



Dean Moor Solar Farm

Applicant Response to Cumberland Council's Response to ExA's First Written Questions [REP2-059]

on behalf of **FVS Dean Moor Limited**

30 September 2025
Prepared by: Broadfield
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DEAN MOOR SOLAR FARM
APPLICANT RESPONSE TO CUMBERLAND COUNCIL'S RESPONSE TO
THE EXAMINING AUTHORITY'S FIRST WRITTEN QUESTIONS [REP2-
059]
PLANNING INSPECTORATE REFERENCE EN010155
PREPARED ON BEHALF OF FVS DEAN MOOR LIMITED

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1 Introduction

- 1.1.1 This Response to Cumberland Council's response to the Examining Authority's (ExA) First Written Questions (ExQ1) **[D3.3]** has been produced for FVS Dean Moor Limited (the 'Applicant') to support the application for a Development Consent Order (the 'DCO application') for Dean Moor Solar Farm ('the Proposed Development') located between the villages of Gilgarran and Branthwaite in West Cumbria (the 'Site'), which is situated within the administrative area of Cumberland Council ('the Council').
- 1.1.2 The Council submitted a response at D2 **[REP2-059]** to the ExQ1 questions addressed to the Council. The Applicant considers it beneficial to the ExA to provide additional comments in response to the Councils' response, which are provided at Table 2.1 of this document.
- 1.1.3 The Applicant has responded where the Applicant believes that an additional response is required, for example if the response includes a request for further information or clarification from the Applicant or where the Applicant considers that it is appropriate for the ExA to have the Applicant's comments on a matter raised by the Council in its response.
- 1.1.4 Where an issue raised within a response has been dealt with previously by the Applicant, for instance within one of the documents submitted to the Examination, a cross reference to that response or document is provided to avoid unnecessary duplication. The information provided in this document should, therefore, be read in conjunction with the material to which cross references are provided.
- 1.1.5 The Applicant has sought to respond to all material points by copying them directly or summarising them in the table below.
- 1.1.6 A lack of response should not be treated as the Applicant accepting or agreeing with the point raised. If the ExA or any party considers that a material point has not been addressed, they may raise this in their

response to this document and the Applicant will consider the merits in making a direct response

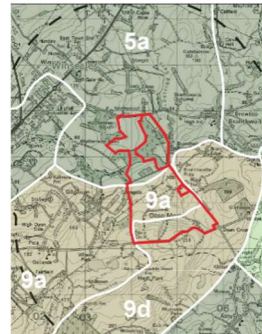
- 1.1.7 No other Interested Party was required to respond to the ExA's first round of written questions. The responses to, or comments on, the other documents submitted at Deadline 2 are provided in separate documents.
- 1.1.8 Comments on the Written Representations (WRs) received from Natural England [[REP2-060](#)], James Christopher Howell [[REP2-062](#)], and Potato Pot Wind Farm [[REP2-061](#)] are set out within [[D3.4](#)], [[D3.5](#)], and [[D3.6](#)] respectively.

2 Applicant Response to the Council's Response to Written Questions

Table 2.1: The Council Response to the ExA's First Round of Written Questions

ExA Question	Council Response	Applicant Response
Q1.0.13: <i>Please set out how the scheme addresses the mitigation hierarchy in relation to the Dean Moor County Wildlife site, noting that part of this site would include solar development (this may be answered as part of Q1.0.11).</i>	<p><i>The southern part of the site falls within the Dean Moor County Wildlife Site (CWS). This designation has not been considered when classifying the strategic significance of the site. Any areas that fall within the boundary of the Dean Moor CWS should have a strategic significance of "formally identified in local strategy". Areas that are adjacent or connected to the CWS should have a strategic significance of "location ecologically desirable but not in local strategy".</i></p> <p><i>The Council considered that the Applicant should provide further information on the mitigation hierarchy in relation to Dean Moor CWS.</i></p>	As per the Applicant's Response to ExA's Written Questions 1 [REP2-010], the Proposed Development has avoided impacts to all qualifying features of Dean Moor CWS, and provided mitigation and enhancement, in line with the mitigation hierarchy.
Q4.0.7: <i>ES chapter 2 – please confirm that the list of cumulative schemes set out in table 2.6 is complete and should be used by the ExA to inform the cumulative assessment, otherwise please provide an alternative list. This was also requested by the ExA in relation to a Statement of Common Ground (SoCG) in the rule 6 letter.</i>	<p><i>The Council provided additional details of potential sites for consideration under cumulative assessment on 14th August 2025. The Applicant is currently considering these additional sites. It is not anticipated that any of them will alter the assessment of cumulative effects in the ES to any great extent.</i></p>	<p>The Applicant has undertaken a proportionate and robust cumulative assessment of these schemes for technical disciplines.</p> <p>A cumulative environmental effects technical note which considers these schemes is included at Appendix A of the 'Applicant Response to the Local Impact Report' [D3.7].</p> <p>The Council has confirmed that the overall conclusion of this assessment aligns with the Council's expectations that the additional schemes do not alter the assessment of likely significant cumulative environmental effects in the ES. This Council's agreement on this matter is recorded in the dSoCG submitted at D3 [D3.14].</p>

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<p>Q6.0.7: <i>The CLVIA page 12 [AS-005] includes a table which alludes to 'locally' in terms of magnitude of impact and degree of significance. Please explain:</i></p> <ul style="list-style-type: none"> <i>whether the table, including the terminology used, is in accordance with Guidelines for Landscape and Visual Impact Assessment 3rd edition (GLVIA 3) guidance or other guidance</i> <p><i>where the stated 'local' impacts as above are derived from (for example, whether they are taken from the description of landscape changes as set out in the ES, or whether they are landscape and visual judgments made by the author(s) of the CLVIA).</i></p>	<p>(a) (a) <i>Locally – refers to the development area and immediate vicinity within the landscape character areas. See extract plan (APP-080 6.2 ES Figure 7.2a Published Landscape Character (Cumbria CC)) below which shows extent of the proposed development (in red) over the different LCAs and the extent of coverage of the proposed development within the LCAs.</i></p> <p><i>There would be a direct and high magnitude of impact due to the presence of solar panels within those LCAs. The overall impact on those character areas would be as described in each case as the overall magnitude of impact on the area would generally be indirect and generally lower (as seen in the submitted LVIA). Therefore, 'locally' really means 'within the boundary of the proposed development and immediate vicinity, where there would be a direct effect on the landscape character. i.e. 'a change from open fields to fields with solar panels.'</i></p> <p><i>The following references from the Guidelines for Landscape and Visual Impact Assessment (GLVIA) refers to local and locally in relation to LCAs.</i></p> <p><i>GLVIA para 5.12 – reference to local scale and use of landscape character assessments: 'Using existing character assessments - Many parts of the UK are already covered by existing character assessments at different scales. There is a hierarchy of assessment, from broad-scale national or regional assessments, through to more detailed local authority assessments, to in some cases quite fine grain local or community assessments. Although usually prepared for different original purposes, existing assessments can also contribute to LVIA. The first step in preparing the landscape baseline should be to review any relevant assessments that may be available at different levels in this hierarchy. Those published and adopted by competent authorities are usually the most robust and considered documents.'</i></p> <p><i>GLVIA para 5.25 – This reference provides the context to the use of 'locally valued landscapes': 'Local landscape designations - In many parts of the UK local authorities identify locally valued landscapes and recognise them through local designations of various types.'</i></p>	<p>The Applicant has considered the landscape character areas, which are illustrated on the Published Landscape Character, Figure 7.2a within the LVIA [APP-080].</p> <p>The Applicant has also considered the effects of the Proposed Development on land within the Site itself (including individual features), which demonstrates that 'local' effects have been considered.</p>

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	<p>GLVIA 5.26 – This reference relates to the LCAs where the proposed development would reside in a locally undesignated landscape: <i>‘Undesignated landscapes - The fact that an area of landscape is not designated either nationally or locally does not mean that it does not have any value. This is particularly so in areas of the UK where in recent years relevant national planning policy and advice has on the whole discouraged local designations unless it can be shown that other approaches would be inadequate. The European Landscape Convention promotes the need to take account of all landscapes, with less emphasis on the special and more recognition that ordinary landscapes also have their value, supported by the landscape character approach.’</i></p> <p>(b) They are landscape and visual judgments made by the author(s) of the CLVIA).</p> 	
<p>Q7.0.1: <i>There does not appear to be any provision made for a scheme/plan which promotes local employment and skills. With reference to local policies and NPS EN-1, please set out how the proposal meets requirements in this regard and, if it does not, please set out how policy compliance could be achieved.</i></p>	<p><i>There could be more consideration given to the Councils corporate priority to increase Community Wealth Building (corporate policy and Local Plan Strategic Objective SO3g and Policies S15and S20) by upskilling local workers in key fields, such as solar.</i></p> <p><i>The Council believes that opportunities exist to try and utilise the local workforce where possible. There is an established and skilled supply chain linked to the nuclear industry locally that could support deliver of the project.</i></p> <p><i>The Council would welcome further discussion with the Applicant on this matter and the consideration of a potential Employment and Skills Plan.</i></p>	<p>A scheme/plan to promote local employment and skills within the Proposed Development’s control documents has not been proposed at this stage.</p> <p>Such a plan presents challenges given the relatively small-scale nature of the Proposed Development compared to the majority of made solar DCOs (the Applicant notes that the only comparable size scheme, Little Crow Solar, did not include such a plan).</p> <p>The Applicant cannot commit to providing a particular proportion of workers who would be local to the Site, as the number of workers who may be employed locally will depend on the availability of</p>

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		<p>people with a particular set of skills, and for those to be available for a short-term construction period.</p> <p>However, the Applicant is open to opportunities to advance local employment and skills, and how this might be realistically achievable for the Proposed Development is being given further consideration by the Applicant. This matter is identified as 'under discussion' in the with Cumberland Council D3 dSoCG [D3.14].</p>
<p>Q14.0.1: <i>ES Chapter 2, Table 2.7 [APP-033] notes that a Construction Dust Risk Assessment was not undertaken, citing limited proximity of sensitive receptors and the inclusion of dust mitigation measures within section 8 of the oCEMP [APP-108]. It further indicates that this approach was agreed with the Environmental Health Officer at Cumberland Council, with supporting correspondence provided in ES Appendix 2.9 [APP106]. However, the correspondence does not clearly confirm whether Cumberland Council agreed to the scoping out of the Construction Dust Risk Assessment.</i></p> <p><i>Could both the applicant and Cumberland Council please supply further evidence of this agreement? If such agreement is not confirmed, the applicant is requested to provide a qualitative dust impact assessment,</i></p>	<p><i>Although it is not specifically documented the Council accepted the information provided about the limited proximity of receptors. Therefore, it is acknowledged that a specific Dust Risk Assessment would be difficult to produce. It is anticipated that the dust mitigation measures proposed within the oCEMP would mitigate at source to limit dust leaving the site during the construction and decommissioning phases.</i></p> <p><i>In the circumstances the Council consider that this would be the best approach in this case.</i></p>	<p>The Applicant thanks the Council for this confirmation of the approach which is proposed within the application.</p> <p>It is also noted that the Applicant and the Council's agreement on the approach to management of air quality effects during construction is documented in the dSoCG [D3.14] (CC.EHO.11).</p>

ExA Question	Council Response	Applicant Response
<i>based on relevant guidance, to demonstrate that the proposed mitigation measures are proportionate to the anticipated scale of effects.</i>		