



Planning Inspectorate  
Arolygiaeth Gynllunio



Planning Inspectorate

## **Application by FVS Dean Moor Limited for Dean Moor Solar Farm**

### **The Examining Authority's second written questions and requests for information (ExQ2)**

**Issued on 14 October 2025**

The following table sets out the Examining Authority's (ExA's) second written questions and requests for information – ExQ2.

Questions are set out using an issues-based framework derived from the initial assessment of principal issues provided as **Annex C** to the rule 6 letter dated 24 June 2025. Questions have been added to the framework of issues set out as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which interested parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the Case Team: please contact [deanmoorsolar@planninginspectorate.gov.uk](mailto:deanmoorsolar@planninginspectorate.gov.uk) and include 'Dean Moor Solar Farm' in the subject line of your email.

**Responses are due by Deadline 4: Tuesday 28 October 2025**



**Abbreviations used:**

<b>BNG</b>	Biodiversity Net Gain
<b>DCO</b>	Development Consent Order
<b>dDCO</b>	the draft Development Consent Order
<b>dSoCG</b>	Draft Statement of Common Ground
<b>EIA</b>	Environmental Impact Assessment
<b>ES</b>	Environmental Statement
<b>ExA</b>	Examining Authority
<b>LDNP</b>	the Lake District National Park
<b>LDNPA</b>	the Lake District National Park Authority
<b>LSE</b>	Likely Significant Effects
<b>SAC</b>	Special Area of Conservation
<b>SoCG</b>	Statement of Common Ground



### **The Examination Library**

References in these questions set out in square brackets (for example [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: [Examination Library](#)

It will be updated as the examination progresses.

### **Citation of questions**

Questions in this table should be cited as follows:

Question reference: issue reference: question number, for example ExQ2.1.1 – refers to question 1 in this table.



## Index

1. Biodiversity, ecology and natural environment (including Habitats Regulations Assessment (HRA)) ....	5
2. Climate Change .....	5
3. Environmental Statement .....	5
4. Landscape and Visual Effects .....	5
5. Compulsory acquisition and related matters.....	6

ExQ2	Question to:	Question:
<b>1. Biodiversity, ecology and natural environment (including Habitats Regulations Assessment (HRA))</b>		
Q2.1.1	Applicant and Cumbria Wildlife Trust and Natural England	Updated Statement of Common Ground (SoCG) needed (applicant also note – update to all draft SoCG (dSoCGs) due by <b>deadline 4 – Tuesday 28 October 2025</b> ).
Q2.1.2	Applicant	Please clarify the biodiversity net gain (BNG) figures you are asking the ExA and subsequently the Secretary of State to consider. Given that different figures are referenced in different documents, how is the appropriate BNG minimum figure secured?
Q2.1.3	Cumberland Council	Paragraph 12.45 of the Applicant Response to the Local Impact Report <a href="#">[REP3-008]</a> indicates a legal agreement could be pursued in relation to monitoring. Is the Council satisfied with the applicant's response, which relies on control documents and the draft Development Consent Order (dDCO) requirements, as opposed to a legal agreement?
Q2.1.4	Applicant	Appendix C <a href="#">[APP-156]</a> Screening Matrix for River Derwent and Bassenthwaite Lake special area of conservation (SAC) concludes that there are no likely significant effects (LSE) from changes in species distribution (for all the qualifying features, during both construction and operation, alone and in combination). Table 4.2 also confirms this. Why has this pathway been considered in Stage 2 (paragraph 5.2.12 onwards)? Please clarify this discrepancy. If the Screening Matrix (and Table 4.2) have erroneously stated that there are no LSE on species distributions, please clarify which features have been taken forward to appropriate assessment?
<b>2. Climate Change</b>		
Q2.2.1	Applicant	Further to the ExA's previous questions and subsequent responses on this general topic, the ExA remains concerned at the narrow focus of the climate change assessment. The response provided in Q2.0.5 <a href="#">[REP2-010]</a> rejects a more holistic, lifecycle approach to calculating greenhouse gas emissions during each phase of the proposed development. This does not appear to be consistent with recent projects, such as Byers Gill Solar, where lifecycle approaches to greenhouse gas emissions have been advocated and reported on by the Secretary of State.  Please update the climate change assessment accordingly.
Q2.2.2	Applicant	Please provide further detail regarding overplanting. This could be included as approximate figures and an approximate ratio. Other examples to give approximate figures may assist in calibrating overplanting levels. Notwithstanding the reasons set out in the ExAs previous written requests, the reason for this request is so that the ExA can better understand the proposed land take and justification in relation to the compulsory acquisition and temporary possession.
<b>3. Environmental Statement</b>		
Q2.3.1	Applicant and relevant interested parties	Cumulative effects – the applicant should update SoCGs in order to ensure that the latest position as set out in the additional cumulative schemes table 1.1 <a href="#">[REP3-008]</a> is properly understood and considered in relation to specific topics.
Q2.3.2	Cumberland Council	Please clarify whether you are satisfied with the applicant's updated appraisal of relevant schemes to be considered cumulatively as set out in appendix A (cumulative assessment note) of the applicant response to Cumberland Council's response to ExA's first written questions <a href="#">[REP3-008]</a> , and the associated documents.
Q2.3.3	Cumberland Council	Please respond to the applicant's response to the local impact report <a href="#">[REP3-008]</a> . It may be more efficient to include separate sections within the dSoCG, if you are able to agree with the applicant, which addresses each of the points in the local impact report. Otherwise please provide a response in tabulated form.
Q2.3.4	Cumberland Council	Please clarify whether you are satisfied with the applicant's overall approach/methodology and conclusions regarding the potential impact of the scheme on the living conditions of occupiers of properties (i.e. residential amenity).
<b>4. Landscape and Visual Effects</b>		
Q2.4.1	Applicant/the Lake District National Park Authority (LDNPA)	The LDNPA state that there would be 'minor harm' with regards visual effects as set out in paragraphs 4.1 and 4.3 <a href="#">[REP3-028]</a> . The currently agreed position as set out in the SoCG <a href="#">[REP3-017]</a> is that there would be no significant landscape impacts on the LDNPA.  The ExA seeks additional clarification on this point in the context of section 11A National Parks and Access to the Countryside Act 1949 (as amended). The SoCG should set out whether the 'minor harm' asserted by the LDNPA is a position which is agreed/disagreed between the parties. It should also set out the implications of this identified harm in the context of the National Planning Policy Framework's requirement to give 'great weight' to conserving and enhancing landscape and scenic beauty (para 189). It should identify whether there would be residual harm to the landscape and conflict with the National Park's statutory purposes.

ExQ2	Question to:	Question:
		In carrying out the above exercise, and if there is a finding of residual harm to the landscape, then the benefits and mitigation measures should be weighed clearly and properly against the statutory purposes in order to help the ExA determine whether the scheme seeks to further the statutory duties as required by the Act.
5. Compulsory acquisition and related matters		
Q2.5.1	12 Property FE Limited	<p>The ExA requests that this affected person, in relation to the purported freehold land interest, clarify the following:</p> <ul style="list-style-type: none"><li>- The extent and specifics of the land interest and rights held.</li><li>- How the proposed development, having regard to the specifics of the works proposed within those plots, would interfere with the interests held.</li></ul>
Q2.5.2	United Utilities	Please provide a response to the applicant's updated land and rights negotiations tracker [ <a href="#">REP3-003</a> ], particularly in relation to protective provisions concerns.
Q2.5.3	Applicant	To continue negotiations and provide an update to the land and rights negotiation tracker, as per <b>deadline 4 - Tuesday 28 October 2025</b> .