

8 July 2025

The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN



FVS Dean Moor Limited
127 Cheapside, London
United Kingdom
EC2V 6BT

SUBMITTED ONLINE

Dear Sir or Madam,

Planning Act 2008: Application by FVS Dean Moor Limited (the 'Applicant') for the Dean Moor Solar Farm (Application Ref: EN010155)

Procedural Deadline A Submission: Response to Rule 6 Letter

This letter sets out the Applicant's written submissions on the examination procedure as set out in the Rule 6 letter dated 24 June 2025.

1. Preliminary Meeting and hearings

The Applicant welcomes confirmation of the Preliminary Meeting date and can confirm that those attending on its behalf will complete the online registration form. The Applicant supports the flexible approach towards hearing formats and is supportive of either virtual only or blended events in the future, depending on the nature of the hearings.

2. Draft examination timetable

The Applicant notes from the draft examination timetable that hearings (if required) are reserved for weeks commencing 15 September and 10 November 2025. The Applicant respectfully requests early confirmation of the dates and format of any such hearings. This will help to minimise logistical issues (e.g. reserving venues, hotels), and ensures the Applicant has enough time to comply with the newspaper requirements set out in Rule 13 of The Infrastructure Planning (Examination Procedure) Rules 2010.

The Applicant notes that requests to speak at the first open floor or compulsory acquisition hearing are required by Deadline 1, whereas requests to speak at the first issue specific hearing are required by Deadline 2. The Applicant considers that this could be simplified so that Interested Parties confirm their intentions at a single deadline. The Applicant's preference is Deadline 1, to provide more certainty about which hearings will take place, although the Applicant acknowledges that this may require the Examining Authority to confirm details of the Issue Specific Hearing (e.g. ISH on the draft DCO) earlier.

3. Procedural decisions

Statements of Common Ground (SoCG)

The Applicant notes the Examining Authority's request for a SoCG with Dumfries and Galloway Council, Northumberland County Council, Northumberland National Park Authority, Scottish Borders Council, Westmorland and Furness Council.

The Applicant has contacted these local authorities requesting confirmation as to whether they wish to participate in the Examination and enter into SoCGs. The Applicant will provide an update in due course but all responses to date indicate that they do not require a SoCG owing to the limited impact on them. The Applicant is awaiting a response from Westmorland and Furness.

The current intention is to prepare SoCGs with the following, in compliance with the Rule 6 letter:

- Cumberland Council
- Environment Agency
- Historic England
- Lake District National Park Authority
- National Highways
- Natural England

In addition to those specified in the Rule 6 letter, SoCGs are also being produced with the following parties:

- Cumbria Wildlife Trust;
- Mining Remediation Authority.

First drafts of the SoCGs will be provided by Deadline 2 per the draft timetable.

Request for additional visualisations/photomontages (heritage)

The Applicant notes the requests for additional visualisations/photomontages at the Stone Circle (Scheduled Monument), and Wythemoor Sough (Listed Building), and that the Examining Authority considers that these are likely to assist in the decision-making process.

The existing viewpoints and photomontage locations were previously agreed with the Local Planning Authority and Lake District National Park Authority from a landscape and visual perspective. Noting that these are both heritage assets, Historic England has also not raised the visualisations as a concern within its response to the Application. The Applicant is seeking confirmation that Historic England is satisfied with the visualisations.

The additional visualisations which have been requested give rise to several issues, including:

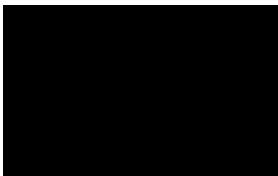
- The Stone Circle is located behind the crest of the escarpment which runs across the southern edge of the Site. The theoretical visibility of the Proposed Development across the Site and wider area is demonstrated by the Zone of Theoretical Visibility (Figure 6.3) ([APP-078](#)) which is provided within the ES. Visibility of the Proposed Development from the vicinity of this feature is limited by the topography, as the

escarpment blocks views to the Site and Proposed Development located to the north, and north east;

- The Applicant has provided photography from View Location Photosheet 3c (Appendix 7.5 of the ES) ([APP-128](#)) within the Landscape and Visual Impact Assessment which it considers to be sufficiently representative to understand the impacts from the Stone Circle;
- The Applicant has provided a visualisation (ES Appendix 7.6) ([APP-143](#)) ([APP-144](#)) and viewpoint photography (ES Appendix 7.5) ([APP-132](#)) for View Location 9, which is located at the edge of the Wythemoor Sough property boundary (one of the proposed visualisation locations), and the Applicant considers that this provides a sufficiently representative view of the perspective, and therefore addresses NPS EN-1 Paragraph 5.9.1;
- Access to private land is required at Wythemoor Sough. It is uncertain whether the Applicant can obtain permission to access and complete the visualisations within the specified timetable;
- The visualisations would be reflective of the summer scenario if undertaken at this stage, meaning that they would not be reflective of a worst case scenario, because deciduous vegetation is in full leaf and this in part restricts visibility in the landscape.

On this basis, the Applicant considers that the visualisations provided with the application are sufficiently robust and comprehensive in their scope for the Examination and that further visualisations are not needed.

Yours faithfully,



[Redacted Name]

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