigation (7.30)
- Lack of sufficient bird survey data (7.36)
- Monitoring frequency (7.48)
- The phasing of works as mitigation for construction impacts on birds (7.43, 7.62)
- Bats and the appropriate surveys (7.82 – 7.88)
- Otters (7.95)
- Badgers and their mobility across the site (7.104)
- Reptiles and lack of survey (7.113)
- Peat and the further investigations necessary (8.7)

Conclusion

Cheshire Wildlife Trust recognises the need for renewable energy in the face of the climate crisis, but this cannot be at the expense of nature. The Frodsham Solar Farm proposals do not meet the standards we would expect from large infrastructure projects. Its unsuitable location, inadequate mitigation measures, flawed BNG approach, and failure to account for cumulative impacts risk causing long-term harm to the wildlife at Frodsham Marshes and the wider Mersey Estuary.

We urge the examining authority to join others[18] in looking to a greener and wilder future, one that prioritises nature alongside development for the sake of future generations of people and wildlife.

[18] Thrapston solar farm rejection appeal dismissed - BBC News