

THE INFRASTRUCTURE PLANNING (EXAMINATIONS PROCEDURE) RULES 2010

FRODSHAM SOLAR FARM DEVELOPMENT CONSENT ORDER

PINS REFERENCE EN010153

**WRITTEN SUBMISSION OF ORAL
REPRESENTATIONS MADE ON BEHALF OF
NATIONAL HIGHWAYS LIMITED AT CAH AND
ISH2**

INTRODUCTION

This is a written submission made on behalf of National Highways Limited in respect of oral submissions made at the Compulsory Acquisition Hearing and Issue Specific Hearing 2 held on Tuesday 24th February to Thursday 26th February 2026

Compulsory Acquisition Hearing	
Agenda Item 3b(ii)	Oral Submission made on behalf of National Highways Limited (“NH”)
Statutory Undertaker Negotiations Tracker	NH confirmed that it was satisfied with the applicant’s proposals to amend the protected provisions in sch.27 of the draft DCO (dDCO) [REP3-002] to expand the definition of “strategic road network” to include “structures” and expand the scope of paragraph 4 to cover all land owned by NH.

Issue Specific Hearing 2	
Agenda Item 3c(i)	Oral Submission made on behalf of National Highways Limited (“NH”)
Structural surveys of PRowS over bridges for proposed [sic] to be used by emergency vehicles and for visitor car park.	<p>(i) Visitor car park and other changes of use of the PRow</p> <p>Weaver Lane Bridge (WLB) presently carries Frodsham FP81 over the SRN. Article 13(3) dDCO [REP2-002] permits the undertaker to permanently stop up FP81 between the points P&Q on the street works, public rights of way, vehicular usage and access plans. This is subject to Art13(4) which requires the undertaker to provide a bridleway between points P1&Q1 on the same plan. The applicant now proposes that a cycle path will be provided instead of a bridleway.</p> <p>Brook Furlong Bridge (BFB) is presently a restricted byway. Under Art.13(9) dDCO, if a landscape ecology plan approved by the relevant planning authority under requirement 9 (landscape and ecology management plan LEMP) includes provision for a car park</p>

Issue Specific Hearing 2	
Agenda Item 3c(i)	Oral Submission made on behalf of National Highways Limited (“NH”)
	<p>along Moorditch Lane, then BFB would be authorised for use by mechanically propelled vehicles. See also OOEMP, §2.4.18 [REP3-022].</p> <p>NH is concerned that these proposals will change the use of both BFB and WLB and that, as set out in NH’s DL2 submissions [REP2-010], a structural review will be required to confirm that the bridges can accommodate this changed use. The applicant now accepts that a review will need to be carried out prior to any change of use. NH welcomes the applicant’s change of position. The applicant has suggested amendments to the protective provisions in sch.27 of the dDCO. The effect of these is that, prior to exercising its powers under the DCO to change the use of the bridges, the applicant will carry out a condition survey of each bridge. If these surveys identify that works are required to make the bridges suitable for such use, the applicant will need to enter into an agreement with NH prior to carrying out such works. NH will have absolute discretion as to the terms of any such agreement. NH is satisfied that, in principle, these proposed amendments are likely to be capable of resolving its concerns in relation to this issue. However, NH requested additional time to consider the amendments and undertook to revert to the applicant with further comments.</p> <p>(ii) Emergency services use of the bridges</p> <p>The OOEMP, §2.4.17 [REP3-022] and Art13(12) dDCO indicate that both BFB and WLB could be used for emergency access to the development site. The applicant has informed NH that it will remove these references. However, NH remains concerned that there is a possibility that either BFB or WLB may be used by emergency services vehicles in the event an emergency at the site, particularly a battery fire. NH notes that the Outline Battery Safety Management Plan [REP3-027] identifies both Brook Furlong and Weaver Lane as potential alternative option for fire service access in the event of a battery fire (see §4.2).</p> <p>NH considers that, if there is any prospect that BFB and/or WLB will be used as part of an emergency services access route to the site, a structural review should be carried out to determine whether either bridge is capable of accommodating such use. If not, then either any emergency access plan will need to be adjusted accordingly or works will have to be carried out to strengthen the bridges. In the latter scenario, NH would require adequate protective provisions to be in place, as set out in its DL2 submission. NH understands that the applicant intends to engage in further discussion with the emergency services and NH in relation to this issue.</p>