

By Email

■■■■ ■■■■
Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

cc: FrodshamSolarFarm@planninginspectorate.gov.uk

Our reference ■■■■

Your reference EN010153 – Q 2.1.3

26 March 2026

Dear ■■■■

**Response to the Examining Authority's written questions of 13 March 2026 relating to the
Frodsham Solar Farm Order (EN010153)
Q 2.1.3 on behalf of Frodsham Wind Farm Limited (F81D3A46F)**

Background

We continue to act on behalf of Frodsham Wind Farm Limited ("**FWFL**") who own and operate Frodsham Wind Farm ("**FWF**") which is situated in the area in which The Frodsham Solar Farm Order 202* (the "**Order**") is proposed to have effect.

FWFL submitted a response to a section 42 Planning Act 2008 statutory consultation letter dated 05 November 2024 detailing their concerns and interest in the Order land. Following this, Frodsham Solar Limited (the "**Applicant**") and FWFL have been engaging via their legal representatives on a side agreement/asset protection agreement together with appropriate protective provisions which seek to protect FWFL's apparatus and ensure the safe operation of its undertaking.

FWFL's relevant representation (dated 22 July 2025 with reference RR-0047) was subsequently submitted. Negotiations between the Applicant and FWFL have continued and we wrote to the Examining Authority on 15 January 2026, in response to the 18 December 2025 written questions (Q 10.0.4). We note that the 15 January 2026 letter appears on the Planning Inspectorate project page with the Deadline 2 submissions¹ but note that there is no corresponding examination library reference. This correspondence detailed outstanding concerns between the parties and indicated there was an intention to resolve these ahead of close of examination on 30 April 2026.

¹ [Deadline 2 Documents | Frodsham Solar](#)

Osborne Clarke LLP

Halo, Counterslip, Bristol, BS1 6AJ T +44 117 917 3000 F +44 117 917 3005

Osborne Clarke LLP is a limited liability partnership registered in England and Wales with registered number OC397443 whose registered office is at One London Wall, London EC2Y 5EB. It is authorised and regulated in the UK by the Solicitors Regulation Authority (SRA) and is registered as a recognised body with SRA number 619990.

The term 'partner' refers to a member of Osborne Clarke LLP. A list of members of Osborne Clarke LLP and their professional qualifications is available for inspection at the registered office. Any advice given by any individual member, employee, or consultant is the responsibility of Osborne Clarke LLP and not the individual. Osborne Clarke LLP does not accept service by fax.

Osborne Clarke LLP is part of an international legal practice.

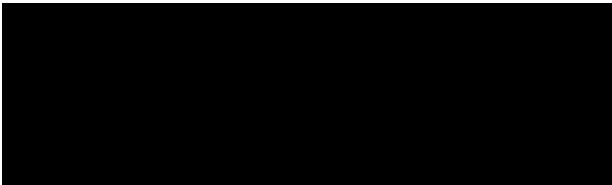
Response to Examining Authority's 13 March 2026 question

In response to Q2.1.3, FWFL wish to inform the Examining Authority that:

1. They have provided a subsequent update (response of 15 January 2026) since their relevant representation and would like to draw attention to this correspondence. We have enclosed this letter again for ease of reference.
2. On 19 February 2026 the Applicant, FWFL and both parties' legal representatives met to discuss the outstanding concerns. Following a productive discussion between the parties, a revised draft commercial agreement and protective provisions were sent to the Applicant. We understand that the terms are predominantly agreed, with one material point in respect of ground conditions outstanding, which FWFL understands that the Applicant is considering. FWFL wishes to stress that its holding objection remains until this point is agreed. There are serious concerns with the continued safe operation of the wind farm unless and until the principles around ground conditions, subsidence, and monitoring are resolved between the parties. The commercial agreement will therefore need to be completed before the Applicant can remove its holding objection.

We shall continue to keep the Examining Authority updated as the negotiation and completion of this agreement progresses and, consequently, the status of FWFL's outstanding objection.

Yours sincerely



Associate

for Osborne Clarke LLP

T +44 117 917 3215

E 

Enc: Letter of 15 January 2026

By Email

■■■■ ■■■■
Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

cc: FrodshamSolarFarm@planninginspectorate.gov.uk

Our reference ■■■■■■■■■■

Your reference EN010153 – Q 10.0.4

15 January 2026

Dear ■■■■■■■■■■

**Response to the Examining Authority's written questions of 18 December 2025 relating to the
Frodsham Solar Farm Order (EN010153)
Q 10.0.4 on behalf of Frodsham Wind Farm Limited (F81D3A46F)**

We continue to act on behalf of Frodsham Wind Farm Limited ("**FWFL**").

Background

FWFL own Frodsham Wind Farm ("**FWF**") which comprises 19 turbines, making it one of England's largest onshore wind farms. FWF is situated on the area in which The Frodsham Solar Farm Order 202* (the "**Order**") is proposed to have effect.

We understand that the application comprises the installation of solar PV panels and a on-site battery energy storage system (the "**Frodsham Solar Project**") on land at Frodsham Marsh, Frodsham, Cheshire West and Chester (the "**Land**"). FWFL have assets on this Land, including turbines, underground cabling and maintenance access routes.

Following receipt of the Planning Act 2008 section 42 statutory consultation letter dated 05 November 2024, FWFL submitted a response to Frodsham Solar Limited (the "**Applicant**") detailing their concerns and interest in the Order land.

On 14 January 2025 the Applicant contacted us to discuss the proposals and protective options for FWFL. Since this date, we (on behalf of FWFL) have been engaging with the Applicant's legal representatives to agree and conclude a side agreement/asset protection agreement and appropriate protective provisions for FWFL.

Osborne Clarke LLP

Halo, Counterslip, Bristol, BS1 6AJ T +44 117 917 3000 F +44 117 917 3005

Osborne Clarke LLP is a limited liability partnership registered in England and Wales with registered number OC397443 whose registered office is at One London Wall, London EC2Y 5EB. It is authorised and regulated in the UK by the Solicitors Regulation Authority (SRA) and is registered as a recognised body with SRA number 619990.

The term 'partner' refers to a member of Osborne Clarke LLP. A list of members of Osborne Clarke LLP and their professional qualifications is available for inspection at the registered office. Any advice given by any individual member, employee, or consultant is the responsibility of Osborne Clarke LLP and not the individual. Osborne Clarke LLP does not accept service by fax.

Osborne Clarke LLP is part of an international legal practice.

FWFL confirmed in their relevant representation (dated 22 July 2025 with reference RR-0047) that they were submitting a holding objection pending satisfaction that their network was protected by appropriate formal agreement.

Outstanding concerns and updates: Q10.0.4

In response to the Examining Authority's written question 10.0.4 issued on 18 December 2025, we are pleased to confirm that a number of concerns have been addressed between the Applicant and FWFL during the course of negotiating the draft commercial agreement and protective provisions.

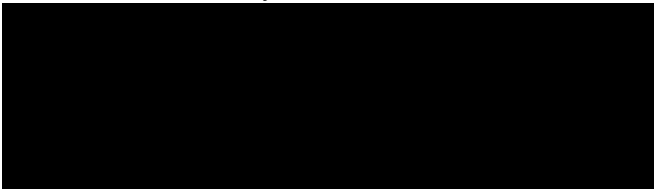
However, there are still a number of outstanding points to be addressed primarily relating to:

- sharing and maintenance of the access track which currently serves FWF and is intended to additionally serve the Frodsham Solar Project;
- the potential for ground subsidence to the wind turbines and associated equipment during construction of the Frodsham Solar Project and the responsibilities of both parties during the lifetime of the projects; and
- the practicalities and set back distances, specifically around oversail and the lay down areas for the turbines when it comes to repowering or decommissioning of FWF.

The Applicant and FWFL are in direct contact to discuss a commercial solution to these concerns, which we hope will allow the side agreement/asset protection agreement to be swiftly concluded and, in any event, ahead of the close of examination on 30 April 2026.

We shall continue to keep the Examining Authority updated as the negotiation of this agreement progresses and, consequently, the status of FWFL's outstanding objection.

Yours sincerely



Associate

for Osborne Clarke LLP

T +44 117 917 3215

E 