

Raywood, Simon

From: [REDACTED]
Sent: 12 March 2025 14:22
To: Botley West Solar Farm
Cc: Alsop, Jonathan
Subject: Botley West Solar Farm (EN010147) - FAO Simon Raywood
Attachments: RE: Botley West Solar Farm development query - Defra

Dear Simon,

Thank you for your email below and sharing the Examining Authority's letter dated 5 March 2025.

To confirm, the Applicant is preparing a formal change request which it intends to submit on or before Wednesday 19 March 2025, as requested by the ExA.

In the meantime, we note the ExA's other request in its letter for the Applicant to submit evidence that a separate schedule for Crown Land in the DCO is not required on the basis that conversations with DEFRA have confirmed a requirement for consent under section 135 of the Planning Act 2008 (PA 2008) does not apply. In response to that request, please see attached a copy of the correspondence with DEFRA which confirms that consent under section 135 of the PA 2008 is not required.

Going forward could you please ensure I am copied into all correspondence please.

Kind Regards,

[REDACTED]
Director of Project Development

Photovolt Development Partners GmbH
Kurfürstendamm 52
10707 Berlin, Germany
Mobile: + [REDACTED]
Phone: + [REDACTED]
Fax: + [REDACTED]
www. [REDACTED]

Registered Office (Sitz): Berlin, Amtsgericht Charlottenburg HRB 120228 B, Managing Director (Geschäftsführer): Peter Gerstmann, Julia Lejeune

This email is confidential and is sent for the personal attention of the intended recipient only. If you have received this email in error, please advise us immediately and delete it. You are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. We exclude any liability for the content of this email, or for the consequences of any actions taken on the basis of the information provided in this email or its attachments, unless that information is subsequently confirmed in writing. Although we have taken reasonable precautions to ensure no viruses are present in this email, we cannot accept responsibility for any loss or damage arising from the viruses in this email or attachments.

From: Botley West Solar Farm <BotleyWestSolar@planninginspectorate.gov.uk>
Sent: 05 March 2025 14:24
To: [REDACTED]
Cc: Botley West Solar Farm <BotleyWestSolar@planninginspectorate.gov.uk>

Subject: Letter from the Botley West Solar Farm (EN010147) Examining Authority to the applicant dated 5 March 2025

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.



Dear [REDACTED]

I hope this email finds you and your team well.

The Examining Authority was today issued a letter to the applicant following the submission of documents provided by the applicant in response to the s51 advice provided by the Inspectorate following acceptance. This letter has been published today on the National Infrastructure Planning Website and can be viewed at <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010147/EN010147-000668-Examining%20Authority's%20letter%20to%20the%20Applicant%20and%20Interested%20Parties%20relating%20to%20a%20Change%20Request%20submitted%20with%20s51%20Advice%20following%20Acceptance%20Response%20-%20dated%2028%20February%202025.pdf>.

Kind regards,
Simon



Planning
Inspectorate

Simon Raywood (He/His)
Case Manager – National Infrastructure
Planning Inspectorate
T [REDACTED]
www.gov.uk/pins

Ensuring **fairness**, **openness** and **impartiality** across all our services

This communication does not constitute legal advice.
Our [Customer Privacy Notice](#) sets out how we handle personal data in accordance with the law.

[Please take a moment to review the Planning Inspectorate's Privacy Notice which can be accessed by clicking this link.](#)

Please note that the contents of this email and any attachments are privileged and/or confidential and intended solely for the use of the intended recipient. If you are not the intended recipient of this email and its attachments, you must take no action based upon them, nor must you copy or show them to anyone. Please contact the sender if you believe you have received this email in error and then delete this email from your system.

Recipients should note that e-mail traffic on Planning Inspectorate systems is subject to monitoring, recording and auditing to secure the effective operation of the system and for other lawful purposes. The Planning Inspectorate has taken steps to keep this e-mail and any attachments free from viruses. It accepts no liability for any loss or damage caused as a result of any virus being passed on. It is the responsibility of the recipient to perform all necessary checks.

The statements expressed in this e-mail are personal and do not necessarily reflect the opinions or policies of the Inspectorate.

DPC:76616c646f72

If you consider this email spam, please block using the Mimecast option on your Outlook toolbar. See the Information Security Intranet pages for details. If you have clicked on a suspect link or provided details please report to the IT Service Desk immediately.

IMPORTANT NOTICE: This email is sent on behalf of Pinsent Masons LLP, a limited liability partnership registered in England & Wales (registered number: OC333653) authorised and regulated by the Solicitors Regulation Authority and the appropriate regulatory body in the jurisdictions in which it operates. Its registered office is at 30 Crown Place, London EC2A 4ES.

Reference to 'Pinsent Masons' is to the international legal practice of Pinsent Masons LLP and/or one or more of the affiliated entities that practise under the name 'Pinsent Masons' as the context requires but does not include Alsabhan & Alajaji Pinsent Masons LLC. The word 'partner', used in relation to Pinsent Masons, refers to a member of Pinsent Masons or an employee or consultant with equivalent standing. A list of members of Pinsent Masons LLP, those non-members who are designated as partners, and non-member partners in affiliated entities, is available for inspection at our offices or at www.pinsentmasons.com

The contents of this e-mail and any attachments are confidential to the intended recipient. It may also be legally privileged. If you are not the intended recipient please do not use or publish its contents, contact Pinsent Masons immediately on +44 (0)20 7418 7000 then delete. Contracts cannot be concluded with Pinsent Masons nor service effected on Pinsent Masons by email. Emails are not secure and may contain viruses. Pinsent Masons may monitor traffic data.

For information about how we use your personal data at Pinsent Masons, including your rights, please see our [privacy policy](#).

Further information about us is available at www.pinsentmasons.com

Raywood, Simon

From: [REDACTED] defra.gov.uk>
Sent: 23 December 2024 09:37
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Botley West Solar Farm development query - Defra

External e-mail - Please think before clicking any links or opening attachments.

Hi Abbey

With respect to your note below the first section about the s135 is correct. With regards to your comments on s156 it is worth noting that s156 is a 'consent', not an 'agreement' and that a consent would need to be formally issued to enable Thames Water to then grant the rights.

With respect to your final paragraph and just to clarify the effect of the consent is to permit Thames Water to grant the easements that they have requested, subject to any conditions in the consent, but that consent does not obviate the need for any other third party consent that might be needed under the property title or otherwise, which is not a matter for the Secretary of State.

If you require anything further please let us know.

Kind Regards

Richard

[REDACTED] **He/Him| Head of Water Infrastructure Planning & Delivery Unit**
Water Sector Delivery | Floods & Water Directorate | Department for Environment, Food and Rural Affairs
[REDACTED] defra.gov.uk | [REDACTED] **Lancaster House, Hampshire Court, Newcastle, Tyne & Wear, NE4 7YH**

From: Abbey Read <AbbeyRead@ardent-management.com>
Sent: 20 December 2024 14:17
To: Walton, Richard <Richard.Walton@defra.gov.uk>
Cc: York, Polly <Polly.York@defra.gov.uk>; Southern, Sharmila <Sharmila.Southern@defra.gov.uk>; Chukuemeka, Chibuzo <Chibuzo.Chukuemeka@defra.gov.uk>; Martin Williams <MartinWilliams@ardent-management.com>
Subject: Botley West Solar Farm development query - Defra

Hi Richard,

Thank you for the call yesterday regarding the DEFRA restriction over Thames Water's freehold – it was really helpful.

Could you please confirm that the below is correct?

You do not believe we need to pursue the s.135 route, as the restriction solely relates to the Water Industry Act (WIA) and protected land. Therefore, only a s.156 agreement under the WIA will be necessary, if at all.

It will be Thames Water's responsibility to ensure compliance with:

- **Section 219:** Defining and determining whether the land in question qualifies as "protected land" under the WIA.
- **Section 156:** Establishing whether an agreement is required between Thames Water and DEFRA. If needed, a s.156 agreement may need to be formalised.

Section 156, in this context, would formalise any agreement for works on land subject to a DEFRA restriction of disposition, ensuring compliance with relevant regulatory frameworks. This includes the need for formal agreements to access or use the land for specified purposes. Section 156 provides the legal basis for Thames Water to enter into an agreement to carry out the necessary works in compliance with these protections.

Copy of the restriction:

B: Proprietorship Register

This register specifies the class of title and identifies any entries that affect the right of disposal.

Title absolute

- 1 (16.03.1995) PROPRIETOR: THAMES WATER UTILITIES Court, Vastern Road, Reading, Berks RG1 8DB.
- 2 (19.04.1974) The Transfer to the proprietor(s) c indemnity in respect of the covenants referred t Register.
- 3 (16.03.1995) RESTRICTION: Except under an order disposition by the proprietor of the land is to

I look forward to hearing from you.

Kind regards,



[Redacted] (Hons) MRICS

Associate

Mob: [Redacted]

Tel: [Redacted]

Email: [Redacted]

Web: [Redacted]



A Merry Christmas and a Happy New Year!
From the Ardent Team

Celebrating 100 DCOS

Listen Now

Available on a range of platforms
Apple Podcasts, Spotify, YouTube and more

Ardent

Delivering life-improving change
for communities and future generations

This message, its content and any attachment is private and confidential. If you have received this message in error, please notify us immediately and permanently delete this message from your system. Ardent Management Limited may monitor incoming and outgoing email for compliance and security purposes. Ardent Management Limited is a limited company registered in England and Wales under company number 02698524. Registered office 147A High Street, Waltham Cross, Hertfordshire, EN8 7AP

From: [REDACTED]
Sent: 13 December 2024 14:34
To: Walton, Richard [REDACTED] efra.gov.uk>
Cc: [REDACTED]
Subject: Botley West Solar Farm development query - Defra

Hi Rich,

Thank you for sending through the Teams link. I have also forwarded it to my colleague Martin, so he can join the discussion as well.

Kind regards,

[REDACTED]



This message, its content and any attachment is private and confidential. If you have received this message in error, please notify us immediately and permanently delete this message from your system. Ardent Management Limited may monitor incoming and outgoing email for compliance and security purposes. Ardent Management Limited is a limited company registered in England and Wales under company number 02698524. Registered office 147A High Street, Waltham Cross, Hertfordshire, EN8 7AP

From: [REDACTED] efra.gov.uk>
Sent: 13 December 2024 10:25
To: [REDACTED]
Subject: RE: Botley West Solar Farm development query - Defra

External e-mail - Please think before clicking any links or opening attachments.

Hi [REDACTED]

I think it would be useful to have a call to discuss the development in more detail and set out what is needed from Defra and when. We will also have several thoughts/qualifying points we can step through.

I will send through an invite and hopefully the time works for you.

Kind Regards

[REDACTED]

[REDACTED] | Head of Water Infrastructure Planning & Delivery Unit
Water Sector Delivery | Floods & Water Directorate | Department for Environment, Food and Rural Affairs
[REDACTED] [defra.gov.uk](mailto:[REDACTED]@defra.gov.uk) | [REDACTED] House, Hampshire Court, Newcastle, Tyne & Wear, NE4 7YH

From: [REDACTED] [rdent-management.com](mailto:[REDACTED]@rdent-management.com)>

Sent: 10 December 2024 15:36

To: [REDACTED] [@defra.gov.uk](mailto:[REDACTED]@defra.gov.uk)>

Cc: [REDACTED]

Subject: RE: Botley West Solar Farm development query - Defra

You don't often get email from [REDACTED]

Hi [REDACTED],

Yes, we have been consulting with Thames Water. To clarify, we do not believe that this is a property interest, and we are not looking to remove the restriction. Instead, we are looking to install a cable and agree an easement within the land subject to the restriction of disposition with DEFRA. Therefore, we would like to confirm what permissions, if any, we need from DEFRA to proceed with agreeing the easement with Thames Water. As DEFRA are a Crown body, we need to secure crown consent (s.135) for any interest in and they have which forms part of the DCO order limits.

We aim to clarify this as soon as possible, and if this can be resolved before the examination, it may help avoid questions when that stage arrives.

If it would be helpful to have a call, I would be happy to set this up on a date that is convenient for you.

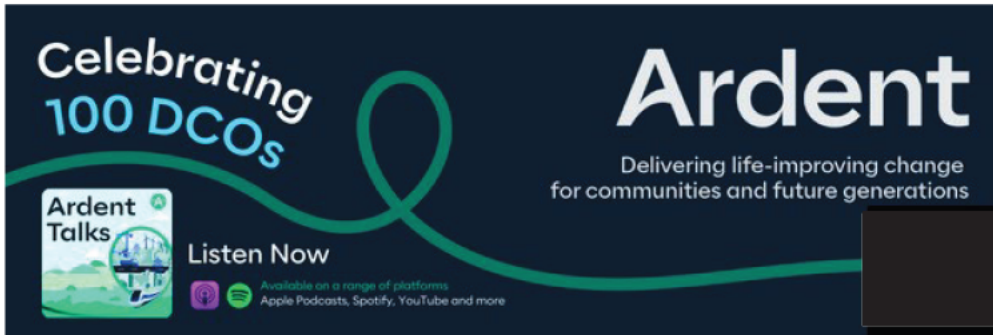
Kind regards,

[REDACTED]

A

[REDACTED] BSc (Hons) MRICS
Associate

[REDACTED]



This message, its content and any attachment is private and confidential. If you have received this message in error, please notify us immediately and permanently delete this message from your system. Ardent Management Limited may monitor incoming and outgoing email for compliance and security purposes. Ardent Management Limited is a limited company registered in England and Wales under company number 02698524. Registered office 147A High Street, Waltham Cross, Hertfordshire, EN8 7AP

From: [REDACTED] <[REDACTED]@defra.gov.uk>
Sent: 09 December 2024 13:58
To: [REDACTED] <[REDACTED]@ardent-management.com>
Cc: [REDACTED]
Subject: FW: Botley West Solar Farm development query - Defra

External e-mail - Please think before clicking any links or opening attachments.

Hi [REDACTED]

Acknowledging receipt.

Can I ask if any details have been provided by Thames with respect to the 'restriction on disposition' ? Or do you have any plans to reach out to Thames Water ? I note the application was received into PINS 15 November so presume this will be discussed during the examination ?

Do you have a date / deadline in which you need Defra comments by ?

Kind Regards

[REDACTED]
[REDACTED] | He/Him| Head of Water Infrastructure Planning & Delivery Unit
Water Sector Delivery | Floods & Water Directorate | Department for Environment, Food and Rural Affairs
[REDACTED] | Lancaster House, Hampshire Court, Newcastle,
Tyne & Wear, NE4 7YH

From: [REDACTED] <[REDACTED]@ardent-management.com>
Sent: 09 December 2024 10:26
To: [REDACTED] <[REDACTED]@defra.gov.uk>
Subject: Botley West Solar Farm development query - Defra

You don't often get email from [REDACTED]
Morning [REDACTED]

I hope you are well.

██████ has kindly passed on your details as someone who may be able to help with the following query:

I am contacting you regarding an interest Defra appears to have in some land impacted by Botley West Solar Farm. Photovolt Development Partners GmbH (PVDP), on behalf of SolarFive Ltd (the Applicant), is currently promoting the development of Botley West Solar Farm located to the west of Oxford. The Project is defined as a Nationally Significant Infrastructure Project (NSIP), and PVDP has now submitted an application for a Development Consent Order (DCO) under the Planning Act 2008.

Ardent has been appointed as Consultant Land Agents and Land Referencers, and we have identified some land where Defra has a 'restriction on disposition' on land owned by Thames Water. Therefore, we are hoping to discuss the project with you to establish the details of this restriction. Are you able to provide any details on this or would you be available for a Teams call to discuss?

The title number we are looking at is BK120529 and I have attached a copy for your reference and the specific wording within the register being this:

B: Proprietorship Register

This register specifies the class of title and identifies any entries that affect the right of disposal.

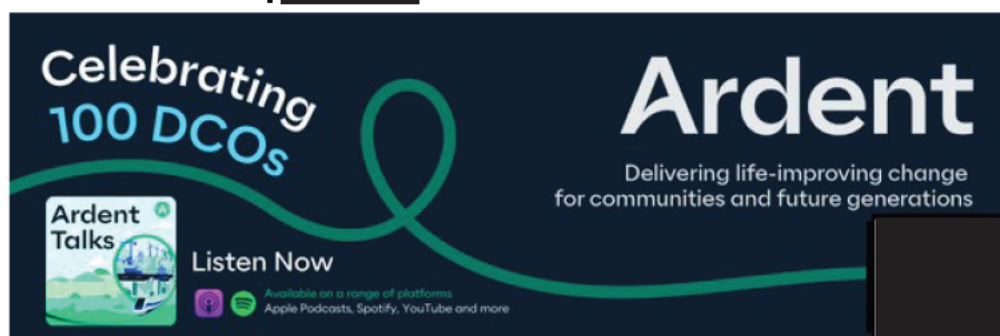
Title absolute

- 1 (16.03.1995) PROPRIETOR: THAMES WATER UTILITIES Court, Vastern Road, Reading, Berks RG1 8DB.
- 2 (19.04.1974) The Transfer to the proprietor(s) c indemnity in respect of the covenants referred t Register.
- 3 (16.03.1995) RESTRICTION: Except under an order disposition by the proprietor of the land is to

I look forward to hearing from you.

Kind regards,

██████



From: [REDACTED] <[\[REDACTED@governmentlegal.gov.uk\]](mailto:[REDACTED@governmentlegal.gov.uk])>
Sent: 05 December 2024 12:38
To: [REDACTED] <[\[REDACTED@ardent-management.com\]](mailto:[REDACTED@ardent-management.com])>
Cc: [REDACTED] <[\[REDACTED@defra.gov.uk\]](mailto:[REDACTED@defra.gov.uk])>
Subject: Botley West Solar Farm development query - Defra

External e-mail - Please think before clicking any links or opening attachments.

Dear [REDACTED]

Many thanks for your query attached, which has reached me via MHCLG. I am a property lawyer in the Government Legal Department.

I believe the person you would need to speak to within Defra would be Richard Walton, who is Head of Water Infrastructure Planning & Delivery Unit. I have copied him into this email so you can contact him directly.

If the consent of the Secretary of State for Environment, Food and Rural Affairs is needed under the restriction on title BK120529, it could only be granted on application by Thames Water. The developer would of course need to liaise primarily with Thames Water as owner of the land. May I check whether this approach to Defra is part of an initial consultation with those interested in the land, prior to the application for a Development Consent Order?

Best wishes

[REDACTED]

[REDACTED]
Senior Lawyer, CLG Central Property
Commercial Law Group, Government Legal Department
Part of the Property Law Hub – a GLD Centre of Excellence

102 Petty France, London SW1H 9GL

Mobile: [REDACTED]

[REDACTED] <[\[REDACTED@governmentlegal.gov.uk\]](mailto:[REDACTED@governmentlegal.gov.uk])>

Working pattern: Monday to Thursday 10am-3.30pm

Upcoming leave: 24-31 December inclusive (returning Thursday 2 January)

gld.digital

- Please listen to our [Property Law Hub Podcast](#) via our online legal service

This e-mail and any attachments may be subject to legal privilege rules to protect its confidentiality and/or be exempt from disclosure obligations. To maintain protection, please do not share this email or any attachment to it without consulting me or a GLD colleague familiar with the matter first. If you have received this e-mail in error please tell me at once and delete it permanently.

The information in this e-mail belongs to HM Government and may be confidential or otherwise protected by law. If you received it in error, we request that you inform us by return e-mail and then delete it immediately, without printing, copying or disseminating it. The original of this email was scanned for viruses by Government Secure Intranet (GSI) virus scanning service supplied by Vodafone in partnership with MessageLabs. HM Government does not however warrant that it is virus free at point of delivery.

Department for Environment, Food and Rural Affairs (Defra) This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within Defra systems we can accept no responsibility once it has left our systems. Communications on Defra's computer systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

Department for Environment, Food and Rural Affairs (Defra) This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within Defra systems we can accept no responsibility once it has left our systems. Communications on Defra's computer systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

Department for Environment, Food and Rural Affairs (Defra) This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within Defra systems we can accept no responsibility once it has left our systems. Communications on Defra's computer systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.