



**Application for an Order Granting Development Consent
Dean Moor Solar Farm**

**Council Written Summary of Oral Submissions Made at the
Issue Specific Hearing**

25 November 2025

| 1 The draft Development Consent Order (dDCO) | |
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| No | Agenda Item and Council Written Summary |
| 1(g) | <p>Hearing Agenda Item – <i>Applicant to set out the implications and powers sought in relation to Article 10. Cumberland Council will be invited to comment (with reference to Q11.0.9 of [REP2-010]).</i></p> <p>Council Written Summary:</p> <p>The Council confirmed that discussions have taken place with the Applicant on this matter, and it's subject to an agreed position as set out in the SoCG.</p> |
| 1(i) | <p>Hearing Agenda Item – <i>Cumberland Council to comment on Articles 13 and 15 as highway authority in terms of proportionality and reasonableness having regard to the scale and type of development (with reference to Q11.0.11 of [REP2-010] and 1(b) of [REP3-015]).</i></p> <p>Council Written Summary:</p> <p>The Council is aware of the relevant street works and associated articles as they relate to the Council's highway interests. The Council can confirm that the street works themselves are as discussed with the LHA and it is agreed that the Applicant has sufficiently justified the need for the works.</p> <p>The agreed position is set out in the SoCG.</p> |
| 1(l) | <p>Hearing Agenda Item – <i>Article 32 – applicant to explain, specific to the proposed development, the type of works that would potentially benefit from this power (ExA note responses provided in Q11.0.18 of [REP2-010] and 1(c) of [REP3-015]).</i></p> <p>Council Written Summary:</p> <p>The Council confirmed its agreement to the deferral of this item for consideration at the Compulsory Acquisition Hearing.</p> <p>The Council highlighted that if the works extend beyond what is normally required by a statutory undertaker, then this may result in a requirement to seek the consent of the private landowners who own the land under the carriageway.</p> |
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2 Environmental Impact Assessment (EIA) and General Matters

2(a)

Agenda Item – *General points of clarification.*

Council Written Summary:

In response to the request from the ExA the Council has submitted details of the adopted Local Plan and all associated documents that it used to inform the content of the Local Impact Report at D5.

2(b)

Hearing Agenda Item – *Update on Statements of Common Ground.*

Council Written Summary:

The Council confirmed that good progress had been made on the SoCG following detailed discussions with the Applicant.

The Council acknowledge that two issues remain outstanding namely, Employment and Skills and Temporary Possession or Acquisition Rights.

The Council had insufficient time to consider the detailed information that was been submitted by the applicant on Employment and Skills prior to the Hearing. However, the Council does broadly agree in principle with the approach set out by the applicant.

The issue of Temporary Possession or Acquisition Rights were considered at the Hearings. The Council agreed to continue discussions with the Applicant to secure an agreed position.

The Council confirmed that it would continue to work with the Applicant post hearing and that the SoCG will be updated at D5 to reflect the current position agreed on these matters.

3 Design

3(a)

Hearing Agenda Item – *The applicant's approach to achieving good design with regard to the design approach document [APP-029] and the applicant's responses set out in Q3.0.2 [REP2-10] and REP3-015].*

Council Written Summary:

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| | <p>The Council is generally satisfied with the Applicant's approach to design as set out in the submitted documents and accepts that detailed design matters can be agreed satisfactorily under requirement 3 of the DCO.</p> <p>The Council accepts that some design matters are difficult to define at this stage until a final design layout has been confirmed.</p> <p>The Council is willing to discuss the options for materials for certain structures and boundary treatments as identified by the ExA at the Hearing as part of any further consideration of the Design Parameters Document (DPD).</p> |
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| 5 Cultural Heritage / Historic Environment | |
| 5(d) | <p>Hearing Agenda Item – <i>Clarification on the applicant's and Cumberland Council's position in relation to the level of less than substantial harm for each asset.</i></p> <p>Council Written Summary:</p> <p>The Council confirmed that the main effects on heritage assets relate to their setting. The Council acknowledge that the design process has considered potential impacts on heritage assets and the inclusion of a setback with the Grade II Listed Wythemoor Sough and adjoining barn and the proposed mitigation in terms of planting would result in less than substantial harm to the heritage assets.</p> <p>The Council consider that without the details of the final scheme it is difficult to assess in more detail at this stage in terms of impact.</p> <p>The Council are happy to accept the assessment process undertaken by Historic England and the LDNPA with regards to the level of harm for each asset.</p> |
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| 6 Landscape and Visual | |
| 6(a) | <p>Hearing Agenda Item – <i>Applicant and Cumberland Council to set out exactly where there are differences between the parties in terms of the LVIA methodology.</i></p> <p>Council Written Summary:</p> |

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| | <p>The Council confirmed its view that any discrepancies between the submitted LVIA and the Councils commissioned independent review of the LVIA relate to reasonable differences in professional judgements which has resulted in minor changes based on the methodologies used.</p> <p>The Council acknowledge that whilst some elements of landscape assessment is subjective it is satisfied that any minor discrepancies does not fundamentally affect the outcome or conclusions of the LVIA.</p> <p>The Council acknowledge that the final design layout has not been agreed at this stage and consequently the landscaping details which form part of the mitigation are not finalised. The Council did consider that there was potential for additional block planting to be included along the west of Branthwaite Edge Road to provide additional visual screening to integrate the proposed development into the landscape.</p> <p>Overall, the Council considers that the landscape strategy set out is acceptable as a whole and is satisfied that landscaping can be adequately controlled through the DCO Requirements.</p> <p>With respect to the additional viewpoints that were not identified in the LVIA. The Council did suggest additional viewpoints following the receipt of the independent review of the LVIA. In particular an area to the east of viewpoint 3C, and sequentially in between viewpoint 3c and viewpoint 6b which is at the height of the hill. In addition viewpoints along that road, and also between viewpoint 6a and 6b and between 6b and 7 would enable a sequential assessment. These viewpoints would also reflect the issues raised by local residents.</p> <p>In response to a request from the ExA the Council agreed to provide an annotated map to highlight the viewpoints suggested to aid the ExA on the Accompanied Site Inspection at D5.</p> <p>Overall, the Council is satisfied with the Landscaping Strategy. It is considered that planting has been identified in the correct areas and this will help to screen and filter views. The Council has highlighted that there is potential for the planting of woodland nearest to the residential properties and also the provision of another block of woodland along Branthwaite Edge.</p> <p>The Council is satisfied that the Landscape Strategy forms a reasonable framework and that adequate provision is made in the DCO Requirements to allow the Council to review and agree to the final landscaping details in due course to ensure adequate mitigation for landscape and visual effects resulting from the proposed development.</p> |
| 6(c) | <p>Hearing Agenda Item – <i>Clarity sought on paragraph 7.5.24 of LVIA chapter 7 [REP2-032], which identifies minor adverse effects in relation to LCT9a, compared with the identified magnitude of effect in year 1</i></p> |

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| | <p><i>(operation) in the schedule of landscape effects [APP-120], where the magnitude is described as moderate adverse but the level of significance remains minor. The ExA question whether the level of significance has been accurately quantified.</i></p> <p>Council Written Summary:</p> <p>The Council is in agreement with the summary provided by the Applicant with regards to the discrepancies identified by the ExA on this matter.</p> |
| 6(d) | <p>Hearing Agenda Item – <i>The effects of the proposed development, in visual terms, on residential receptors in terms of outlook.</i></p> <p>Applicant Written Summary:</p> <p>The Council confirmed that this matter has been discussed with the Applicant and the agreed position between the parties is set out in the SoCG.</p> |
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| 7 Biodiversity | |
| 7(a) | <p>Hearing Agenda Item – <i>Applicant to set out why Dean Moor County Wildlife Site (CWS) cannot be avoided, and the implications for the proposed development if the CWS was avoided.</i></p> <p>Council Written Summary:</p> <p>The Council confirmed that it didn't have anything to add on this matter.</p> |
| 7(b) | <p>Hearing Agenda Item – <i>Applicant to explain the measures included to rectify or address landscaping/planting failure and how such measures are to be secured.</i></p> <p>Council Written Summary:</p> <p>The Council confirmed that a position had been agreed with the Applicant on this matter and this was set out in the SoCG.</p> |