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Planning
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Services:

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All interested parties, statutory parties

Your Ref:

Our Ref: EN010155

Date: 24 June 2025

Dear Sir/ Madam

**Planning Act 2008 – section 88 and 89 of the Infrastructure Planning
(Examination Procedure) Rules 2010 – rules 6 9, 13 and 17**

**Application by FVS Dean Moor Limited for an order granting development
consent for the Dean Moor Solar Farm project**

**Appointment of the Examining Authority, invitation to the preliminary meeting,
notification of hearings and other procedural decisions**

Following my appointment by the Secretary of State as the Examining Authority (ExA) to carry out an examination of the above application, I am writing to introduce myself. My name is Matthew Woodward. A copy of the appointment notice can be viewed under the [documents tab](#) on the project webpage of the Find a National Infrastructure Project website ([project webpage](#)).

I would like to thank those of you who submitted relevant representations. These representations have assisted me when considering how I will examine this application.

Invitation to the preliminary meeting

As a recipient of this letter you are invited to the preliminary meeting to discuss **the procedure** for the examination of the above application.

Date	Start time	Joining details
22 July 2025	Registration process from: 9:30am Preliminary meeting starts:	This preliminary meeting will be held virtually using Microsoft Teams



	10:00am	Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p>IMPORTANT: The preliminary meeting should be completed before 1.00pm on 22 July 2025. However, a reserve period has been scheduled for 2.00pm on the same day to allow for the meeting to be resumed in exceptional circumstances, for example to account for a failure of technology. Normally the reserve period will not be required and confirmation of this will be provided by the ExA at the end of the preliminary meeting and subsequently notified on the project webpage.</p>		

You must register by completing the [event participation form](#) by 8 July 2025 if you intend to participate in the preliminary meeting and provide all the information requested (see below).

If you simply wish to observe the preliminary meeting, then you do not need to register as you will be able to watch a livestream of the event. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin. You will also be able to watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.

Please note that by attending the event online you are agreeing to be filmed for the purposes of the online livestream and the recording of the event which will be published on the project page of our website. Please contact the case team to notify them if you prefer not to be filmed at the event. A transcript of the event will also be published on the project page of our website after the event.

Purpose of the preliminary meeting

The purpose of the preliminary meeting is to enable views to be put to me about how the application should be examined. I will therefore limit the scope of the preliminary meeting to consideration of **how the application will be examined**. See **Annex B** to this letter and the Planning Inspectorate's [Advice for members of the public: The stages of the NSIP process and how you can have your say](#) for more information.

The preliminary meeting is **not** an opportunity for you to give your views about what you like or don't like about the application. The merits or disadvantages of the application will only be considered once the examination starts, which is after the preliminary meeting has closed. All relevant and important matters will be taken into account when I make a recommendation to the Secretary of State for Energy Security and Net Zero, who will take the final decision in this case.

The agenda for the meeting is at **Annex A** to this letter. This has been set following my initial assessment of principal issues arising from my reading of the application documents and the relevant representations received. The initial assessment of principal issues is set out in **Annex C** to this letter.



Written submissions about how the application should be examined

The Planning Act 2008 (PA2008) establishes a principally written process for the examination of applications for development consent orders and **representations made in writing carry equal weight to oral representations at all stages of the process.**

I am now requesting written submissions from recipients of this letter about how the application should be examined. I particularly wish to hear from you if either:

- you consider changes need to be made to the draft examination timetable set out at **Annex D** to this letter
- you wish to comment about the arrangements for future examination hearings, including the use of virtual methods.

You are invited to make a written submission about how the application is to be examined by **procedural deadline A (Tuesday 8 July)** (see **Annex D** to this letter).

I request that all submissions are made using the [‘Have your say’ page](#) on the project webpage on or before **procedural deadline A. Annex G** to this letter provides further information about using the [‘Have your say’ page](#).

Requests to participate at the preliminary meeting

Please note that **you are not required to attend, or make written submissions to, the preliminary meeting in order to participate in the examination.** If you are an interested party, you can make a written representation and comment on the written representations made by other interested parties during the examination. You will also be able to participate in any hearings that are arranged.

If you wish to participate at the preliminary meeting, you are required to notify the ExA in writing on or before **Tuesday 8 July** (see **procedural deadline A**).

Any request to participate in the preliminary meeting **must include** the following information:

- name and unique reference number (found at the top of your letter or email from the Planning Inspectorate)
- email address (if available) and contact telephone number
- name and unique reference number of any person / organisation that you are representing (if applicable)
- for blended events, confirmation of whether you will participate virtually or in-person
- the agenda item on which you wish to speak and a list of the points you wish to make.



Requests to participate should be made using the [event participation form](#) on or before **procedural deadline A**.

Please contact the case team using the contact details at the top of this letter if you require any support or assistance to attend the preliminary meeting virtually.

Format of examination events – preliminary meeting and hearings

The examination of the application will principally be a written process supplemented where necessary by various types of hearings. See the Planning Inspectorate's [Advice for members of the public: The stages of the NSIP process and how you can have your say](#) for more information.

Both blended (part in-person and part virtual) and fully virtual events form part of the Planning Inspectorate's operating model. I remain flexible and will confirm the format of any hearings to be held during the examination stage when I provide formal notification of each hearing in advance of it taking place.

I am providing formal notification that the **preliminary meeting will be a virtual only event**.

After the preliminary meeting

After the preliminary meeting, I will issue a letter (known as the rule 8 Letter) setting out the finalised examination timetable. A note of the meeting will also be published on the [project webpage](#).

Other procedural decisions made by the Examining Authority

I have made some further procedural decisions which are set out in detail at **Annex E** to this letter. They are summarised as follows:

- Preliminary meeting arrangements
- Statements of common ground
- Accompanied site inspections – suggested locations
- Status of applicant's examination documents
- Additional submissions
- Request for additional visualisations/photomontages (heritage)
- Schedule of changes to the draft Development Consent Order (dDCO)
- Regular updates to documents during the examination
- Written representations



- Notification by statutory parties of their wish to be considered as an interested party

Changes to land interests

When the applicant becomes aware that there has been a change in ownership, or a new interest, in relevant land the applicant is requested to make the relevant person aware that they can make a request to the ExA to become an interested party under section 102A of the PA2008 by contacting the case team via the project mailbox at : deanmoorsolar@planninginspectorate.gov.uk. They should inform them that information about how to do this can be found in the Planning Inspectorate's advice for members of the public: [Nationally Significant Infrastructure Projects and the people and organisations involved in the process](#). The examination timetable includes various deadlines for the submission of land and rights negotiations tracker, updated book of reference and schedule of changes to the book of reference, which should include confirmation that relevant persons have been informed of their rights under section 102A.

Managing examination correspondence

Given the volume and frequency of letters the Planning Inspectorate needs to send to interested parties during an examination, we aim to communicate with people by email as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a letter but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#).

A '[Have your say](#)' page is available on the website which provides a portal through which parties should make written submissions at relevant deadlines during the examination. Further information about the '[Have your say](#)' page is provided at **Annex G** to this letter.

There is also a function on the right-hand side of the project webpage called 'E-mail updates'. This provides you with an opportunity to register to receive automatic e-mail updates at key stages during the examination.

Your status in the examination

You have received this letter because you are a person or organisation who is involved in the NSIP process. See the Planning Inspectorate's [Advice for members of the public: National Infrastructure Projects and the people and organisations involved in the process](#) for further details.



If, having read the advice, you are still unsure about how you are involved in the process please contact the Case Team using the details at the top of this letter.

Awards of costs

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).

Management of information

Information, including representations, submitted in respect of this examination (if accepted by the ExA) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage](#).

Please note that in the interest of facilitating an effective and fair examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

I look forward to working with all parties in the examination of this application.

Yours faithfully

Matthew Woodward

The Examining Authority

Annexes

- A** Agenda for the preliminary meeting
- B** Introduction to the preliminary meeting
- C** Initial assessment of principal issues
- D** Draft examination timetable
- E** Other procedural decisions made by the Examining Authority
- F** Examination documents
- G** Information about the 'Have your say' page

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to The Planning Inspectorate.



Agenda for the preliminary meeting

You must register by completing the [event participation form](#) by Tuesday 8 July 2025 if you intend to participate in the preliminary meeting and provide all the information requested (see below).

Please note that by speaking at the event you are agreeing to be filmed for the purposes of the online livestream and the recording of the event which will be published on the [project page](#). A transcript of the event will also be published on the project page of our website after the event.

If you simply wish to observe the preliminary meeting then you do not need to register as you will be able to watch a livestream of the event. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin. You will also be able to watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.

Date: 22 July 2025

Registration process: 9:30am

Meeting start time: 10.00am

Venue: Virtual event (Microsoft Teams)
Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered

Attendees: Invited parties who have pre-registered

Agenda for the preliminary meeting	
9:30am	<p>Virtual registration process</p> <p>Please arrive at 9:30am to enter the virtual lobby. From here you will be admitted to the virtual meeting by the case team, greeted and given further instructions.</p> <p>The registration process will commence at 9:30am. This will be hosted by the case team and cover the housekeeping arrangements for the preliminary meeting and allow for any questions to be asked about how to take part.</p>
10.00am Item 1	<p>Preliminary meeting</p> <p>The preliminary meeting will formally open at 10.00am. The Examining Authority will join, welcome participants and lead introductions.</p>

Item 2	The Examining Authority's remarks about the examination process
Item 3	Procedural decisions taken by the ExA – Annex E to rule 6 letter
Item 4	Initial assessment of principal issues – Annex C to rule 6 letter
Item 5	Draft examination timetable – Annex D to rule 6 letter
Item 6	Any remaining issues or concerns regarding procedural matters submitted to the Planning Inspectorate in writing by procedural deadline A
Item 7	Any other matters
Close of the preliminary meeting	

Please join the virtual lobby promptly using the instructions that will be sent to you. The event will start at **10.00am** irrespective of any late arrivals, for whom access may not be possible.

It may take some time to admit participants from the virtual lobby, your patience whilst you are waiting is appreciated.

Changes to the agenda

The agenda for the preliminary meeting is subject to change at the discretion of the Examining Authority (ExA), although in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all invited parties.

Any request to participate in the preliminary meeting **must include** the following information and be made on the [event participation form](#):

- name and unique reference number (found at the top of your letter or email from the Planning Inspectorate)
- email address (if available) and contact telephone number
- name and unique reference number of any person / organisation that you are representing (if applicable)
- for blended events, confirmation of whether you will participate virtually or in-person
- the agenda item on which you wish to speak and a list of the points you wish to make.

Introduction to the preliminary meeting

Background

The preliminary meeting (PM) will take place virtually, using Microsoft Teams.

The Examining Authority (ExA) is conscious of videoconferencing fatigue and will aim to keep the proceedings focussed and as efficient as possible. This annex provides advance access to information that would usually be included in the ExA's introductory remarks. Please read this carefully. The ExA will only present a summary of the key points set out here in order to ensure that the time available for participants to speak is maximised.

The Examining Authority and the case team

The ExA will introduce himself at the start of the PM.

The ExA will be supported by the Planning Inspectorate case team. During the registration process a member of the case team will welcome and admit participants from the virtual lobby, and will be available to answer questions by email before and after the PM. The contact email address is:
deanmoorsolar@planninginspectorate.gov.uk

The purpose of the preliminary meeting

The PM is being held to discuss the arrangements for the examination of the application for a development consent order (DCO) for the Dean Moor Solar Farm, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the PM and examination as 'the proposed development'. The application has been made by FVS Dean Moor Limited, which will be referred to as 'the applicant'.

You will find information about the application and, in due course, documents produced for the examination on the project webpage of the Find National Infrastructure Project website ([project webpage](#)). The project webpage has links to the examination timetable, relevant representations and examination documents and examination procedure.

You are encouraged to look at the [project webpage](#) if you haven't already done so, because it will be used to communicate with you and to provide access to documents throughout the examination.

The main purpose of the PM is to discuss the arrangements for the examination of the application. It focuses on the process only, and it will not be looking at the substance of the proposals: Questions, discussions and representations about the merits or disadvantages of the proposed development are for the examination itself which will begin the day after the close of the PM.

The PM will be your opportunity to influence the process that the ExA intends to follow. The agenda for the PM is attached to this rule 6 letter at **Annex A**. It is

important to have the letter and the agenda in front of you and to refer to them during the course of the PM. You may wish to print these in advance of the PM for reference.

Government guidance and policy

The application includes the construction of an onshore generating station in England with a generating capacity of more than 50MW. As such, it is a Nationally Significant Infrastructure Project under the Planning Act 2008 (PA2008) as a consequence of sections 14(1) and 15(2).

The designated National Policy Statements (NPS), including the ‘Overarching’ NPS for Energy (EN-1), the NPS for Renewable Energy Infrastructure (EN-3) and the NPS for Electricity Networks Infrastructure (EN-5) apply to decision making relating to this application.

The ExA will consider the proposed development in accordance with the NPSs and any other applicable policy or considerations the ExA deem to be important and relevant. The PA2008 makes it clear that, in making a decision, the relevant Secretary of State (SoS) “*must decide the application in accordance with any relevant NPS*” (s104(3)), subject to certain provisos. Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the proposed development would not outweigh its benefits.

The SoS is entitled to disregard any representations that relate to the merits of an NPS. In practice, this means that the ExA will not spend time examining representations that challenge policy set out in NPSs, or the validity of NPSs themselves. The focus will be on the merits or disadvantages of the proposed development, tested to the appropriate extent using the tests set out in relevant designated NPSs that are in force.

Other important and relevant planning policies that the ExA may consider include policies in the relevant local authorities’ development plans. However, if these conflict with policy in a NPS, then the NPS will take precedence.

In summary, the PM will establish the procedures and timetable for the examination of the proposed development. It will set a framework for the ExA to enable the SoS to consider and decide the application. In doing so, the ExA will have regard to:

- the positions and representations of all interested parties (IP)
- any local impact reports (LIR) prepared and provided by relevant local authorities
- other prescribed matters
- any other matters that appear to be both relevant and important to the relevant SoS’s decision.

Preliminary meeting invitees

The applicant is invited to the PM and is generally given the opportunity to reply to any representations made.

Everyone who has made a valid relevant representation (RR) has been registered as an IP and has been invited to the PM. All IPs are entitled to involvement in the examination.

Each person or organisation with an interest in land or rights that are affected by a compulsory acquisition (CA) request in this application is an affected person (AP) and has been invited to the PM. In addition to a general entitlement to involvement in the examination, APs have a right to be heard in relation to any objection about the effects of CA on their interests in land, and a right to be notified of any CA hearing. All APs are IPs, whether or not they have made a valid relevant representation.

Certain bodies are statutory parties and they have been invited to the PM. Statutory parties can elect to become IPs without having made a valid relevant representation by notifying the ExA in writing.

The ExA has the power to involve people who are not IPs in the examination as though they are IPs, including by inviting them to the PM. However, this is only done in exceptional circumstances, for example if it was clear that the application would materially affect a person, they are not automatically an IP or eligible to elect to become an IP and they had been unable to take the necessary action to register as an IP.

Conduct of the preliminary meeting

The ExA estimates that the PM will take no more than half a day to complete.

During the PM participants may have to make allowances and be patient if there are delays associated with the technology used. In recognition of the fatigue associated with on-screen communication, the ExA will provide breaks during the PM as appropriate.

A digital recording of the PM will be made available on the [project webpage](#) as soon as practicable following the close of the PM. The recording allows any member of the public who is interested in the application and the examination to find out what has been discussed at the PM. The making and publication of these recordings are a means by which the ExA meets the legal requirement to hold the PM (and any other hearings) in public. In this regard, **anyone speaking at the PM will need to introduce themselves each time they speak**, to ensure that someone listening to the recording after the event is clear who was speaking. A written note of the PM will be produced and published as soon as practicable following the close of the PM.

As the recordings are retained and published, they form a public record that can contain personal information to which the UK General Data Protection Regulation applies. Participants must do their best to avoid providing any information which should otherwise be kept private and confidential. If there is a need to refer to such

information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the case team for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the SoS's decision on the DCO. If you actively participate in the PM, it is important that you understand that you will be recorded and that the recording will be made available in the public domain. Please see our [Privacy Notice](#) for more information about how we handle your data.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the meeting in accordance with the agenda. If you prefer not to have your image recorded, you can switch off your camera at any point.

The examination process

The examination of NSIPs follows different processes to those, for example, of a public inquiry into a planning appeal following the refusal of planning permission. The main differences are that the examination of NSIPs is primarily a written process and hearings take on an inquisitorial approach as opposed to an adversarial one.

This means that the ExA will probe, test and assess the evidence primarily using written questions. While some hearings are held to provide supplementary evidence, questions to the applicant or to witnesses will come from the ExA. Questioning or cross-examination of witnesses by other parties will not generally be allowed.

In terms of opportunities to provide evidence in writing, the draft examination timetable makes provision for the following written processes:

- host and neighbouring, lower and upper tier local authorities can submit LIRs if they wish. Whilst these are voluntary, the PA2008 provides that if they are provided, they must be considered by the SoS in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to the ExA, the SoS and their residents
- IPs can make written representations (WR) and comment on WRs made by other parties
- IPs can respond to the ExA's written questions (ExQs) and comment on responses to these written questions provided by others
- IPs may be asked to contribute to the making of statements of common ground (SoCG) if it appears that there are matters on which they and the applicant agrees, and if it would be useful for this to be clarified. SoCGs most usefully extend to catalogue matters that are not agreed or are outstanding

The draft examination timetable includes a series of numbered deadlines for receipt of written submissions. Timely submissions received by the relevant deadline and that address its purpose will be accepted. **Documents received after the relevant**

deadline are only accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties. Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties can amount to unreasonable behaviour.

These written processes will be the principal means used by the ExA to gather information, evidence and views about the application. However, the examination will only be effective if all parties resolve to give timely, full, frank, clear and evidenced answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of WRs and SoCGs.

There is no merit in withholding or delaying information, or in failing to co-operate, and should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party.

The ExA has discretion to make amendments to the examination timetable for the wider benefit of the examination. If possible, events will be arranged for times when all relevant parties are available, but the ExA is under a duty to complete the examination by the end of the six-month period beginning with the day after the close of the PM. This requirement is set by legislation, and whilst the ExA will try to rearrange event dates to accommodate all relevant parties, in practice there will be limited scope to alter dates set out in the draft examination timetable.

The statutory time limit for the examination means that where there are matters that still need to be discussed and agreed between the applicant and IPs, it will be very helpful to the ExA if these could be progressed as early as possible.

Hearings

The draft examination timetable includes provision for hearings, at which the ExA takes oral evidence from the various parties.

Any registered IP may request an **open floor hearing** (OFH) to make oral representations about the application if they believe this to be preferable to relying on their written representation, though both carry equal weight. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail and explanation to help inform the ExA. There should be no new or unexpected material in oral representations. A written summary note with any supporting evidence or references will be requested of each speaker following the hearing.

As with all examination events, OFHs are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the deadline shown in the examination timetable and in accordance with the instructions. It is common practice for the ExA to set a time limit for each speaker and speakers with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, so as to avoid repetition. Speakers representing public authorities, community and membership

organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role.

The applicant's draft DCO provides for the compulsory acquisition of land and rights, and the temporary possession of land. APs (meaning those whose land or rights over land are affected) have a right to request and be heard at a **compulsory acquisition hearing** (CAH). If one or more APs request to be heard then a CAH must be held. Provisional dates for a CAH are included in the draft examination timetable along with deadline by which requests to be heard must be submitted.

The ExA has the discretion to hold **issue specific hearings** (ISH) if it would aid in the examination and there is a specific reason this would be more helpful than reliance on written evidence only. The lack of an ISH on one or more topics does not suggest that that topic is less important than others which are subject to a hearing. Rather, it is an indication that the ExA is satisfied that the issues can be fully considered through written submissions and responses to its written questions and that each party has had a fair opportunity to put its case.

The draft examination timetable includes a number of dates reserved for ISHs and IPs may make suggestions for topics to be discussed at an ISH in their written or oral representations to the PM.

It may be necessary for the ExA to hold more than one ISH on the draft DCO. This is normal practice, and they are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCO provided by the applicant with the application, without prejudicing their overall position on the application.

Holding such hearings does not imply that the ExA has reached any judgements on the merits of the application. Whatever the ultimate recommendation is, the ExA must make sure that the draft DCO is fit for purpose if the SoS decides to grant consent, as any consent will be subject to requirements (similar to planning conditions) set out in the draft DCO.

At hearings it will not normally be necessary for parties to make long and detailed submissions that require, for example, PowerPoint presentations. Any supporting detail / information can be provided in writing following the event by the relevant deadline.

The draft examination timetable includes **deadline 1 (Tuesday 12 August 2025)** for participants to notify the ExA that they wish to speak at an OFH or a CAH.

Site inspections

As part of the examination process the ExA may undertake site inspections. These can be either unaccompanied or accompanied.

The purpose of these is for the ExA to see features of the proposals within the context of the evidence put forward. Notes of unaccompanied site inspections (USI) are published on the [project webpage](#).

Accompanied site inspections (ASI) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The purpose of ASIs is familiarisation only and no discussion of the merits of the proposed development will be entertained during an ASI.

The ExA may decide to hold USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material if this would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time-consuming to conduct (for example if public health restrictions are in place). The ExA may also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of a USI on an access required basis (ARSI)

The draft examination timetable includes **deadline 1 (Tuesday 12 August 2025)** for IPs to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform further USIs/ASIs.

The ExA undertook an unaccompanied site inspection (USI) on 18 June 2025. A brief record of the USI to inform the applicant, interested parties and other parties of the actions taken by the ExA has been published [[EV1-001](#)].

Initial assessment of principal issues

This is the initial assessment of principal issues (IAP) prepared as required under section 88(1) of the Planning Act 2008 (PA2008). It has been prepared by the Examining Authority (ExA) following its reading of:

- the application documents
- the relevant representations received in respect of the application
- its consideration of any other important and relevant matters.

This initial assessment has guided the ExA in forming a provisional view as to how the application is to be examined. It is not a comprehensive or exclusive list of the issues that will be subject to examination and inevitably some issues will overlap or interrelate. The ExA will have regard to all important and relevant matters during the examination and when it writes its recommendation to the Secretary of State for Energy Security and Net Zero after the examination has concluded.

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the examination and are therefore not listed as principal issues. Regarding national policy, the following National Policy Statements (NPS) have effect, and the issues contained therein will be an integral part of the examination:

- The Overarching National Policy Statement for Energy (NPS EN-1), including, for example matters relating to the need case, assessment principles and generic impacts as relevant (including for example, greenhouse gas emissions, land use, socio-economics, the historic environment, noise and vibration and landscape and visual).
- NPS for Renewable Energy Infrastructure (NPS EN-3), particularly section 2.10 relating to solar photovoltaic generation, for example matters relating to biodiversity, water, landscape and visual, glint and glare, historic environment, traffic and transport, noise and vibration and agricultural land.
- NPS for Electricity Networks Infrastructure (NPS EN-5), for example matters relating to climate change, biodiversity net gain and good design.

Whilst matters relating to compulsory acquisition and the draft Development Consent Order are not listed as principal issues, they will form an integral part of the examination.

Consideration will be given to all relevant matters during the construction, operation and decommissioning activities associated with the proposed development, and cumulatively with other plans and projects, as necessary

It should also be noted that whilst the effects of the proposal in relation to human rights and equalities duties are not listed as principal issues, the ExA will conduct all aspects of the examination with these in mind.

Principal issue	To include (but not necessarily limited to) the following considerations
Biodiversity, Ecology and Natural Environment	<ul style="list-style-type: none"> • Proximity of the proposed development to, and impact on, ancient woodland having regard to the nature and appropriateness of the proposed buffer zone. • The impact of the proposed development on Dean Moor County Wildlife Site having regard to the mitigation hierarchy. • Biodiversity enhancement having regard to the site's location and characteristics, and how enhancement is to be secured. • Habitats Regulation Assessment and the effects of the proposed development on European sites. • Permissive paths/routes proposed through the site having regard to their suitability and future management.
Environmental Impact Assessment	<ul style="list-style-type: none"> • Assessment scenarios with particular regard to construction duration/period and anticipated date of commencement. • Rochdale Envelope and worst-case assumptions used in the ES. • The scope, nature and inter-relationship between the existing Potato Pot Wind Farm and the proposed development, with particular regard to assumptions made concerning the EIA baseline and future environmental effects.
	<ul style="list-style-type: none"> • The effect of the proposed development on the English Lake District World Heritage Site having regard to setting. • The effect of the proposed development on other designated and non-designated heritage assets, including any measures proposed to mitigate and enhance.

Historic Environment/Cultural Heritage	<ul style="list-style-type: none"> • The extent to which the significance of archaeological deposits is understood and the effect of the proposed development on archaeological deposits.
Landscape and Visual Effects	<ul style="list-style-type: none"> • Suitability of the viewpoints used in the Landscape and Visual Impact Assessment and the suitability of the verified visualisations/photomontages. • Effects of the proposed development on the Lake District National Park having regard to the duty imposed by the National Parks and Access to the Countryside Act 1949 (as amended). • Impacts of the proposed development on the local landscape. • Overall landscape and visual effects, including mitigation.
Other Matters	<p><u>Highways and Transportation</u></p> <ul style="list-style-type: none"> • The residual cumulative effects of construction traffic associated with the proposed development on the local road network. • The anticipated routing of construction traffic associated with the proposed development and the potential effects. <p><u>Noise</u></p> <ul style="list-style-type: none"> • The impact of noise on sensitive receptors during the construction and operation of the proposed development, with particular regard to policy requirements. • The extent and details of the piling proposed during construction, the extent to which resultant noise effects have been assessed, and the resultant impacts.

Draft examination timetable

The Examining Authority (ExA) is under a duty to **complete** the examination of the application by the end of the period of 6 months beginning with the day after the close of the preliminary meeting.

The examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Date
1.	Procedural deadline A Deadline for receipt by the ExA of: <ul style="list-style-type: none"> written submissions on the examination procedure, including any submissions about the use of virtual methods requests to be heard orally at the preliminary meeting 	Tuesday 8 July 2025
2.	Preliminary meeting (virtual event only)	Tuesday 22 July 2025
3.	Issue by the ExA of: <ul style="list-style-type: none"> the Examination timetable the ExA's first written questions (ExQ1) 	As soon as practicable following the Preliminary Meeting
4.	Deadline 1 For receipt by the ExA of: <ul style="list-style-type: none"> comments on relevant representations (RR) and any additional submissions notification by statutory parties of their wish to be considered an interested party (IP) by the ExA requests from IPs to speak at the first open floor hearing (OFH) requests by Affected Persons (defined in Section 59(4) of the Planning Act 2008) to be heard at compulsory acquisition hearing (CAH) 	Tuesday 12 August 2025

	<ul style="list-style-type: none"> • submissions by the applicant, IPs and APs of suggested locations for site inspections (accompanied or unaccompanied), including reason(s) for the nomination, issues to be observed and whether the location(s) require access to private land • responses to any further information requested by the ExA under rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
5.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • written representations (WR) and summaries for any that exceed 1500 words • comments on any additional submissions accepted by the ExA • responses to the ExA's first written questions (ExQ1) • requests to attend/speak at first issue specific hearing (ISH1) • notification of wish to attend ASI • any further information requested by the ExA under rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 <p>From local authorities only:</p> <ul style="list-style-type: none"> • local impact reports (LIR) <p>From applicant only:</p> <ul style="list-style-type: none"> • statements of common ground – see Annex E • drafts of any DCO obligations (s106) if necessary • updated documents (if relevant) including clean version and version showing tracked changes of: <ul style="list-style-type: none"> - draft Development Consent Order - explanatory memorandum - book of reference - funding statement - statement of reasons • updated land and rights negotiation tracker 	Tuesday 26 August 2025

	<ul style="list-style-type: none"> • updated guide to the application document • proposed itinerary for the accompanied site inspection (if held) 	
6.	<p>Hearings (if required):</p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> - open floor hearing (OFH) - issue specific hearing(s) (ISH) - compulsory acquisition hearing (CAH) <p>Accompanied site inspection (if held)</p>	Week commencing- 15 September 2025
7.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • written summaries of oral submissions made at OFH, ISH and CAH • comments on the responses given to the ExA's first written questions (ExQ1) • comments on the submissions received at Deadline 2 • comments on LIRs • any further information requested by the ExA under rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 <p>From applicant only:</p> <ul style="list-style-type: none"> • updated land and rights negotiation tracker • updated guide to the application document 	Tuesday 30 September 2025
8.	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> • the ExA's further written questions (ExQ2) (if required) 	Tuesday 14 October 2025
9.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on submissions received at Deadline 3 • responses to ExA's further written questions (ExQ2) • comments on the ExA's schedule of changes to the draft Development Consent Order (if required) • requests from interested parties to be heard at a further open floor hearing (OFH) 	Tuesday 28 October 2025

	<ul style="list-style-type: none"> • requests to attend/speak at further issue specific hearings (ISH) • any further information requested by the ExA under rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 <p>From applicant only:</p> <ul style="list-style-type: none"> • updated statements of common ground – see Annex E • updated land rights and negotiations tracker • updated guide to the application document 	
10.	<p>Hearings (if required)</p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> • further open floor hearing (OFH) • further issue specific hearings (ISH) 	Week Commencing 10 November 2025
11.	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> • report on the Implications for European Sites (RIES) (if required) 	Tuesday 18 November
12.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • written summaries of oral submissions made at OFH and ISH (if held) • comments on submissions received at Deadline 4 • any further information requested by the ExA under rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 <p>From applicant only:</p> <ul style="list-style-type: none"> • updated statements of common ground - see Annex E • updated documents (if relevant) including clean version and version showing tracked changes of: <ul style="list-style-type: none"> - draft Development Consent Order - explanatory memorandum - book of reference - funding statement - statement of reasons • updated land rights and negotiations tracker 	Tuesday 25 November 2025

	<ul style="list-style-type: none"> updated guide to the application document 	
13.	Issue by ExA of: <ul style="list-style-type: none"> the ExA's commentary on, or schedule changes to, the dDCO (if required) 	Friday 5 December 2025
14.	Deadline 6 <ul style="list-style-type: none"> comments on submissions received at Deadline 5 comments on the RIES (if required) comments on the ExA's schedule of changes to the draft Development Consent Order (if required) any further information requested by the ExA under rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 <p>From applicant only:</p> <ul style="list-style-type: none"> final dDCO – <i>to be submitted by the applicant in the SI template with the SI template validation report</i> final dDCO in word format final book of reference, statement of reasons, funding statement and explanatory memorandum final statements of common ground final signed and dated S106 planning obligations (if necessary) final land rights tracker final guide to the application document 	Monday 22 December 2025
15.	Close of Examination by the ExA	Monday 5 January 2026

Close of Examination

The ExA intends to close the examination on the dated specified in the examination timetable¹.

Submission times for deadlines

¹ The Examining Authority is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting. The ExA may however decide to close the examination earlier and on the date specified in the timetable if it considers that the application and relevant matters have been examined adequately.

The time for submission of documents at any deadline in the timetable is 23:59 on the relevant deadline date, unless instructed otherwise by the ExA.

Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the deadlines for submissions.

Hearing agendas

Please note that for ISHs and CAHs the ExA will publish a high-level agenda alongside the notification of the hearing to help inform your decision about whether to register to participate. A detailed draft agenda will be made available on the project webpage at least 5 working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. For OFHs agendas may not be published.

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under regulation 63(3) of The Habitats Regulations 2017.

Other procedural decisions made by the Examining Authority

The Examining Authority (ExA) has made the following procedural decisions:

1. Preliminary meeting arrangement

As set out in **Annex A** of this letter, the preliminary meeting (PM) is to be held virtually/online only.

2. Statements of common ground

In relation to some of the principal issues identified in **Annex C** of this letter, the ExA would be assisted by the preparation of a statement of common ground (SoCG) between the applicant and certain interested parties (IPs). The draft examination timetable at **Annex D** to this letter therefore establishes **deadline 2 (Tuesday 26 August 2025)** for submission of SoCGs.

The issues in each SoCG should be set out under the same headings as those used for the initial assessment of principal issues in **Annex C** and those issues identified later in this annex, which are IP specific.

A date should be provided for each issue, together with the name of the issue, and a description of:

- the matters agreed between the applicant and the IP
- the principal outstanding concerns held by the IP and the reasons for those concerns
- suggestion(s) of what needs to be changed or included to overcome any outstanding concerns
- the next steps to be taken
- the progress anticipated by the next examination deadline and by the close of the examination
- the applicant should update the Potential Main Issues for the examination document [[APP-030](#)] accordingly.

Responses on an issue should be provided alongside earlier contributions on the same issue, and the dates of each contribution should be recorded.

The SoCG, and each update to it, should be agreed between the IP and the applicant. Identical documents should be submitted to the examination by the IP and the applicant to demonstrate that the wording has been agreed.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. Unless otherwise stated or agreed, the SoCG should be agreed

between the applicant and the other relevant interested party or parties, and submitted **by the applicant**.

SoCGs are requested between the applicant and:

Cumberland Council, to include, but not necessarily limited to:

- compliance with local policy and the development plans, impacts on land use and the acceptability of proposed changes to land use
- relevant planning history of the land within the Order limits and within the local area
- the visual receptors, view locations, overall methodology and conclusions drawn in relation to the landscape and visual impact effects as set out in chapter 7 of the ES
- implications of any minerals area of search/minerals consultation area and associated policies contained within the development plan
- the matters set out in the initial assessment of principal issues in **Annex C**
- the principal concerns expressed in the local impact reports or in other submissions made by the local authority to the examination

Dumfries and Galloway Council, Northumberland County Council, Northumberland National Park Authority, Scottish Borders Council, Westmorland and Furness Council, to include, but not necessarily limited to:

- compliance with local policy and the development plans, impacts on land use and the acceptability of proposed changes to land use
- relevant matters set out in the initial assessment of principal issues in **Annex C**
- the principal concerns expressed in the local impact reports or in other submissions made by the local authorities to the examination

The **Environment Agency**, to include, but not necessarily limited to:

- the matters set out in the Environment Agency's relevant representation.
- any other matters of relevance insofar as it relates to flood risk or the Environment Agency's remit relative to the proposed development

Historic England to include, but not necessarily limited to:

- matters relating to the assessment of, and potential impact on, the English Lake District World Heritage Site
- matters relating to the assessment of, and potential impact on, the Stone Circle and Cairn (Designation Ref: 1014588) and Wythemoor Sough and adjoining barn and stable (Designation Ref: 1327185)
- the matters set out in Historic England's relevant representation

- any other matters of relevance insofar as it relates to cultural heritage and the historic environment or Historic England's remit relative to the proposal

Lake District National Park Authority to include, but not necessarily limited to:

- compliance with local policy and the development plans, impacts on land use and the acceptability of proposed changes to land use
- relevant matters set out in the initial assessment of principal issues in **Annex C** and those matters set out in the Lake District National Park Authority's relevant representation
- the visual receptors, view locations, overall methodology and conclusions drawn in relation to the landscape and visual impact effects as set out in chapter 7 of the ES
- the principal concerns expressed in the local impact reports or in other submissions made by the local authorities to the examination

National Highways, to include, but not necessarily limited to:

- the matters set out in the initial assessment of principal issues in Annex C in relation to Highways and Transportation and National Highways relevant representation
- the modelling undertaken by the applicant with particular regard to the anticipated construction period and baseline future traffic flows
- routing arrangements for construction traffic and how that would be secured
- any other matters of relevance relating to the strategic road network relative to the proposal

Natural England, to include, but not necessarily limited to:

- matters relating to the potential impact on the Solway Firth Special Protection Area having regard to in combination effects.
- matters relating to the potential impact on the Dean Moor County Wildlife Site
- Any other matters of relevance insofar as it relates to biodiversity or Natural England's remit relative to the proposed development

All of the SoCGs listed above should cover the articles and requirements in the draft Development Consent Order. Any interested party seeking that an article or requirement is reworded should provide the form of words which are being sought.

The content of SoCGs will help to inform the ExA about the need to hold any issue specific hearings during the examination, and to enable the ExA and the applicant to give suitable notice of such hearings.

3. Accompanied site inspections – suggested locations

The draft examination timetable at **Annex D** to this letter includes a date reserved for an accompanied site inspection (ASI) during the **week commencing 15 September 2025**.

The ExA requests that interested parties submit suggested locations for the ExA to visit as part of an ASI by **deadline 1 (Tuesday 12 August 2025)**. The request must include:

- sufficient information to identify the location
- the issues to be observed at the location
- information on whether the site can be accessed via public land
- the reason why the location has been suggested.

Interested parties should be aware that ASIs are not an opportunity to make any oral representations to the ExA about the proposed development. However, participants may be invited by the ExA to indicate specific features or sites of interest.

The applicant is requested to prepare a draft itinerary for the ASI to be submitted by **deadline 2**. This should include:

- relevant locations referred to in the relevant representations receive
- any other locations at which the applicant has predicted likely significant environmental effects.

The ExA will consider each suggested site location, including those provided in the applicant's draft itinerary, to determine if it could be viewed from public land on an unaccompanied basis or if it is necessary to view it on an accompanied basis. The ExA will also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of an unaccompanied site inspection on an access required basis.

The ExA will determine whether or not an ASI is necessary and, if it is, will issue a final itinerary at least 5 working days before it is due to take place.

4. Status of the applicant's examination documents

The ExA requests that the applicant provides, at each deadline, an updated 'guide to the application document' [\[APP-003\]](#) which provides a list of the most up-to-date status of the documents submitted, including which copies have been superseded in whole or in part.

A final version must be submitted before the close of the examination. All examination documents submitted should include a version number and date.

5. Additional submissions

In addition to the documentation submitted by **procedural deadline A** the ExA has exercised its discretion and made a procedural decision to accept the following additional submissions:

- Consultation Report: Appendix 4 Statement of Community Consultation by applicant [[AS-001](#)]
- Response to the Planning Inspectorates s51 advice by applicant [[AS-002](#)].

6. Request for additional visualisations/photomontages (heritage)

The ExA considers that the provision of visualisations/photomontages would likely assist in the decision-making process in relation to the following heritage assets:

- Stone Circle and Cairn (Designation Ref: 1014588)
- Wythemoor Sough and adjoining barn and stable (Designation Ref: 1327185)

The selected viewpoints and subsequent visualisations should relate to the significance of each asset and their respective settings. As such, the applicant may wish to agree suitable viewpoints and an appropriate methodology with the local authority and Historic England, as well as referring to appropriate guidance relating to visualisations/photomontages and heritage assets.

Ultimately, the ExA anticipates that the visualisations will complement the Cultural Heritage chapter of the Environmental Statement, articulating the identified impacts in visual form. As such, it may be beneficial to generate visualisations both 'with' and 'without' the mitigation as proposed.

The basis of this request is to provide the applicant with an early opportunity to begin preparation of suitable material, in order to that an effective and efficient examination can be conducted. This request will also be included in the final version of the written questions (ExQ1), which will be published as soon as practicable following the preliminary meeting.

7. Schedule of changes to the draft Development Consent Order (dDCO)

The ExA requests that, whenever changes are made to the content of the dDCO, the applicant provides clean and tracked versions of that document, as well as a tabulated schedule of amendments setting out what the changes are and the reasons underpinning them. The explanatory memorandum document [[APP-013](#)] will also need to be amended.

The final dDCO requested at **deadline 6** should be a fully consolidated tracked change version which allows comparison between the original and final drafts.

8. Regular updates to documents during the examination

The ExA requests that, whenever changes are made to the content of the following documents, they be submitted in clean and tracked versions.

List of documents:

- statement of reasons [[APP-014](#)]
- funding statement [[APP-015](#)]
- book of reference [[APP-016](#)]
- land and rights negotiations tracker [[APP-017](#)]

9. Written representations (WR)

Written representations (WR) from IPs will be required at **deadline 2 (Tuesday 26 August 2025)**. Any WRs exceeding 1500 words should also be accompanied by a separate summary, the length of which should not exceed 10% of the original text.

10. Notification by statutory parties of their wish to be considered as an interested party

The ExA has made a procedural decision that, in order to facilitate a timely start to the examination, statutory parties who have not already done so should decide whether they wish to be considered as an IP and notify the Planning Inspectorate by **deadline 1 (Tuesday 12 August 2025)**.

Examination documents

The application documents and relevant representations can be inspected on the [project webpage](#).

How to stay up to date

All further documents submitted in the course of the examination will also be published under the [documents tab](#) of the project webpage.

You can also sign up to get [email updates](#).

If you have any questions about the process, examination events or how to access the documents, you can email [project mailbox email address](#) or contact us on 0303 444 5000.

The examination library

For ease of navigation, please refer to the [examination library](#) (EL) which is accessible by clicking the blue button under the [documents tab](#). The EL is updated regularly throughout the examination.

The EL records and provides a hyperlink to:

- each application document
- each representation made to the examination
- each procedural decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the examination. **Please quote the unique reference number from the EL when referring to any examination documents in any future submissions that you make.**

Information about the ‘Have your say’ page

The [‘Have your say’ page](#) is available on the [project webpage](#).

You will need to enter your unique reference number (‘Your ref’ found at the top your letter or email from The Planning Inspectorate). If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing. If you are not a registered interested party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/ evidence hosted on a third party website (for example technical reports, media articles and so on). See The Planning Inspectorate’s [Advice for members of the public: Advice for submitting representations or comments](#) for important information about making written submissions. All submissions must be made in a format that can be viewed in full on the Find a National Infrastructure Project website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

You should select the relevant deadline for your submission and then, on the next webpage, select the appropriate submission item as described in the examination timetable at **Annex D** to this letter. Please ensure you make a separate submission for each submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the submission items then please select the submission item ‘Other’ and ensure that it is titled appropriately.

If you experience any issues when using the [‘Have your say’ page](#) please contact the case team using the contact details at the top of this letter and they will assist.