

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

Agenda for issue specific hearing (ISH):

Hearing	Date and Time	Location
Issue specific hearing	Tuesday 16 September 2025 Hearing starts at 10:00am Registration and seating available at venue from 9:30am and virtual registration process from 9:30am	Washington Central Hotel Workington, Washington Street, Workington, Cumbria CA14 3AY and By virtual means using Microsoft Teams

Participation, conduct and management of the hearing

I am Matthew Woodward, the Examining Authority (ExA) for the proposed development. I will be leading the issue specific hearing (ISH).

The [notification of hearings letter](#) included a number of potential topics to be discussed at the ISH. Since the letter was issued, I have had the opportunity to consider the written evidence received by **deadline 2 (26 August 2025)** and I have finalised the topics and matters to be considered at the ISH. The topics and additional detail relating to each topic is provided in the agenda below. It is intended that the agenda will form a framework for the hearing and that the scope of the ISH will be limited to those matters.

You should be aware that I may wish to raise matters arising from oral submissions at the ISH, or pursue other lines of inquiry or questioning based on topics which are not listed on the agenda. The agenda on the day, including the order of items discussed at the hearing, may be subject to change at my discretion.

Agenda

1. Welcome, introductions, arrangements for the hearing – ExA to welcome participants and lead introductions.

2. Purpose of the issue specific hearing – The ExA to set out the purpose of the ISH and how it is to be conducted.

3. Topic specific discussion – The ISH will focus on the topics in bold text below, including the questions and points of clarification set out in each of the tables:

The draft Development Consent Order (dDCO)

The main purpose of this part of the ISH is to undertake an examination of the dDCO.

The discussion will principally be informed by the latest draft DCO submitted by the applicant [[REP2-004](#)]. Discussion on this aspect of the hearing will be ‘without prejudice’; this means that parties may make contributions to improve the quality of the dDCO without invalidating their own positions of support or opposition to the proposed development as a whole.

Irrespective of my recommendation as to whether the proposed development should be granted, I am required to present a draft DCO to the Secretary of State. Therefore, the comments I make during the ISH on the specifics of the draft DCO do not indicate that I have made up my mind about the application as a whole.

Applicant to:	
1)	a) Provide a brief overview of the dDCO (up to approximately 10 minutes) including:- <ul style="list-style-type: none">- the overall approach- description of the structure of the dDCO, including the Schedules and why each section is required- how the dDCO, including the description of development, relates to the works plans and other control documents (parameters and management plans)
	b) Explain Article 12 and Article 13 of the dDCO to the ExA.
	c) Explain Article 32 of the dDCO to the ExA.
	d) Explain Article 40 of the dDCO to the ExA.
ExA questions on the dDCO based on the following:	
2)	a) Cumberland Council's input into the dDCO drafting, including their view on provisions/requirements and whether they are deliverable and sufficient to control and mitigate the anticipated effects of the proposed development.
	b) The input of other statutory party's in dDCO drafting.
	c) Understanding the implications of Article 10 in respect of statutory nuisance.
	d) Article 3 – definition of ‘curtilage’.
	e) The meaning of ‘decommissioning’.

	f) The meaning of 'maintain'.
	g) Any other matters relating to the dDCO.

Environmental Impact Assessment (EIA) and general matters

ExA questions based on the following:	
3)	a) The anticipated construction start date and the implications for the Environmental Statement (ES).
	b) Proposed permissive paths – applicant to explain how they are to be secured and what their status would be during operation and following decommissioning.
	c) Potato pot wind farm.

Design

ExA questions based on the following:	
4)	a) The applicant's approach to achieving good design with regard to the design approach document [APP-029] and the applicant's response set out in Q3.0.2 [REP2-10].

Landscape and visual

ExA questions based on the following:	
5)	a) The impact of the proposed development on the Lake District National Park (LDNP) having regard to the national park's statutory purposes (see Q6.0.1 of REP2-10) – what is the view of the LDNP authority?
	b) The effects of the proposed development, in visual terms, on residential receptors including Cumberland Council's view.
	c) The landscape and visual impact assessment – the methodology and the extent to which there is agreement/disagreement between the applicant and Cumberland Council on methodology and outputs.
	d) Any other landscape and visual matters.

Cultural heritage/historic environment

ExA questions based on the following:	
6)	a) EIA methodology – sensitivity/value of designated heritage assets.
	b) Matters agreed/disagreed between applicant and Historic England, LDNP and Cumberland Council.
	c) Details including clarification on the visualisations requested at first written questions (ExQ1) by the ExA and provided by the applicant at deadline 2.
	d) Any other matters relating to cultural heritage/historic environment.

Climate change

ExA questions based on the following:	
7)	a) Climate change assessment methodology, including the applicant's responses to the ExQ1 (see table 3.1 of REP2-10).
	b) The figures and assumptions as set out in the ES having regard to the export capacity and the 'Dean Moor Carbon Calculations' [APP-161] document and the extent to which they apply to the proposed development specifically.
	c) The extent and reasonableness of any 'overplanting' proposed.

Biodiversity

ExA questions based on the following:	
8)	a) Update on the latest position from Cumberland Council having regard to the Local Impact Report [REP2-058] .
	b) Peat management and protection measures having regard to the comments received from Natural England at deadline 2, particularly the suitability of the methodology, peat exclusion areas and proposed mitigation.
	c) Habitat Regulation Assessment matters – Cumberland Council latest position.

Noise

ExA questions based on the following:	
9)	a) Clarification on the applicant's responses at deadline 2 (see Q9.0.1 of REP2-010).

Other matters

ExA questions:	
10)	a) Any other matters, including: - <ul style="list-style-type: none">- applicant to update ExA on hydraulic analysis and other matters outstanding with Environment Agency- applicant to update ExA on anticipated further survey work relating to Lillyhall roundabout expected September 2025.

4. Any other business

5. Closing

Attendees

I would find it helpful if the following parties could attend this hearing.

- Applicant
- Cumberland Council
- Lake District National Park Authority
- Natural England

However, this does not indicate that other parties will not be able to contribute. All interested parties (IP) are invited to attend and make oral representations on the matters set out in the agenda, subject to my discretion in terms of ensuring the efficient running of the hearing.

Anyone wishing to attend the hearing in person, who has not already advised the case team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage](#) of the National Infrastructure Planning website closer to the hearing date. IPs and members of the public who wish to observe the hearing can therefore view and listen to the hearing using the livestream, or view and listen to the recording, after it has concluded.

Registration process

Parties who have registered to speak (both in person and virtually) will receive a joining instruction email shortly before the hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the hearing to start on time at **10:00am**, those attending virtually should join promptly at **9:30am** to ensure that all virtual attendees can complete the registration process in good time.

Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.

Matthew Woodward

Examining Authority

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