

May 2025



PINS Ref: EN010153

Document Ref: EN010153/DR/5.2

Planning Act 2008; and Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 Regulation

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1 Meeting notes of January 2025 Design Workshops





Meeting 1 – Local council representatives

Time / Venue: 9am 10th January Frodsham Library

Attendees

Cllr Lucy Sumner (Frodsham Ward Cllr / Frodsham Town Council)
Cllr Michael Garvey (Frodsham Ward Cllr / Frodsham Town Council)
Cllr Chris Copeman (Helsby Ward Cllr)
Aidan Holman (Frodsham Town Council)

Mark Flaherty (Cubico PM) Andrew Russell (Axis) Jon Mason (Axis)

- Could be a point of destination for tourism or education
- Desire for cycle opportunities
- Car park benefit but could also pull business out of the town
- Car park want to encourage use but also want to encourage sustainable transport / reduce use of cars.
- Concern over ongoing maintenance of paths
- Need to consider needs of different user groups e.g. fishermen, birders etc
- Potential for a 'bike stop' by Cell 3 to allow cyclists to walk up onto embankment to viewpoint -> bike hoops for locking bikes
- Ability to maintain RB98 in better condition to allow access to Cell 3 and onwards to NCR.
- Provide interpretation about industry and history of the area
- Wanted to understand the seed mixes / biodiversity management
- Need bins and to consider rubbish collection, linked to maintenance
- Consider classroom area potentially in control centre if safe. Potential for a hide / outdoor classroom for education events
- Consider organised events / working with community
- Opportunities to improve NCN5
- Group conscious of links into the site and how these could be improved. Use of Community Benefit Fund discussed / contributions from other developments in the area.
- Opportunity for bee hives / working with local bee group.





Meeting 2 - Wildlife and Birders

Time / Venue: 11am 10th January Frodsham Library

Attendees

Melusine Velde (Cheshire Wildlife Trust)
Dermot Smith (BTO Wetland Bird Survey)
Tony Parker (Chaiman Cheshire and Wirral Ornithological Society)
Bill Morton (Frodsham Birder) sent apologies

Mark Flaherty (Cubico PM) Andrew Russell (Axis) Jon Mason (Axis)

- VP on path by Cell 3 seen as positive opportunity
- New route along the River Weaver provides opportunities to see out into the estuary.
- Are there opportunities for additional mitigation in the skylark mitigation areas
- Preference for solar to be pulled back further from the southern boundary on the wildfowlers land.
- Noted very little car parking for birders. Question potential for layby on Moorditch lane
- Support for use of screening. However, need to consider potential for vandalism.
- Addiotnal routes could encourage motorcycles / vandalism design / maintenance consideration.
- The land profile along the River Weaver may provide screening so may not be necessary for continual length of fencing.
- Interpretation information would be good to help perception of the site in terms of keeping well maintained but also may help perception of safety.
- Need signage for dog walkers, particularly close to River Weaver to prevent dogs from straying onto river edge.
- Would be good for WT or RSPB to manage the Cell 3 mitigation area and other opportunities for wildlife management across the site.





Meeting 3 – Access interest groups

Time / Venue: 1pm 10th January Frodsham Library

Attendees

Glyn Morris (Festival of Walks)
Ashley McCraight (Cycling North Cheshire)
Steve Pemberton (Cycling North Cheshire)
Malcolm Wilson (Ramblers Association)
Aidan Holman (Frodsham Town Council)

Mark Flaherty (Cubico PM)
Andrew Russell (Axis) [first half of meeting only]
Jon Mason (Axis)

- Noted that the design should consider the ability to provide access to different users, including disabled. Recommended that LTN1/20 is reviewed.
- Discussed that there would be limitations to the level of access that could be provided. Possibility of considering a hierarchy of different route types.
- Wanted to ensure there are interconnected routes, both in terms of onsite connections but also to offsite routes.
- Suggestion that the paths closer to the access points into the site should provide better opportunities for multiple users.





Meeting 4 - CWaC officers

Time / Venue: 11:30am 22nd January The Portal, Ellesmere Port

Attendees

Paul Friston (CWaC Planning Case Officer)
John Seiler (CWaC Landscape Officer)
Laura Hughes (CWaC Ecologist)
James Orme (CWaC Footpaths officer)

Mark Flaherty (Cubico PM) Andrew Russell (Axis) Jon Mason (Axis)

- Will the new footpaths be retained beyond the life of the development? (Paul) This is likely to be limited by land ownership. Lease agreement is for 40 years for the proposed development. Permissive footpaths are possible under the lease terms and would be in place for the full period but making footpaths permanent is unlikely to be possible
- Please ensure that other wildlife disturbance on site due to for example expansion of footpath network is covered. e.g. birds nesting in hedgerows, badgers etc. Please can this be documented even if only to identify mitigation measures have been considered to account for disturbance. Recognition that access to nature has benefits but can come with impacts. (Laura)
- Better to have recognised routes than public making numerous desire lines.
- Signage could help deter antisocial behaviour.
- Advantages and disadvantages of car parking discussed considered unlikely that many people would walk from Frodsham to access the site; car park could encourage antisocial use; would provide better access to all user groups
- Presence of Skylark mitigation area is reassuring and makes the balance seem more appropriate, gives a perception that birds are catered for (Laura)
- Solar panel colour. Can we look to identify the most recessive colour? Current photomontage from Frodsham Hill is excellent quality but similarity of colour to the water in the estuary is questioned (John) Axis to ensure that methodology for photomontage production is clear in this regard
- LVIA Assessment conclusion does not in John's view give sufficient weight to landscape value at Frodsham war memorial or to the vast scale of the development
- Reservations about losing the diverse range of views within the site, including open views across estuary and views to Frodsham Hill. In response, Axis considers that this has been taken account of in the design we will need to communicate this clearly in the Design Approach Document.
- Footpath surfaces. Some were very difficult to use on the site visit this will need addressing.





- In the context of discussion of changes in view from existing routes on site and the prospect of improving site accessibility there was discussion around added social value. i. e. currently few people experience this landscape. Whilst the solar farm may detract in some ways from some vantage points, overall, there will be more users and more locations from which to experience the landscape so there should be a net benefit so long as the range of views is largely preserved and surfacing of paths is suitable to allow access.
- Consider impact of improving the footpaths on ecology during construction period (James)
- Noted that there will be 40-years duration of maintenance
- Examples of approaches to shared access for different user types were discussed e.g. Wirral Way Hooton to Hadlow Station; The Meadows (Toptrak finish)
- The Rows an example of compromises made where full DDA cannot ever be achieved
- Peter Grime is Disability Access officer
- Discussion around Battery location The site is well hidden from within the marshes (i.e. from footpaths) but is visible from Frodsham Hill. Location has been determined based on proximity to grid connection. Areas further west are unsuitable due to being at risk of flooding. This logic will be explained in the Design Approach Document.



2 January 2025 Active Travel Email Chain



@axis.co.uk> From: Jon Mason < To: Andrew Russell < @axis.co.uk>; ; 'Holman, Aidan' @frodsham.gov.uk>; COPEMAN, Chris (Councillor) @cheshirewestandchester.gov.uk>; 'SUMNER, Lucy CC: (Councillor) @cheshirewestandchester.gov.uk>; @cheshirewest.gov.uk' @Cheshirewestandchester.gov.uk>; Karen STEVENS @cheshirewestandchester.gov.uk>; Mark Flaherty @cubicoinvest.com> [Filed on 2025-03-07] RE: Response to the summary of Meeting No 3 Active Subject:

Travel on 10th January 2025

Date: 07.03.2025 15:57:33 (+01:00)

Hello Ashley,

Thanks once again for collating the feedback from your group. We have read through all of the comments carefully and our responses to each of the points made are set out below.

Before going through the points of detail, I first need to address your statement that "The meeting resulted in several definitive verbal agreements and some positions taken by Cubico/Axis where agreement was not achieved". We very much agree that the meeting was valuable, and it has helped us understand the position of the various groups we engaged with. I must stress however (and I think that this was made clear in our preamble at the start of the meeting) that the aim was not to achieve 'definitive verbal agreements', but rather to gather the views of the groups we engaged with and where necessary provide feedback on the deliverability of some of the ideas raised. Any opinion given represented our honest view of what we felt could be realistically achieved. This in no way dewaters our intent to deliver on many of the suggestions made. Where these are not considered feasible then we will outline the reasons for this in the application documents.

In terms of the more specific points made about what you understood to have been agreed or not agreed, I address each in turn below:

a. All of the 4.5 km of new permissive footpaths would be open to cyclists and horse riders in addition to walkers.

We did not state this. We set out that we would be looking to introduce a hierarchy of routes with different levels of access. The reasons for this included engineering limitations, health & safety and disturbance to wildlife.

b. Access for the disabled would be provided on tarmacked routes closer to the town. Routes further away from the town would not be tarmacked.

We agreed to look to provide disabled access to certain areas of the site, but the discussion focused on the ability to enhance access whilst accepting that there will be limitations on access at times within the open countryside. It was discussed that we anticipated that the paths created would be made from unbound materials – and we specifically noted that tarmac paths are unlikely to be provided within the site. We discussed looking into various best practice guidance documents to inform this element of the access strategy.

c. Cubico/Axis did not agree to upgrade National Cycle route NCN 5.

This is correct. We set out that the sections of NCN5 which fall within the application boundary would be improved at the completion of the construction works by infilling of potholes etc. However, those sections which fall outside the Order Limits would not be in our control.

d. Cubico/Axis did not agree to upgrade any of the access routes which link directly to the area covered by the scope of the application. These routes are: Weaver Lane, Moorditch Lane (NCN 5) and Brook Furlough.

We discussed that the project would deliver improvements <u>within</u> the Order Limits. In relation to these connecting routes, we discussed the opportunity for Frodsham Town Council to utilise the community benefit fund, along with other opportunities for funding, to improve the links leading to the Site.

e. Cubico/Axis listened but did not agree to take account of a range of factors which would result in the routes being pleasant. i.e. varying the path edges with curves, screening the panels effectively and opening up views to distant hills.

We do not agree with this point. We discussed how screening had been introduced in some locations to reduce the visibility of the solar panels, but we also explained that elsewhere screening would be less appropriate in order to maintain a more open character and to ensure that the characteristic long-distance views possible from the site would not be lost e.g. views of the estuary, views of the Frodsham escarpment.

f. Cubico/Axis but did not agree to mitigate the very unattractive view of the vast array of solar panels that will be created from the top of Frodsham hill – recognising that this is a major tourist attraction for walkers.

We set out that due to the elevation of the viewpoint planting would be ineffective in providing screening. The visual impact from Frodsham Hill is recognised within the assessment.

Finally, you asked how the community benefit fund had been calculated. The figure is based on an assumed 130MW installed capacity scheme and a payment of £500 per MW/yr which equates to £65,000/yr or £2.6m over the 40-year life of the project. This is an estimate, and the final figure will be based on the scheme capacity that is consented and built. There will be further community engagement on the funding when the project is more advanced.

I trust that you are content with the above as an accurate reflection of what was discussed.

Regards
Jon Mason
Director



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@Cheshirewestandchester.gov.uk > ; Karen STEVENS <
    @cheshirewestandchester.gov.uk>
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Subject: RE: Response to the summary of Meeting No 3 Active Travel on 10th January 2025

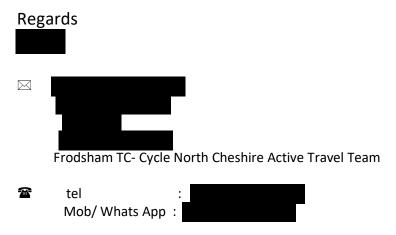
Jon

Good afternoon.

Further to our conversation last week you indicated that you would reflect on the content of the attached email and come back to us.

During our discussion we agreed that, to avoid misunderstandings, it is very important that we arrive at what Cubico/Axis agreed to include in the application and also what was not agreed.

When do you expect to be able to provide a response for us please?





Jon.

Good afternoon.

Thank you for your notes summarising the discussions of Meeting No.3, relating to Active Travel, on 10.01.25.

This response is based on feedback from each of the attendees who represent groups actively engaged in various aspects of active travel.

We know from talking to them that they appreciated the opportunity to understand Cubico's commitment to design opportunities for more of active travel within its application to install a 600 acre solar farm on Frodsham marshes.

They each came to the meeting with clear ideas of their member's needs and appreciated the open nature of our discussions.

This was a valuable process which resulted in several definitive verbal agreements and some positions taken by Cubico/Axis where agreement was not achieved.

Your notes cover most of the topics discussed but not all of them and they also occasionally use terms which could be interpreted in different ways.

You will appreciate that it is very important that a written record of what was agreed and not agreed is prepared.

To help move this forward, Steve Pemberton & I have annotated our understanding on each topic discussed based on our records and feedback from Glyn Morris, Malcolm Wilson and Cllr Aidan Holman.

We have structured this around the response that CNC provided (see Appendix 1 below) in December 2024

It would help enormously if you could confirm the accuracy of these agreements and non-agreements please.

As CW& C Planning policy DM 37, on Recreational Routeways is relevant to this topic, I have copied in the three CW& C councillors who represent the Frodsham & Helsby wards and Karen Stevens who is Cheshire West's Decarbonising (Transport) officer. https://cheshirewestandchester.objective.co.uk/portal/cwc_ldf/cw_lp_part_two/sub/parttwosub/pointId=s1518786437029

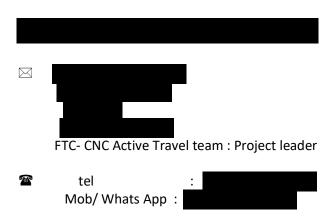
DM 37's key principle is:

Development incorporating or adjacent to the following must protect and, wherever possible, enhance and extend:

- ? Public Rights of Way
- ? footpaths/bridleways
- ? cycle routes
- ? canals and waterways

We all look forward to your response.

Regards



Appendix 1. Summary of outcome of discussions on 10.01.25

Cycle North Cheshire input to Phase 2 Consultation Frodsham Solar Farm

This is in three parts.

1 We have highlighted sections of your response to the Phase 1 feedback which are relevant to our earlier input. We have then commented on how documents presented in the Phase 2 consultation fall short. (Contextual notes)

2 We have highlighted sections of the legislative planning framework, national and

2 We have highlighted sections of the legislative planning framework, national and local, which supports our input to both consultations, (Contextual notes) 3 We present four key points as our response to the Phase 2 consultation.

1 There is reference consultation invitation to the phase 1 inputs we made as per below

The relevant sections of the second phase consultation document are highlighted below:

"What we heard

Recreation and Amenity

Concerns were raised regarding public access to the site and potential impacts to existing footpaths, trails, and routes.

We received feedback requesting for more or improved footpaths and cycle paths on site. Respondents also asked for more open spaces and recreational opportunities near the site. The specific areas most often mentioned were Ince, Frodsham, Helsby, Hapsford, Elton and Ellesmere Port."

"How we are considering this

We would like to reassure you that all public rights of way will remain open during the operation of the solar farm. We will be looking to maintain access throughout the construction period where this is safe to do so. Where any closures are necessary, they will be kept as short as possible, and measures to protect PRoW users will be included within the Outline Construction Environmental Management Plan submitted as part of the application. We would like to thank you for the many suggestions of new footpaths and cycle path routes. For the second phase of consultation, we will be developing a Landscape Masterplan, which will include new permissive paths that will give additional access to the public across Frodsham Marshes for the lifetime of the project."

We note that In the Phase 2 consultation documents there is no mention of doing anything to improve the PROW (NCN 5) or introduce any new cycle routes within the Solar farm, all the existing and planned new permissive paths are for walking only.

Outcome of discussion on 10.01.25

Agreements made by Cubico/Axis

i) All of the 4.5 km of new permissive footpaths would be open to cyclists and horse riders in addition to walkers.

Notes. These routes in the plan are interconnected which would provide a variety of alternative options for users.

Note 2: DFT's LTN 1/20 is an appropriate standard to consider.

ii) Access for the disabled would be provided on tarmaced routes closer to the town. Routes further away from the town would not be tarmaced.

Non agreements

i) Cubico/Axis did not agree to upgrade National Cycle route NCN 5.

2 The legislative framework.

This reinforces the Cycle North Cheshire position and our suggested improvements.

A National planning policy - see PEIR Report Chapter 12 page 3 onwards

Relevant sections of these policies in relation to recreation and tourism are summarised below and highlighted to emphasise

Table 12-1 - Summary of National Planning Policy Document Policy / Paragraph Reference

Summary of Policy / Paragraph NPS EN-1 Para. 5.11.6

The government aims to ensure adequate provision of high-quality open spaces and sports and recreation facilities to meet community needs.

Para. 104 Planning should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users for example by adding links to existing networks like National Trails.

Para 108 Planning should identify and pursue opportunities to promote walking, cycling and public transport.

Local Cheshire West Planning policy

B Cheshire West and Chester Local Plan (Part One) Strategic Policies (January 2015)

12.2.8 Policy ECON 3 (Visitor Economy) states that the expansion of existing tourism assets or the creation of new tourism opportunities will be supported where this **would enhance** the existing tourism offer, benefit the local economy and be of a suitable scale and type for its location.

12.2.9 Policy SOC6 (Open space, sport and recreation) states that the council will seek to protect, manage and enhance existing open spaces, sport and recreation facilities. Proposals that improve the quality, quantity and accessibility open spaces will be supported.

12.2.13 With specific reference to DM37 (recreational routeways), proposals that protect and enhance the public access and recreation value of strategic recreational routes will be supported. Opportunities to improve the quality, accessibility and connectivity of the network of recreational routeways should be maximised. Measures to enhance existing routes might include: upgrades to facilitate shared use and accommodate the needs of different users; enhanced signage for wayfinding and information/interpretation; improved entrances and boundaries; habitat creation; enhanced provision of public rights of way furniture such as benches and bins; and safety improvements. There is specific reference to improving the cycle route across Frodsham Marshes in this context within DM37.

Outcome of discussion on 10.ti1.25

Non-agreements

- i) Cubico/Axis did not agree to upgrade any of the access routes which link directly to the area covered by the scope of the application. These routes are: Weaver Lane, Moorditch Lane (NCN 5) and Brook Furlough.
- ii) Cubico/Axis listened but did not agree to take account of a range of factors which would result in the routes being pleasant. i.e. varying the path edges with curves, screening the panels effectively and opening up views to distant hills.
- iii) Cubico/Axis but did not agree to mitigate the very unattractive view of the vast array of solar panels that will be created from the top of Frodsham hill recognising that this is a major tourist attraction for walkers.

3 Cycle North Cheshire response to the consultation invitation .

- a. The merits or disadvantages of the scheme per se, sit outside our terms of reference and our comments are limited to potential benefits to the community should the project go ahead. Active members are encouraged to submit their own views directly on their perspective of the farm.
- b. Those lanes that are used in the construction of the project (parts NCN 5 off road at the Helsby/Ince end) are repaired, upgraded and left in such a condition that they can be used for safe, segregated cycling/walking for leisure purposes. These lanes are currently in a poor state and not safe for leisure use.
- c Within the new solar farm those existing and proposed new paths that have been

designated for walking in the draft design are also designated for leisure cycling, again safe/segregated for family rides. This should be part of making the site a destination, with educational aspects on low carbon/sustainability etc

d Community benefit fund uses.

Our strong view is that the existing Marshes and Protos funds are more than adequate for the series of smaller community projects. We see the community benefit potential of the solar farm one should be focussed to a single, significant project over a longer period such that the solar farm creates a sustainable asset for generations as a legacy.

We advocate that the Cheshire West and Chester "Local Cycling and Walking Infrastructure Plan" (LCWIP) and the parallel Sustrans "Future Vision" of a shared user path for cycling and walking (SUP) linking Halton Border to Helsby High School section should be the project you adopt and work with a suitable group to develop the concept that Sustrans have drawn up to a completed plan and commence its construction.

Such a project is consistent with the core values of a low carbon, sustainable facility which are promoted in the Cubico scheme.

The foundation work/concepts of this project by Sustrans and Cycle North Cheshire can be made available for further evaluation

Note: The budget proposed for the solar farm benefit fund is £65k, for a 150MW facility, this seems low in comparison to the Marshes Community benefit fund which is around £130k (index linked) for a 50MW facility, the figure mooted seems very low by comparison and requires clarification/reconsideration.

Outcome of discussion on 10.01.25

Statement.

Mark Flaherty stated that the total community benefit fund would be £2.2m over the life of the project.

Question: can you explain how this is calculated please?

From:			>	
Sent: 10 February 2025 10:5	56			
To: 'Jon Mason' <	@axis.co.uk>			
Cc: 'Andrew Russell' <	@axis.co.uk >	; 'Joe Chambers' <		<pre>@cubicoinvest.com > ;</pre>
'Mark Flaherty' <	@cubicoinvest.com	1 > ;		
_> ; 'H	olman, Aidan' <	@frodsham.go	ov.uk>	
Subject: RE: [Filed on 2024-12-11] Frodsham Solar - meeting to discuss design				

Jon

Good morning

Thanks for your notes, about which I have been in contact with other attendees.

I/we hope to provide a collective respond by Wednesday.

Regards Ashley

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From: Jon Mason < @axis.co.uk >

Sent: 31 January 2025 17:58

To:

_>; Holman, Aidan <
@frodsham.gov.uk >

Cc: Andrew Russell < @axis.co.uk >; Joe Chambers < @cubicoinvest.com >;
```

Mark Flaherty < <u>@cubicoinvest.com</u> >

Subject: RE: [Filed on 2024-12-11] Frodsham Solar - meeting to discuss design

Good Evening all,

Please find attached a combined note of the four consultation meetings held earlier this month to discuss site design - with particular emphasis on access.

The note will inform the contents of the Design Approach Document that we will be preparing in the coming weeks – this being one of the Control Documents submitted as part of the DCOI application

I would be grateful if you could review the notes from the meeting you attended and let me know if you think anything that was discussed has been missed.

Regards

Jon Mason

Director



E:

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From: Jon Mason

Sent: 19 December 2024 11:23

То:

_> ; Holman, Aidan <

@frodsham.gov.uk >
Cc: Andrew Russell <</pre>

Cc: Andrew Russell < <u>@axis.co.uk</u> > ; Joe Chambers < Mark Flaherty < <u>@cubicoinvest.com</u> >

@cubicoinvest.com > ;

Subject: RE: [Filed on 2024-12-11] Frodsham Solar - meeting to discuss design

Good morning,

Thank you for providing your availability for this targeted consultation meeting about access and recreation

The meeting has been scheduled for **1pm to 2:30pm** on Friday 10 th January at Frodsham Library.

The library is located within Frodsham Leisure Centre at WA6 6RX and there is free parking available for those who need it. We have booked a meeting room

I would be grateful if you could confirm receipt and that you are still able to attend at this time.

Many thanks

Regards

Jon Mason

Director





www.axis.co.uk

From: Jon Mason

Sent: 11 December 2024 16:37

To:
Cc: Andrew Russell < @axis.co.uk > ; Joe Chambers < @cubicoinvest.com > ;

Mark Flaherty < @cubicoinvest.com >

Subject: [Filed on 2024-12-11] Frodsham Solar - meeting to discuss design

Dear Ashley, Malcolm,

We are writing on behalf of the Cubico Sustainable Investments, the applicant for the proposed Frodsham Solar development. Further to the statutory consultation which is currently underway, we are contacting you as individuals who potentially have an interest in discussing the approach that we are taking to design – and with specific reference to how the site will accommodate public access and recreation.

We are aware that you may have already provided feedback to Cubico, either at an earlier stage of the project or as part of the current consultation. However, we are keen to hold targeted meetings with local interest groups and project stakeholders to discuss the approach we have taken with the design of the project to date. We would like to use this opportunity to receive feedback which could help influence the design we take forward into the application.

You may have seen the current proposals at one of the recent public information events. If you were not able to make one of the events then all of the consultation information, including the current design proposals, are available on the project website: www.frodshamsolar.co.uk.

We are looking to set up four meetings with the following specific audiences:

- 1. Frodsham Town Council and local CWaC members
- 2. Cheshire West and Cheshire Council officers (specifically planning, landscape and public rights of way officers)
- 3. Local active travel groups cyclists, walkers, equestrians
- 4. Wildlife and birding groups

Could you please indicate your availability for a meeting during either week commencing 16 th December 2024 or week commencing 6 th January 2025. Ideally, we would like these sessions to be in person, but we can hold these online if preferred. Venue to be confirmed to suit the relevant attendees.

We are inviting you to attend as part of **meeting 3**. If you know of other individuals who might be able to contribute to this meeting, please provide their contact details and we will see if they are available

Regards

Jon Mason

Director



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