

Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Date: 05 March 2026

Our Ref: [REDACTED]

Direct: [REDACTED]

Email: [REDACTED]

By Email Only:
frodshamsolarfarm@planninginspectorate.gov.uk

Dear Sir/Madam

Application by Frodsham Solar Limited for an order granting development consent for Frodsham Solar [PINS Ref. EN010153]

We write further to the above matter in connection with which we are instructed to act on behalf of INOVYN Chlorvinyls Limited ("**ICL**") (IP Ref. F40047B6B).

Please find enclosed a copy of the statement read out on behalf of ICL at the Compulsory Acquisition Hearing which took place on 24 February 2026 ("**CAH1**") – this statement serves as the summary of our client's oral representations made at the hearing.

ICL's response to the Examining Authority's ("**ExA**") Written Questions 01 [REP2-015] confirmed that the terms of an Option Agreement and draft Deed of Easement are in the process of being negotiated between our client and the Applicant. However, it referenced two outstanding items – namely: (i) a suitable plan of the 'option area'; and (ii) a solicitor's undertaking in respect of ICL's legal costs.

Following the close of CAH1, we can confirm that a revised plan showing a reduced 'option area' within which the easement strip – subject of the draft Deed of Easement which is proposed to be attached to the Option Agreement – will be located. At the stage when the Deed of Easement is entered into, the easement strip (this being the land over which ICL is prepared to grant the Applicant rights of 'oversail') will be more accurately defined but will need to fall within the 'option area' shown on the plan.

An undertaking in respect of our client's legal costs – anticipated to be incurred in connection with the negotiation of the Option Agreement and draft Deed of Easement – has also been provided by the Applicant's property solicitors.

We would also like to take this opportunity to respond to the ExA's CAH1 Action Point No.1 which is directed to ICL and the Applicant:

Seek to resolve outstanding matters that were noted during CAH1 (agreement between the parties of a plan showing the easement corridor or construction corridor as an alternative to full permanent acquisition of plots 5-3 and 5-4, and costs undertakings). INOVYN to provide its up-to-date position taking into account the oral submissions made in CAH1.

Regarding ICL's up-to-date position, they are actively engaged with the Applicant in the negotiation of the terms of the Option Agreement and draft Deed of Easement. Detailed comments on both documents were returned to the Applicant's property solicitors on 2 March 2026 and their comments in response are awaited. Pending further progress being made, and

cloud_uk\249546594\1\grangesz

noting the considerable amount of work still needed to reach a mutually agreeable and concluded position, we are instructed to reserve our client's position with regard to the changes required to the compulsory acquisition articles included in the draft Development Consent Order ("**dDCO**"), summary details of which are set out in the enclosed hearing statement / oral representations.

We note that publication of the ExA's schedule of changes to the dDCO is in the examination timetable for 9 April 2026. Accordingly, we propose to provide a further update on the progress of our client's negotiations with the Applicant at Deadline 5 (26 March 2026) and (if required at this time) we will also provide the drafting required to make our client's requested changes to the dDCO.

Should there be any queries, please do not hesitate to contact our [REDACTED] [REDACTED] (Legal Director) of this office (contact details on page 1 of this letter).

Yours faithfully,

[REDACTED]
EVERSHEDS SUTHERLAND LLP