



To:  
FVS Dean Moor Limited (Applicant)  
Electricity North West (ENW)

Our Ref: EN010155

Date: 2 June 2026

Dear Sir or Madam,

**Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010**

**Application by FVS Dean Moor Limited (“the Applicant”) for an Order granting Development Consent for the proposed Dean Moor Solar Farm (“the Proposed Development”)**

**REQUEST FOR INFORMATION**

1. Following the completion of the Examination on 5 January 2026, the Examining Authority (“ExA”) submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 2 April 2026. In accordance with section 107 of the Planning Act 2008 (“PA 2008”), the Secretary of State has three months to determine the application.
2. The Secretary of State requests that the **Applicant** provide information as set out below.

**Grid Connection**

The **Applicant** is requested to specify any outstanding consents and land rights, outside the DCO, required to connect the generating station to the Grid.

**Extension of Benefit to Third Parties and Statutory Undertakers**

3. The **Applicant** is requested to provide justification for the extension of the benefit of Article 25(1) and (3), to third parties and statutory undertakers, and the inclusion of Article 28(5), (11), (12), (13) and Article 31. In particular:
  - Explain how this approach is consistent with Article 7 (Benefit of the Order); and
  - Explain the circumstances in which these powers would be used for the benefit of statutory undertakers and third parties.

- Identification of any relevant precedents (if possible) where similar provisions have been included.

### **Compulsory Acquisition of Statutory Undertaker Apparatus**

4. The **Applicant** is requested to explain if compulsory acquisition of statutory undertaker land (Article 35a) is required for the purposes of constructing, operating, maintaining, or decommissioning the authorised development. If the Applicant cannot provide such explanation, they should confirm that no such acquisition powers are necessary.

### **Relocation of Statutory Undertaker Apparatus**

5. The **Applicant** is requested to explain if relocation of statutory undertaker apparatus is required (Article 35b) for the purposes of constructing, operating, maintaining, or decommissioning the authorised development. If the Applicant cannot provide such explanation, they should confirm that no such works are necessary.

### **Justification for Article 35(c) and (d) (Statutory Undertakers)**

6. The **Applicant** is requested to provide a clear justification for the inclusion of Article 35(c) and (d) (statutory undertakers) within the draft DCO. This should include:
  - Reasons specific to the Proposed Development, clearly identifying the apparatus that may be affected; and
  - Identification of any relevant precedents (if possible) where similar provisions have been included.

### **Justification for Article 37 - (Acquisition of Wayleaves, Easements and other Rights)**

7. The **Applicant** is requested to provide an express legal basis and clear justification for the inclusion of Article 37 (acquisition of wayleaves, easements and other rights) within the draft DCO. This should include:
  - Relevant powers under the Planning Act 2008;
  - Reasons specific to the Proposed Development; and
  - Identification of any relevant precedents where similar provisions have been included.
8. **ENW** is invited to provide any comments it may have on the acceptability of these provisions.

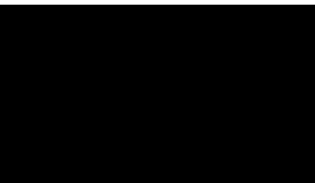
### **Deadline for response**

9. Responses should be submitted by email only to [DeanMoorSolar@planninginspectorate.gov.uk](mailto:DeanMoorSolar@planninginspectorate.gov.uk) by **23:59 on 16 June 2026**.

Responses will be published on the Dean Moor Solar Project: Generation Assets project page of the National Infrastructure Planning website as soon as possible after **16 June 2026**:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010155>

10. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Proposed Development or any part of the project.
11. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.



Head of Energy Infrastructure Planning & Innovation  
On behalf of the Secretary of State for Energy Security and Net Zero