



# Dean Moor Solar Farm

## Draft Statement of Common Ground with Cumberland Wildlife Trust

on behalf of **FVS Dean Moor Limited**

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**DEAN MOOR SOLAR FARM**  
**DRAFT STATEMENT OF COMMON GROUND WITH CUMBRIA WILDLIFE**  
**TRUST**  
**PLANNING INSPECTORATE REFERENCE EN010155**  
**PREPARED ON BEHALF OF FVS DEAN MOOR LIMITED**

The Infrastructure Planning (Applications: Prescribed Forms  
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# 1 Introduction

## 1.1 Status of the Statement of Common Ground

1.1.1 This draft Statement of Common Ground ('dSoCG') has been produced for FVS Dean Moor Limited ('the Applicant') to support the application for a prepared in respect of the Development Consent Order (the 'DCO application') to the Secretary of State for Energy Security and Net Zero ('SoS') 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 This SoCG has been prepared by (1) the Applicant and (2) the Cumbria Wildlife Trust (CWT). It is agreed that this SoCG is an accurate description of the matters raised by the CWT and the current status of each matter. A high-level overview of the engagement undertaken since March 2024 is summarised in section 3.

## 1.2 Purpose of this document

1.2.1 The dSoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, and where agreement has not (yet) been reached. In the planning process, SoCGs are an established means of allowing all parties to identify and so focus on specific matters that may need to be addressed during the Examination. The dSoCG is a 'live' document that will be updated by the parties as matters progress.

## 1.3 Terminology

1.3.1 In the matters table in Section 2 of this dSoCG, '*Matter agreed*' indicates where issues are resolved. '*Matter under discussion*' indicates where points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties and '*Matter not agreed*' indicates agreement on the matter could not be reached following engagement.

## 2 Current Position

### 2.1 Position of the Cumbria Wildlife Trust and the Applicant

2.1.1 The Applicant and the CWT have had positive engagement covering the proposed ecological mitigation and enhancements across the Site, specifically within the County Wildlife Site (CWS), and the measures to protect the CWS from effects during the construction, operational, and decommissioning phases.

2.1.2 The shared position set out below within Table 2.1 '*Matters agreed*' is the agreed position. However, the wording may be refined following further engagement between the parties and these updates will be presented in the next version of this dSoCG.

## 2.2 Matters agreed

2.2.1 Table 2.1 below details the matters agreed with the CWT. The CWT position is italicised as it is quoted from the CWT's comments on a previous draft of the dSoCG.

**Table 2.1 Matters agreed**

Ref	Topic	Shared position	Application Ref
CWT1	Control measures to avoid construction impacts on CWT interests, including but not limited to the CWS	<p><b>Applicant Position:</b></p> <p>The Applicant and the CWT have discussed the need to ensure that Dean Moor CWS is protected and demarcated during the construction period to protect it from works, noting that Works Area 1 includes a small part of the CWS. It is agreed that subject to effective controls being in place for construction via the Construction Environmental Management Plan (CEMP) and Soil Management Plan (SMP), the ecological interests of the Site, including the CWS and wildlife and habitats across the Site, can be protected from adverse effects as outlined in section 5.5 of the OCEMP.</p> <p><u>This will be subject to the content of the final versions of these plans being implemented as approved, and with compliance and outcomes monitored by the Ecological Clerk of Works (ECoW) and kept under review throughout construction, with the 'live' CEMP and SMP updated if necessary to secure the approved environmental outcomes, including protections for wildlife and habitats across the Site.</u></p> <p><b>CWT Position:</b></p> <p><i>Measures outlined in ES Chapter 8 Biodiversity [6.1] (section 8.7), ES Appendix 5.1 Outline Construction Environmental Management Plan [APP-108], ES Appendix 5.4 Outline Soil Management Plan [APP-110] if correctly implemented, followed, monitored and reviewed throughout the process of development will provide control measures to protect wildlife on the site. CWT are supportive of these measures being implemented.</i></p>	<p>ES-Ch8 - Biodiversity [REP2-053 APP-038] (section 8.7)</p> <p>ES-Appx 5.1 <u>Outline Construction Environmental Management Plan OCEMP</u> [APP-108]</p> <p>ES-Appx 5.4 <u>Outline Soil Management Plan OSMP</u> [APP-110]</p>
CWT2	Control measures to	<p><b>Applicant Position:</b></p>	ES-Ch8 - Biodiversity

Ref	Topic	Shared position	Application Ref
	avoid decommissioning impacts on CWT interests, including but not limited to the CWS	<p>The Applicant and the CWT have discussed the need to ensure that the CWS is protected and demarcated during the decommissioning period to protect it from works, noting that Works Area 1 includes a small part of the CWS. It is agreed that management plans to be in place for decommissioning, as <u>set out in the Framework Decommissioning Management Plan (FDMP)</u> secured by a DCO requirement, can provide effective controls to protect the interests of the CWS <u>subject to the correct implementation, monitoring, and updated as appropriate</u>. However, <del>it was stated that</del> after de-commissioning, the landownership of parts of the CWS within the Site would revert back to the landowner.</p> <p>The Decommissioning Management Plan (DMP) document suite will include measures equivalent to those provided by the CEMP, as set out within the <u>FDMP Framework Decommissioning Management Plan (FDMP)</u>.</p> <p><u>It is agreed that t</u>The FDMP provides a suitable framework for a DMP suite which will include measures equivalent to those provided by the suite of management plans that will govern the construction phase such as the CEMP and the SMP, <u>and are therefore expected to be able to provide measures to protect habitats and wildlife across the Site, including within the CWS.</u> .</p> <p><b>CWT Position:</b></p> <p><del>Measures outlined in ES CH 8 Biodiversity [APP-038] (section 8.7), ES Appendix 5.4 Framework Decommissioning Management Plan [6.3], ES Ch5 Construction and Decommissioning Methodology and Phasing [6.1] if correctly implemented, followed, monitored and reviewed throughout the process of decommission will provide control measures to protect wildlife on the Site. CWT are supportive of these measures being implemented.</del></p>	<p><b>[REP2-053] [APP-038]</b> (section 8.7)</p> <p>ES-Appx 5.4 <u>FDMP Framework Decommissioning Management Plan</u> <b>[APP-111]</b></p> <p>ES-Ch5 - Construction and Decommissioning Methodology and Phasing <b>[APP-036]</b></p>
CWT3	Control measures to avoid operational impacts on CWT interests, including but not limited to the CWS	<p><b>Applicant Position:</b></p> <p>The need to ensure that the CWS is protected and enhancements are delivered during the operational period is agreed. In addition, it is agreed that the management plans which would be in place for the operational phase, as secured by a DCO Requirement, can provide an effective means by which to protect and enhance the Site's ecological value.</p> <p>The OOMP secures the good management of the Site throughout the operational period, including controls on maintenance and repair works, and monitoring / maintenance of the water</p>	<p>ES-Appx 3.1 <u>Outline Operational Management Plan OOMP</u> <b>[APP-107]</b></p> <p>ES-Appx 7.7 <u>Outline Landscape Ecological Management Plan OLEMP</u> <b>[APP-145]</b></p> <p>ES-Ch8 - Biodiversity <b>[REP2-053] [APP-038]</b></p>

Ref	Topic	Shared position	Application Ref
		<p>environment and flood risk.</p> <p>The OLEMP provides the management measures to manage the Site for nature conservation and biodiversity and deliver Biodiversity Net Gain (BNG) commitments as well as the delivery and management of other green infrastructure features such as enhanced hedgerows and watercourses.</p> <p><b>CWT Position:</b></p> <p><u>It is agreed that CWT are supportive of the Outline Operational Plan and Outline Landscape Ecological Management Plan in the status made available to us and would be supportive of the these measures in the OOMP and OLEMP as foundations for the final versions to be submitted for approval following detailed design. Subject to the final versions being in accordance with these outlines, and approved measures being followed on Site to ensure the habitats and species on Site are considered during the operational phase. This includes critical habitats including riparian corridors, woodland, and habitats across the CWS.</u></p>	(section 8.7)
CWT4	CWT interests in water quality effects	<p><b>Applicant Position:</b></p> <p>It is agreed that watercourses need to be protected from adverse effects arising from Site activities and that the Proposed Development presents a positive opportunity to enhance watercourses as habitats which will also have benefits for water quality.</p> <p>It is agreed that the minimum 8m buffer to watercourses, which accord with Lead Local Flood Authority (LLFA) requirements and secured in the Works Plans will support watercourse protections. It is also agreed that where works must occur within the 8m buffer to enable construction or improvement for crossing points, these will be subject to the LLFA consenting process, (land drainage consent) which shall be supported by appropriate method statements that include environmental protection measures and best practice.</p> <p>Along with good design, control documents such as the OCEMP (e.g. sections 5 and 11), OSMP, and OOMP will support best practice in Site activities to prevent pollution, siltation, or other damage to watercourses in the construction and operational phases across the Site.</p> <p>Measures to enhance the watercourses as habitats such as targeted planting and</p>	<p>ES Appx 2.3 <del>Water Framework Directive</del>WFD [APP-098]</p> <p>ES-Appx 5.1 <del>Outline Construction Environmental Management Plan</del>OCEMP [APP-108]</p> <p>ES Appx 3.1 <del>Outline Operational Management Plan</del>OOMP [APP-107]</p> <p>ES-Appx 5.3 <del>Outline Soil Management Plan</del>OSMP [APP-110]</p> <p>ES-Ch 8 - Biodiversity [REP2-053][APP-038]</p>



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		<p>management, and mitigation measures (e.g. grazing management), are established by the LSP and OLEMP. It is agreed that subject to the successful delivery of enhancement and protection measures there can be benefits to watercourses and water quality. <u>CWT are supportive of the considerations towards watercourse protection and habitat improvement.</u></p> <p><u>It is agreed that there may be benefits to the Applicant seeking to engage with the West Cumbria Rivers Trust (WCR) in accordance with CWT recommendations have recommended engaging with the West Cumbria Rivers Trust for advice on the monitoring of water quality and waterways on Site.</u> It is understood that <u>there may be opportunities for further engagement with the West Cumbria Rivers Trust WCRT on this matter topic can be considered further</u> post-Examination, should the application be consented.</p> <p><b>CWT Position:</b>  <u>CWT are supportive of the considerations towards watercourse protection and habitat improvement along these. We support engagement with West Cumbria Rivers Trust for monitoring of the waterways on the site.</u></p>	<p>ES-Appx 7.7 <u>Outline Landscape Ecological Management Plan OLEMP</u> [APP-145]</p> <p>ES-Fig 7.6 Landscape Strategy Plan LSP [REP2-046][APP-088]</p> <p>Works Plans [APP-007]</p> <p>Appx 2.4 <u>FRA and Outline Drainage Strategy ODS</u> [REP2-022] [AS-013]</p>
CWT5	Public accessibility proposals affecting the CWS	<p><b>Applicant Position:</b></p> <p>Both the Applicant and CWT consider that the proposed permissive paths in Areas C and B and information boards along the routes are an opportunity to improve green infrastructure connectivity, highlight local biodiversity, and explain the significance of the CWS and the reason for its designation. <u>In particular, CWT are supportive of improving access and increasing awareness of the status of the CWS, the reasons for its designations, information on the habitats and species supported, and the enhancements being delivered as part of the Proposed Development.</u></p> <p><u>It is agreed that it will be beneficial for the Applicant to engage with the CWT on the content of the information boards and the green infrastructure strategy to be delivered via the LEMP. The CWT is satisfied that the OLEMP commitment to engagement with the CWT will support this. It is anticipated CWT would be engaged with informally prior to the application being made to discharge the DCO Requirement.</u></p>	<p>ES-Appx 7.7 <u>OLEMP Outline Landscape Ecological Management Plan</u> [APP-145]</p> <p>ES-Fig 7.6 Landscape Strategy Plan LSP [REP2-046][APP-088]</p> <p>ES-Appx 3.1 <u>Outline Operational Management Plan OOMP</u> [APP-107]</p>

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		<p><b>CWT Position:</b></p> <p><del>CWT are supportive of improving access and increasing awareness of the status of the CWS subject to the support from the landowner to do so.</del></p>	
CWT6	Protection of identified <u>and unidentified</u> peat <u>deposit</u> resources within the Site	<p><b>Applicant Position:</b></p> <p>The Applicant and CWT are aligned in considering peat as an important resource that must be protected. Areas of peat <u>deposits</u> are identified in a Peat Survey Report (<u>PSR</u>) (<del>ES Appendix 10.3</del>) within Area C of the Site, and are excluded from development through the Works Plans and/or otherwise protected in management plans for each phase of the Proposed Development.</p> <p>Peat will not be extracted or handled and no structures (e.g. buildings or solar arrays) or intrusive works such as cabling are proposed in areas of peat, including a minimum 10m buffer around identified areas of peat <u>deposits</u>, to avoid potential impacts. Where Site activities have potential to effect peat resources they will only occur if they can be managed to avoid adverse impacts and this is secured through outline management plans for each phase of the Proposed Development.</p> <p><u>Protection of undiscovered peat within the CWS</u></p> <p>Although no areas of peat were identified in the CWS that may be concurrent with Work No. 1, should any areas of peat be discovered or suspected in the course of construction, further preventative measures may be required. This approach is set out within section 5.5 and 11.3 of the OCEMP <u>and section 3.10 of the OSMP: which require that the SMP and toolbox talks support Site staff to identify potential unexpected peat deposits, and commits to stopping work in the affected area, conducting investigation, and updating the OCEMP and/or SMP if needed</u></p> <p><b>CWT Position:</b></p> <p><del>CWT have reviewed ES Appendix 10.3 Peat Survey Report [APP-173], ES Appendix 5.3 Outline Soil Management Plan [APP-110], ES Appendix 5.1 Outline Construction Environmental Management Plan [APP-108], ES Appendix 3.1 Outline Operational</del></p>	<p>ES-Appx 10.3 <u>Peat Survey Report PSR [APP-173]</u></p> <p>ES-Appx 5.3 <u>Outline Soil Management Plan OSMP [APP-110]</u></p> <p>ES-Appx 5.1 <u>Outline Construction Environmental Management Plan OCEMP [APP-108]</u></p> <p>ES-Appx 3.1 <u>Outline Operational Management Plan OOMP [APP-107]</u></p> <p>ES-Appx 7.7 <u>Outline Landscape Ecological Management Plan OLEMP [APP-145]</u></p>

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		<p><del>Management Plan [3.1], ES Appendix 7.7 Outline Landscape Ecological Management Plan [APP-145] and support the avoidance of any <u>loss (e.g. extraction) or damage (e.g. compaction, drying)</u> to areas of peat <u>deposits</u> on the <u>Ssite</u>. Where peat is discovered, the preventable measures outlined in the OCEMP <u>and OSMP</u> must be followed <u>and updated as required</u>. It is <u>understood that the Applicant should also consider the CWT Peat Team as an available resource as part of the pre-construction activities and across all subsequent phases of the Proposed Development</u>. <u>and further advice can be provided by CWT Peat Team as required</u>.</del></p>	
CWT7	The opportunity to secure Biodiversity Net Gain (BNG) and the approach to BNG calculation	<p><b>Applicant Position:</b></p> <p>The BNG Report based on the LSP and OLEMP indicates that BNG of 114.69% for habitats, 44.84% for hedgerows, and 12.56% for watercourses could be achieved. However, it is also recognised that metric outcomes could change based on an up-to-date environmental baseline established in pre-construction, and it is therefore appropriate to take a conservative approach in establishing minimum commitments at the application stage so long as this does not unduly constrain more ambitious outcomes being delivered.</p> <p>The LSP and OLEMP provide a strong foundation for securing a significant minimum BNG based on detailed design, which would be at least 60% for habitats, 20% for hedgerows, and 5% for watercourses.</p> <p>The Applicant understands that the CWT support adopting a conservative approach to securing the BNG within the OLEMP, which is secured by DCO Requirement. The Applicant aims to exceed these targets, which is supported by a commitment within the OLEMP to re-calculate the BNG based on the final design and to update the LEMP to deliver the outcome of this calculation, as long as it is no less than the minimum commitments of the OLEMP.</p> <p>The LEMP will be updated every five years and will include annual monitoring, and will support third party monitoring. This will enable the CWT to monitor the progress on creating acid grassland and/or other habitat enhancements specific to the CWS.</p> <p><u>The CWT acknowledge the potential for positive benefits to habitats and species across the site and specifically for the CWS therein. It is agreed that monitoring (see CWT11) will be</u></p>	<p>ES-Appx 7.7 <u>Outline Landscape Ecological Management Plan</u><u>OLEMP</u> <u>[APP-145]</u></p> <p>ES-Appx 8.8 <u>Biodiversity Net Gain</u><u>BNG</u> Report <u>[APP-157]</u></p> <p>ES-Fig 7.6 <u>Landscape Strategy Plan</u><u>LSP</u> <u>[REP2-046]</u><u>[APP-088]</u></p>

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		<p><u>essential for securing BNG delivery and reporting on progress toward BNG targets. The CWT welcomes the OLEMP commitments to continual engagement with the CWT ahead of LEP and OLEMP production and across the Proposed Development's operational lifetime.</u></p> <p><b>CWT Position:</b></p> <p><u>CWT are supportive of ongoing monitoring to support BNG reporting.</u></p>	
CWT8	Restoration of acid grassland and purple moor-grass communities	<p><b>Applicant Position:</b></p> <p>The Applicant's proposes to restore areas of purple moor-grass, rush pasture communities and acid moorland habitats, <u>n</u>. Noting that these are the features for which the CWS is designated. At the same time, it is <u>mutually</u> acknowledged that these features may be challenging to deliver due to the longstanding intensive grazing use and the effect this has on soil nutrient levels, <u>and because drainage may have changed the hydrology and structure of the soil which would impact the habitat / communities present.</u></p> <p><b>CWT Position:</b></p> <p><u>The acidity of the soil is not the only consideration. Drainage will have Changed the hydrology and structure of the soil which will also impact the habitat/ communities present.</u></p> <p><u>It is recognised that the CWT will encourage the pursuit of these habitats,</u> is supportive of continuing to be involved in discussions and implementation of improvements to the current habitat conditions on Site, and wish to see these restored where practicable and possible. <u>The language of the OLEMP will ensure ongoing engagement with the CWT as part of final LEP and LEMP production.</u> Should some habitats be deemed not suitable, then this will be discussed with CWT and alternative suitable targets implemented. <u>Thereafter continual monitoring and engagement with the CWT (see CWT11) will support review of the success of the habitats and the need for any changes in future LEMP updates.</u></p>	<p>ES-Appx 7.7 <u>Outline Landscape Ecological Management Plan OLEMP [APP-145]</u></p> <p>ES-Appx 8.8 <u>Biodiversity Net Gain BNG Report [APP-157]</u></p> <p>ES-Fig 7.6 <u>Landscape Strategy Plan LSP [REP2-046][APP-088]</u></p>
CWT9	<u>Siting of Solar Arrays (Work No. 1) within the County Wildlife</u>	<p><u>The Applicant has retained the option of locating solar PV arrays (Work No. 1) within the small area within the north of the part of the CWS that is within the Site. Should Work No 1 be located in the CWS development in this area would exclude buildings or access tracks which</u></p>	<p><u>Works Plans [APP-007]</u></p> <p><u>Appx 7.7 OLEMP [APP-145]</u></p>

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	<u>Site (CWS)</u>	<p>would have a habitat-displacing footprint and could require compaction or excavation of soils.</p> <p>The Applicant appreciates that CWT's preference for solar arrays to not be located within the CWS, and it is agreed that addressing CWT's concerns regarding this matter depends on the extent of solar array development within the CWS, a consideration of impacts based on the final design, and the mitigation measures that may be available for the specific technology which is not available in sufficient detail at this stage.</p> <p>It is noted that while not named as consultees in the dDCO requirements specifically, control documents for each phase commit the Applicant to engagement with the CWT as part of document production and during the phases themselves. CWT also anticipate being consulted by the Council ahead of approval of submissions on Requirements.</p> <p>It is agreed that the management plans governing the implementation, operation, and decommissioning of the Proposed Development can be an appropriate way to manage the CWS and other CWT interests across the Site. The final versions of these plans will be informed by updated assessments so that the mitigation and design response is informed by an up-to-date baseline. The final plans are subject to DCO Requirements and CWT will be able to provide feedback on these during the discharge of requirements process, and will be able to determine whether the final proposed mitigation is sufficient for the purposes of protecting the CWS.</p> <p>The OCEMP and FDMP include measures to protect the CWS within Work No.1, should this area not be excluded from the final design. This includes demarcation with appropriate barriers from other areas of Work No. 1, so that additional mitigation measures can be implemented and monitored by the ECoW.</p> <p>During the operational phase, the CWS will be managed in line with the objectives for ecological enhancements are set out in section 3.4 of the OLEMP. Works in the CWS will be subject to additional monitoring and method statements where required, including the results of changes to the grazing regime to sward height / diversity and fauna, and annual recording of grassland habitat and condition.</p> <p>The Applicant will continue to engage with CWT informally on the detailed design, control</p>	<p>Fig 7.6 LSP <b>[REP2-046]</b></p> <p>Appx 3.1 OOMP<b>[APP-107]</b></p> <p>Appx 5.1 OCEMP <b>[APP-108]</b></p> <p>Ch8 - Biodiversity <b>[REP2-053]</b></p> <p>Appx 5.4 FDMP <b>[APP-111]</b></p>

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		<u>document production, ongoing monitoring and review/updates of documents once approved, the efficacy of mitigation measures, and the progress of enhancements to the CWS.</u>	
<u>CWT10</u>	<u>Aspirations for ecological improvement of the CWS</u>	<p><u>The Applicant and CWT agree that the Proposed Development can be a positive opportunity to enhance the ecological value of the CWS, which could be at risk of losing its designation, if its quality significantly deteriorates more than it has to date, and it is acknowledged that the Site is currently under intensive grazing pressures which are not likely to cease in a 'no-change' scenario absent the opportunities presented by the Proposed Development.</u></p> <p><u>The Applicant has proposed to seek to create acid grassland and restore the purple moor-grass / rush pasture features for which the CWS is designated, where possible, and has set ambitions for biodiversity enhancement across the Site, including within the CWS, as set out in the OLEMP.</u></p> <p><u>The CWT is supportive of these targets and both parties are committed to working together further on these enhancements and the opportunities for nature recovery in the CWS.</u></p> <p><u>It is agreed that it is appropriate that the final LEMP be iterative and revised (as appropriate) by the Applicant at the end of the first 5-year establishment period and every 5 years thereafter. Each update will be informed by annual monitoring, with this to form the evidence base for LEMP updates as the planting matures and the ecology of the Site evolves. This will allow the LEMP measures to be adapted to deliver the Site's biodiversity objectives and will mean CWT are updated on progress toward these objectives and provided the evidence base to justify altering course if necessary.</u></p> <p><u>It is agreed that the language of the OLEMP will be updated to commit to ongoing engagement with the CWT on progress toward the Site's environmental targets and specifically for the CWS.</u></p>	<p><u>Ch8 - Biodiversity [REP2-053] (see the list of embedded mitigation within section 8.5 - Likely Significant Effects)</u></p> <p><u>Appx 7.7 OLEMP [APP-145]</u></p> <p><u>Fig 7.6 LSP [REP2-046]</u></p> <p><u>Appx 8.8 BNG Report [APP-157]</u></p>
<u>CWT11</u>	<u>CWT interest in Site monitoring</u>	<u>It is agreed that control documents for the operational period (namely, the LEMP and OMP) will require regular updates across the Proposed Development's operational life to stay current and reflect evolving Site conditions and best practice over the 40-year period. Requirements for monitoring and reporting are embedded in the OLEMP and OOMP which can support an</u>	<p><u>Fig 7.6 LSP [REP2-046]</u></p> <p><u>Appx 7.7 OLEMP [APP-145]</u></p> <p><u>Appx 8.8 BNG Report</u></p>



Ref	Topic	Shared position	Application Ref
		<p><u>evidence base for management plan updates and good decision-making should changes be required. It is agreed that the proposed sSchedule of monitoring and updates is appropriate for this purpose.</u></p> <p><u>It is agreed that the use of a suitably qualified ecologist as a key monitoring party will ensure suitable records of habitat condition and progress toward target conditions for biodiversity net gain commitments (per OLEMP section 6) and will therefore support the CWT in having habitat records for the part of the CWS that is within the Site. It is also agreed that the Applicant will need to ensure adequate provision in the LEMP/OMP for relevant 3rd parties to be able to have access to the CWS within the Site to directly monitor their interests.</u></p> <p><u>In order to ensure that the data collected by the Applicant is of maximum benefit to the CWT, and provided in a helpful format, it is agreed that an additional commitment will be added to the OLEMP for the Applicant to consult the CWT prior to establishing the final monitoring strategy within the LEMP. This is because the current monitoring commitments are in line with the UKHab methodology for the purposes of monitoring progress in relation to BNG as expected by the Council and Natural England.</u></p> <p><u>While agreed as appropriate and necessary for this purpose, it is acknowledged that CWT have an alternative methodology and the monitoring conducted by the Applicant may be a positive opportunity to deliver multifunctional benefits for both BNG and CWT data collection. Opportunities for synergies that support Applicant and CWT objectives will be explored and kept under continual review, including through control documents and the potential for community benefit funding.</u></p> <p><u>The CWT also welcome an update to the OLEMP that establishes a clear commitment to sharing annual monitoring data with the CWT outside of publication for LEMP update submissions. This can support CWT ecological monitoring even in the event it is not possible to accommodate both methodologies fully as part of the LEMP.</u></p>	<p><u>[APP-157]</u></p> <p><u>Appx 3.1 OOMP [APP-107]</u></p> <p><u>Appx 5.1 OCEMP [APP-108] (see section 5)</u></p> <p><u>Ch8 - Biodiversity [REP2-053] and supporting appendices including:</u></p> <ul style="list-style-type: none"> <li><u>• Appx 8.2 NVC Survey [APP-151],</u></li> <li><u>• Appx 8.1 PEA and GCN Report [APP-150] and</u></li> <li><u>• Appx 8.3-8.6 Bat [APP-152], Otter &amp; Water Vole [APP-153], Breeding Bird [APP-154], and Wintering Bird and Hen Harrier survey reports, [APP-155]</u></li> </ul> <p><u>Appx 5.4 OSMP [APP-110]</u></p>
<u>CWT12</u>	<u>Opportunities for habitat enhancements across the Site</u>	<u>The Applicant's aspirations for the Site to deliver multifunctional green infrastructure benefits is welcome by the CWT provided these values are manifested in the detailed design.</u>	<u>Appx 7.7 OLEMP [APP-145]</u>

Ref	Topic	Shared position	Application Ref
		<p><u>construction, and operation of the Proposed Development.</u></p> <p><u>Enhancement will be achieved through new and improved vegetation and Site management, including monitoring to achieve BNG outcomes. In addition, proposed landscaping and ecological enhancements have been considered in relation to existing and new on-Site features and with regard for connectivity with the wider off-site green infrastructure network. It is agreed that the CWT are generally supportive of the intentions for enhancement within the CWS and for the habitat enhancements proposed across the Site, which align with the recommendations CWT made at the statutory consultation.</u></p> <p><u>The LSP and OLEMP provide a baseline for habitat and biodiversity improvement for the Site as a whole, including retaining and enhancing sensitive habitats such as hedgerows, woodland, and watercourses, the creation of species rich grassland, and buffers between infrastructure and sensitive habitats such as peat and watercourses.</u></p> <p><u>As recommended by CWT, broadleaved woodland is proposed to the northern and western boundaries of Area A, the northern escarpment, and western boundary and watercourses within Area C. Areas of scrubland are further proposed adjacent to watercourses within Area C and the northern boundary of Area A.</u></p> <p><u>Riparian planting will be targeted to the areas around the escarpment of Thief Gill gully, with the objective of improving water quality and the structure and diversity of vegetation.</u></p> <p><u>Enhancements to the existing pond on-site within Area D are proposed within section 3.2 of the OLEMP, with the intention of reducing shading, providing a willow screen, and promoting areas of open water and improving its function as a habitat. The ephemeral pond within Area C will be retained, and grassland around its bank enhanced.</u></p> <p><u>It is agreed that areas of peat will be protected during works and safeguarded from impacts during operation, although intentional targeted enhancements or expansion to areas of peatland habitats will not be considered given the practicalities of achieving this. Whilst the CWT encourage peat restoration, it is agreed that the Applicant's intentions to focus on features and habitats which will not affect the hydrology of the Site represents sustainable and achievable development in this instance given the need to return the site to present use</u></p>	<p><u>Fig 7.6 LSP [REP2-046]</u></p> <p><u>Appx 3.1 OOMP[APP-107]</u></p> <p><u>Appx 5.1 OCEMP [APP-108]</u></p> <p><u>Ch8 - Biodiversity [REP2-053]</u></p> <p><u>Appx 5.4 FDMP [APP-111]</u></p> <p><u>DAD [APP-029]</u></p>



Ref	Topic	Shared position	Application Ref
		<p><u>following decommissioning.</u></p> <p><u>As set out within CWT8, the OLEMP has adequately considered the potential for acid grassland and purple moor-grass creation, which is dependent on several factors, some of which will be informed by the results of further testing (e.g. soil acidity testing) and ongoing monitoring surveys.</u></p>	
CWT13	Effective grazing management	<p><u>It is agreed that grazing must be suitably controlled if it is utilised for vegetation management, to be complementary to the Proposed Development's biodiversity commitments.</u></p> <p><u>The CWT are supportive of the principle of controlled sheep grazing across the Site, as set out within the Outline Grazing Management Plan, on the understanding that this will likely need stricter controls within the CWS and subject to the CWT's review of and input into the final GMP. While the CWT have recommended cattle grazing as preferable within the CWS, it is acknowledged that there may be practical limitations with this and that effectively controlled sheep grazing can also be appropriate.</u></p> <p><u>As per the OGMP (Appendix A of the OLEMP), the Site will be monitored by an ecologist to facilitate grazing management and prevent overgrazing, including the use of temporary barriers to restrict access to hedgerows, ponds, and watercourses As set out in section OLEMP 3.11, the effects of the grazing regime on the CWS will be regularly monitored and it is agreed that both the control measures and monitoring regimes related to grazing will need to be stronger/tighter for grazing within the CWS compared to other parts of the Site.</u></p> <p><u>The advice provided by the CWT with respect to grazing to-date will be considered in the final GMP, which will form part of the final LEMP, and which commits to continual engagement with the CWT to inform LEMP production and then across its implementation.</u></p>	<p><u>Appx 7.7 OLEMP [APP-145] (see Appx A - OGMP)</u></p> <p><u>Ch 8 - Biodiversity [REP2-053]</u></p>

## 2.3 Matters under discussion

- 2.3.1 Table 2.2 below details the matters under discussion with the CWT. There are currently no matters under discussion between the Applicant and the CWT.

**Table 2.2 Matters under discussion**

Ref	Topic	Applicant's Position	CWT's Position	Application Ref
CWT9	Siting of Solar Arrays (Work No. 1) within the County Wildlife Site (CWS)	<p>The Applicant has the option of locating solar PV arrays (Work No. 1 on the Works Plans) within small areas within the north of the Dean Moor County Wildlife Site (CWS).</p> <p>The Applicant notes that the presence of the CWS and the desire to avoid siting any arrays within it. The inclusion of arrays within the CWS is a worst case scenario and the layout will be confirmed at detailed design.</p>	<p><i>CWT's preference is that no area of the CWS is included in the Work areas. CWT support the Applicant's intentions to manage the CWS for ecological benefit. CWT wish to see the ecological condition of the CWS improve, and are therefore supportive of mitigation and enhancements of land within the CWS currently intensively grazed if this is unable to be excluded from Work areas.</i></p>	Works Plans <b>[APP-007]</b>
CWT10	Aspirations for ecological improvement of the CWS	<p>CWT indicated that CWS's status are reviewed, and the status could be at risk, if its quality significantly deteriorates. The Applicant and CWT agree that the Proposed Development can be a positive opportunity to enhance the CWS and the ecological value of the Site.</p> <p>The Applicant has proposed to seek to create acid grassland and restore the purple moor grass / rush pasture features for which the CWS is designated where possible. As discussed in CWT14, the Applicant has set ambitions for biodiversity enhancement across the Site, including within the CWS, as set out in the OLEMP.</p> <p>The Applicant understands that the CWT is supportive of these targets, and looks forwards to working further with the CWT on these enhancements. The final LEMP will further be iterative and revised (as appropriate) by the Applicant at the end of the first 5-year establishment period (along with annual monitoring) and should be reviewed as appropriate and necessary</p>	<p><i>Ideally, we would wish to be involved with the reviews of annual/ 5-yearly monitoring of the site to be able to continue to record the condition and changes to the CWS.</i></p> <p><i>Specifically, CWT are able to provide support to the Applicant through additional survey and suggested restoration plans for the CWS with the expertise of the Grassland and Peatland teams within CWT. The provision of such proposed works would be provided at the cost of this consultancy work.</i></p>	<p>ES Ch8 Biodiversity <b>[APP-038]</b> (see the list of embedded mitigation within section 8.5—Likely Significant Effects)</p> <p>ES Appx 7.7 Outline Landscape Ecological Management Plan <b>[APP-145]</b></p> <p>ES Fig 7.6 Landscape Strategy Plan <b>[APP-088]</b></p> <p>ES Appx 8.8 Biodiversity Net Gain Report <b>[APP-157]</b></p>

Ref	Topic	Applicant's Position	CWT's Position	Application-Ref
		<p>as the planting matures and the ecology of the Site evolves. This will mean CWT are updated on what the Applicant has been trying and any justification for altering course.</p> <p>The Applicant understands that the CWT is supportive of these targets, and looks forwards to working further with the CWT on these enhancements. The final LEMP will further be iterative and revised (as appropriate) by the Applicant at the end of the first 5-year establishment period and every 5 years thereafter. This will be based on the outcome of annual monitoring and allows LEMP measures to be adapted to deliver the Site's biodiversity objectives over the whole of the Proposed Development's operational life. This will mean CWT have insight into progress toward these objectives and evidence base to justify altering course if necessary.</p>		
CWT1 4	CWT interest in Site monitoring	<p>It is agreed that control documents for the operational period (namely, the LEMP and OMP) will require regular updates across the Proposed Development's operational life in order to stay current and reflect evolving Site conditions and best practice over the 40 year period. Requirements for monitoring and reporting are embedded in the OLEMP and OOMP which can support an evidence base for management plan updates and good decision-making should Changes be required. It is agreed that proposed Schedule of monitoring and updates is appropriate for this purpose.</p> <p>It is agreed that the use of a suitably qualified ecologist as a key monitoring party will ensure suitable records of habitat condition and progress toward target conditions for biodiversity net gain commitments (per OLEMP section 6) and will therefore support the CWT in having habitat records for the part of the CWS that is</p>	<p><i>CWT require datasets for the CWS to be in a comparable format to other CWS data and wish to ensure this is reflected in the monitoring program put forward. Please see <a href="https://www.cumbriawildlifetrust.org.uk/sites/default/files/2018-05/county-wildlife-sites-selection-guidelines-july-2008.pdf">https://www.cumbriawildlifetrust.org.uk/sites/default/files/2018-05/county-wildlife-sites-selection-guidelines-july-2008.pdf</a></i></p>	<p>ES Appx 7.7 Outline Landscape Ecological Management Plan <b>[APP-145]</b></p> <p>ES Appx 3.1 Outline Operational Management Plan <b>[APP-107]</b></p>

Ref	Topic	Applicant's Position	CWT's Position	Application-Ref
		within the Site. Although it is also agreed that the Applicant will need to ensure adequate provision in the LEMP/OMP for relevant 3rd parties to be able to have access to directly monitor their interests within the Site.		
CWT1 2	Opportunities for habitat enhancements across the Site	<p>Enhancement will be achieved through new and improved vegetation and Site management, including monitoring to Achieve BNG outcomes. In addition, proposed landscaping and ecological enhancements have been considered in relation to linking with wildlife corridors off-site. It is understood that the CWT are generally supportive of the intentions for enhancement within the CWS and for the habitat enhancements proposed across the Site, which align with the recommendations CWT made at the statutory consultation.</p> <p>The LSP and OLEMP provide a baseline for habitat and biodiversity improvement for the Site as a whole, including retaining and enhancing sensitive habitats such as hedgerows, woodland, and watercourses, the creation of species rich grassland, and buffers between infrastructure and sensitive habitats such as peat and watercourses.</p> <p>As recommended by CWT, broadleaved woodland is proposed to the northern and western boundaries of Area A, the northern escarpment, and western boundary and watercourses within Area C. Areas of scrubland are further proposed adjacent to watercourses within Area C and the northern boundary of Area A.</p> <p>Riparian planting will be targeted to the areas around the escarpment of Thief Gill gully, with the objective of improving water quality and the structure and diversity of vegetation. Enhancements to the existing pond on-</p>	<i>CWT also suggested enhancement of the remaining peatland areas on Site and of restoration of acid grassland and purple moor grass communities within the CWS.</i>	<p>ES-Fig 7.6 Landscape Strategy Plan [<b>APP-088</b>]</p> <p>ES Appx 7.7 Outline Landscape Ecological Management Plan [<b>APP-145</b>]</p> <p>ES Appx 8.8 Biodiversity Net Gain Report [<b>APP-157</b>]</p> <p>ES Appx 3.1 Outline Operational Management Plan [<b>APP-107</b>]</p> <p>ES Appx 5.1 Outline Construction Environmental Management Plan [<b>APP-108</b>] (see section 5)</p> <p>ES Ch8 Biodiversity [<b>APP-038</b>] and supporting appendices including: ES Appx 8.2 National Vegetation Classification Survey, PEA and GCN Report (ES Appx 8.1) and bat, otter and vole, breeding bird, wintering bird and hen harrier survey reports (ES Appx 8.3-8.6).</p> <p>ES Appx 5.4 Outline Soil</p>

Ref	Topic	Applicant's Position	CWT's Position	Application-Ref
		<p>site within Area D are proposed within section 3.2 of the OLEMP, with the intention of reducing shading, providing a willow screen, and promoting areas of open water and improving its function as a habitat. The ephemeral pond within Area C will be retained, and grassland around its bank enhanced.</p> <p>The Applicant confirmed that areas of peat will be protected during works and safeguarded from impacts during operation, although enhancements to areas of peat will not be feasible given lifetime of the Proposed Development and practicalities of achieving this.</p>		Management Plan <a href="#">[APP-110]</a>
CWT1 3	Mitigation and enhancement within areas of the Site which will potentially be developed for Solar (Work No. 1), and are within the County Wildlife Site (CWS)	<p>As described in ES Ch 8—Biodiversity, much of the CWS is poorly functioning, and does not include the areas of purple moor grass for which it is designated. The Proposed Development provides a positive opportunity for the enhancement of the CWS. The majority of the CWS is within Work No. 6—Green Infrastructure other than the small area which is within Work No. 1, and therefore may contain solar infrastructure.</p> <p>The cessation of grazing and planting/management for promotion of species diversity both in terrestrial and riparian habitats will apply to the CWS as a whole, including any part which is co-located with Work No. 1, as set out in the OLEMP.</p> <p>Should the CWS not be excluded from Work No. 1 in the final design, it would be subject to additional control measures in the CEMP, LEMP, and OMP to secure additional sensitive management measures compared to other areas of Work No. 1 outside the CWS.</p> <p>The Applicant would be willing to share the results of ecological monitoring with CWT informally. The Applicant understands that CWT accepts this may not</p>	<p><i>CWT wish to be informed of the outcomes of any ecological monitoring that takes place on the CWS.</i></p> <p><i>CWT is supportive of continuing to provide feedback and to inform agreed actions as required to control responses, mitigation measures, enhancement and ongoing monitoring of the CWS.</i></p> <p><i>The ES: Appendix 5.1—Outline Construction Environmental Management Plan and ES Figure 7.6 Landscape Strategy Plan [APP-088] will be updated or changed the layout is proposed, CWT will be able to provide further comment regarding the potential impact on the CWS.</i></p>	<p>ES Appx 7.7 Outline Landscape Ecological Management Plan <a href="#">[APP-145]</a></p> <p>ES Fig 7.6 Landscape Strategy Plan [APP-088]</p> <p>ES Appx 3.1 Outline Operational Management Plan <a href="#">[APP-107]</a></p> <p>ES Appx 5.1 Outline Construction Environmental Management Plan <a href="#">[APP-108]</a></p> <p>ES Ch8 Biodiversity <a href="#">[APP-038]</a></p> <p>ES Appx 5.4 Framework Decommissioning Management Plan <a href="#">[APP-111]</a></p>

Ref	Topic	Applicant's Position	CWT's Position	Application-Ref
		entirely meet CWT's needs for the purpose of the ongoing monitoring of the status of CWS. The Applicant will continue to engage with CWT informally on control responses, mitigation measures and the enhancements to the CWS post consent.		
CWT14	Effective grazing management	The Applicant has proposed conservation sheep grazing within the Site, including the CWS, as a method for controlling vegetation. This would be undertaken at a significantly reduced intensity to the current agricultural use, and control arrangements would be established to enhance species diversity and would be controlled via a Grazing Management Plan (GMP) within the LEMP. The Applicant acknowledges that there are further refinements to be made to the GMP and this will be discussed with CWT.	<del>Grazing within the CWS as outlined in the ES Appendix 7.7 Outline Landscape Ecological Management Plan [APP-145] (see Appendix A to the OLEMP—Outline Grazing Management Plan) should be reviewed with CWT Grassland team. Proposed "A.1.3 Sheep will be able to graze areas around the solar panels during the months of October to March so that the sward develops, and both grasses and wildflowers can grow, flower and set seed." is not specific to upland acid grassland and may need site specific variation.</del>  <del>CWT is supportive of grazing regime being monitored with the potential for revision if appropriate.</del>	ES Appx 7.7 Outline Landscape Ecological Management Plan [ <b>APP-145</b> ] (see Appx A to the OLEMP—Outline Grazing Management Plan) ES Ch 8 Biodiversity [ <b>APP-038</b> ]

## 2.4 Matters not agreed

- 2.4.1 The Applicant and the CWT do not currently consider there to be any matters which have not yet been agreed, or which are not capable of being resolved during Examination.



## 3 Record of Engagement

### 3.1 Summary of consultation and engagement

3.1.1 The table below summarises communication in relation to progressing this dSoCG. This is not a complete record of all engagement between the Applicant and the CWT but reflects the key discussions which relates to content within this dSoCG.

**Table 3.1 Summary of consultation and engagement with the EA**

Ref	Date	Engagement Type & Record	Key topics discussed and key outcomes
CWT.A	19.03.24-20.03.24	Emails (ES Appx 8.9 Stakeholder Engagement [APP-158])	The Applicant stated the aspiration to work with the CWT to develop plans for ecological enhancements. The Applicant's ecologist shared the PEIR Biodiversity CH, PEA and GCN report, Bat Survey Report, Breeding Bird Survey Report, NVC Survey Report, Otter and Water Vole Survey Report for the CWT's consideration.
CWT.B	02.05.24	Online Meeting (ES Appx 8.9 Stakeholder Engagement [APP-158])	Discussion of the CWT's aspirations for the ecological enhancement of the CWS, including a reduction in grazing, improvements to the diversity of grassland, and freshwater and wetland habitats. Discussion of the status and designation of the CWS Discussion of the potential for placement of solar panels within the CWS. Discussion of the proposals for grazing management and consideration of how to enhance purple moor-grass within the CWS. The CWT enquired into whether cattle grazing would be possible. Discussion of the potential for water quality improvement within the CWS due to reduced grazing. The CWT advised engaging with the West Cumbria Rivers Trust to advise on effective monitoring of water quality. The Applicant summarised the proposals at PEIR stage and the PEIR survey results, the DCO process moving forwards, and CWT's role in the process.
CWT.C	15.05.24	Emails (ES Appx 8.9 Stakeholder Engagement [APP-158])	Clarification / confirmation of meeting minutes from 02.05.25.

Ref	Date	Engagement Type & Record	Key topics discussed and key outcomes
CWT.D	15.05.24	Statutory Consultation Response (summarised, along with the Applicant's position on each point, within Table 8.3 of Ch8 – Biodiversity [APP-038])	<p>CWT requested the CWS be clearly marked and appropriate stand-off distances applied.</p> <p>CWT raised the potential for the Proposed Development to lead to negative impacts on the Dean Moor CWS during construction and decommissioning.</p> <p>CWT requested protective measures near watercourses during construction and decommissioning to mitigate pollution, particularly from high rainfall.</p> <p>CWT stated a preference for the CWS to not be utilised for solar arrays, and that the areas used are restricted to those currently grazed as intensive pasture, and that high value habitats are significantly buffered from the development.</p> <p>CWT highlighted the avoidance of peat as a necessary measure.</p> <p>CWT expressed support for the review of land management practices for the CWS, including the existing grazing regime to deliver biodiversity benefits and offered to input into restoration / grazing management plans.</p> <p>CWT requested biodiversity measures such as retention of scrub, enhancement to existing hedgerows and woodland, and planting within Thief Gill Gully.</p>
CWT.E	31.01.25	Meeting (ES Appx 8.9 Stakeholder Engagement [APP-158])	<p>Discussion of the CWS in relation to an iteration of the Parameter Plan (ES Figure 3.4) and the Landscape Strategy Plan (ES Figure 7.6).</p> <p>Discussion of the historic management of the CWS and the current intensive grazing land use. deterioration of the CWS</p> <p>Discussion of the possibility of the CWS losing its status to the decline of the species for which it was designated, and the Applicant's ambition to promote these species.</p> <p>Discussion of the CWT's statutory consultation response and how these points would be addressed within the application submission.</p> <p>Discussion of BNG proposals and the conservative approach to securing a BNG target within the application.</p> <p>Discussion of the ambition to create wet acid grassland within the CWS and the drainage of the CWS.</p> <p>CWT provided parts of the historic evidence of drainage and species records within the CWS.</p>
<u>CWT.F</u>	<u>09.10.25</u>	<u>Meeting</u>	<u>The Applicant and the CWT went through the remaining matters under discussion from the dSoCG submitted at D2, and agreed on actions to resolve these matters, including an update to the OLEMP to reflect a commitment to engaging with the CWT prior to conducting monitoring, so that the data collected is useful, and in an accessible format for both parties.</u>



## 4 Signatures

4.1.1 This Statement of Common Ground is agreed upon:

On behalf of Cumbria Wildlife Trust:

Name: [REDACTED]

Signature:

Date: 20/08/2025

On behalf of the Applicant:

Name:

Signature:

Date: