Botley West Solar Farm

Cable Optionality Report

August 2025

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Approval for issue	
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Photovolt Development Partners GmbH, on behalf of SolarFive Ltd.

Contents

Glossary

Term	Meaning
The Applicant	SolarFive Ltd
The Project	The Botley West Solar Farm
The Blenheim Landlords	Blenheim Trustee Company No. 1 Limited, Blenheim Trustee Company No. 2 Limited, Vanbrugh Trustees Limited and Vanbrugh Trustees No 2 Limited.
The Site or Order Limits	The area of land encompassing the Project development and shown on Location Plan [**AS-024**].

Abbreviations

Abbreviation	Meaning
CDC	Cherwell District Council
DCO	Development Consent Order
DESNZ	Department of Energy Security and Net Zero
EIA	Environmental Impact Assessment
ES	Environmental Statement
NETS	National Electricity Transmission System
NGET	National Grid Electricity Transmission plc
NSIP	Nationally Significant Infrastructure Project
NTS	Non-Technical Summary
OCC	Oxfordshire County Council
PA 2008	The Planning Act 2008
PINS	The Planning Inspectorate
PV	Photovoltaic
PVDP	Photovolt Development Partners GmbH
SPV	Special Purpose Vehicle
VWHDC	Vale of White Horse District Council
WODC	West Oxfordshire District Council

Units

Unit	Description
ha	Hectares
km	Kilometres
m	Metres
MWe	Megawatt electrical

1 Introduction

1.1 Purpose of this Report

1.1.1 The purpose of this report is to supplement the Applicant's response to the Examining Authority's second written question ExQ2.3.4, by summarising the latest position in respect of each of the cable optionality areas set out in Figures 5.1 to 5.5 of the Environmental Statement (ES) [**APP-119** to **APP-123**]. This report seeks to justify the need to retain optionality at each of these areas and explain how the powers being sought over each of these areas are suitably controlled.

1.1.2 Section 2 of this report provides a snapshot of each of the environmental, engineering and landowner considerations that apply to each cable corridor option in Figures 5.1 to 5.5. Section 2 also provides an analysis of the balancing exercise that is required at each cable optionality area to take into account each of the environmental, engineering and landowners considerations, to allow the final delivery of the cable route to be in the most suitable area all things considered. This indicates where there is a potential preference for a particular cable corridor option within each of the cable optionality areas, whilst explaining why the Applicant is not selecting a final route at this stage.

1.1.3 Section 3 of this report sets out why it is beneficial in light of national policy and Government guidance to allow the flexibility being sought, namely to enable the final route selection to be determined post-consent when the decision will be best informed by a more complete understanding of each of the environmental, engineering and landowner implications for each cable corridor option, in accordance with national policy and guidance. Section 3 also reiterates the points raised in response to ExQ2.3.4 regarding the legal controls that are in place to ensure that the breadth of powers being sought is justified in accordance with the compulsory acquisition tests in the Planning Act 2008 as well as the 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land' ("CA Guidance").

1.2 Summary of optionality

1.2.1 As explained in section 5.9. of Chapter 5 of the ES [**APP-042**], the cable route for the Project has been the subject of evaluation in terms of its optimum route and method of laying the cables, with a clear view from the outset that it should avoid or minimise its impact upon the environment. In light of this, it was decided that where suitable the cable corridor should be located within the existing highway (with appropriate highway management measures in place during construction), but where it needs to cross agricultural land or other features then alternative cable corridor options are included as part of the Project design which avoid impact on archaeologically sensitive areas, away from sensitive receptors.

1.2.2 The cable laying system will predominantly use the cut and cover technique; trenches will be cut into the ground, soil placed to one side, the cable laid, then covered over. However, where features are expected to be encountered along the route which are considered sensitive, or where cut and cover would otherwise be inappropriate, the Applicant has selected a horizontal directional drilling (HDD) method of cable laying or pipe ramming. This will apply where the cable crosses

the Thames in the vicinity of Swinford Bridge, the railway line, any tree hedgerow boundary and in the vicinity of several roads.

1.2.3 The cable routes between the three main site areas will be laid within the defined Cable Corridor as shown in Figures 2.1a - 2.4c of the Illustrative Masterplan [**AS-020**]. Within that Cable Corridor, there are four locations where optionality is being sought.

1.2.4 These four locations of optionality are shown in Figures 5.1 to 5.5 of the ES [**APP-119** to **APP-123**] and include:

1.2.5 Northern Site between the Oxfordshire Way, and B4027, south east of Wootton (Cable Optionality Area 1);

1. Area between the Northern and Central Sites on land to the east of Woodstock and in the vicinity of the Bladon roundabout on the A44 (Cable Optionality Area 2);
2. Central Site on land east of Burleigh Wood and around Bladon Heath (Cable Optionality Area 3); and
3. Land between the Central and Southern Sites east and south of Eynsham around the Swinford Bridge (Cable Optionality Area 4).

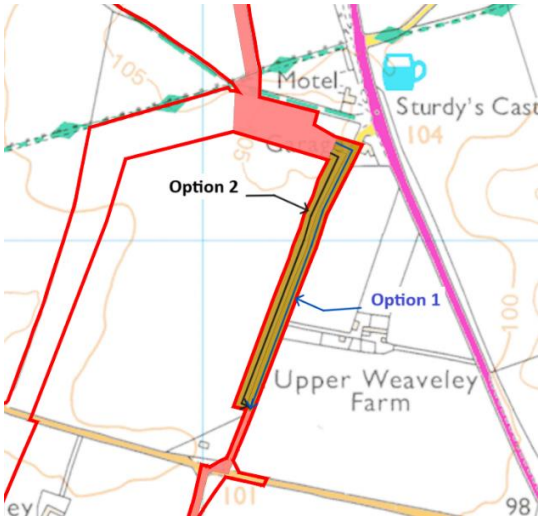
1.2.6 Within these four areas, the Applicant will ultimately select a route from the cable corridor options. That decision will likely be made post-consent once the Applicant has a full understanding of the environmental implications (following completion of additional environmental surveys); engineering limitations (following completion of additional technical surveys, once a contractor is appointed); and need to rely on compulsory acquisition powers (depending on the outcome of the ongoing landowner negotiations). Until then, there is a compelling case in the public interest for the full scope of the cable corridor options to be retained as part of the proposed scheme to facilitate a process that allows the best outcome to be achieved across the range of disciplines that must be factored into the decision making process.

1.2.7 For the latest summary of the status of negotiations with the landowners in respect of voluntary agreements, see the Land and Rights Negotiations Tracker (as updated and submitted at each Examination deadline).

2 Description of Options and Assessment

2.1 Cable Optionality Area 1 - Northern Site between the Oxfordshire Way, and B4027, south east of Wootton

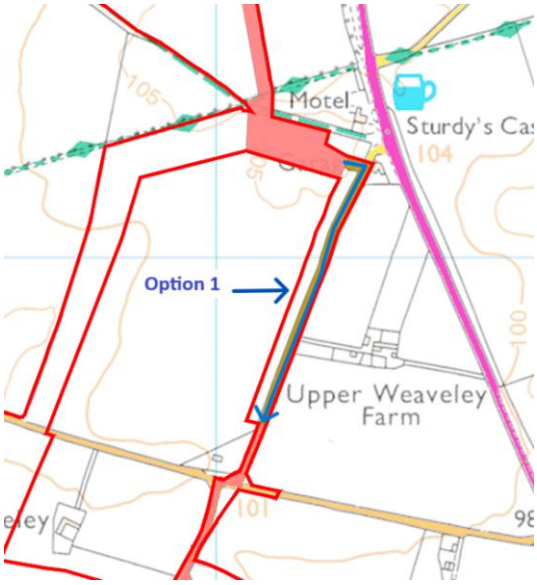
2.1.1 There are two main options in this location as shown in Figure 5.2 [**APP-120**] and Inset 1 below:



Inset 1: Cable Optionality Area 1 - Northern Site between the Oxfordshire Way, and B4027, south east of Wootton

Option 1:

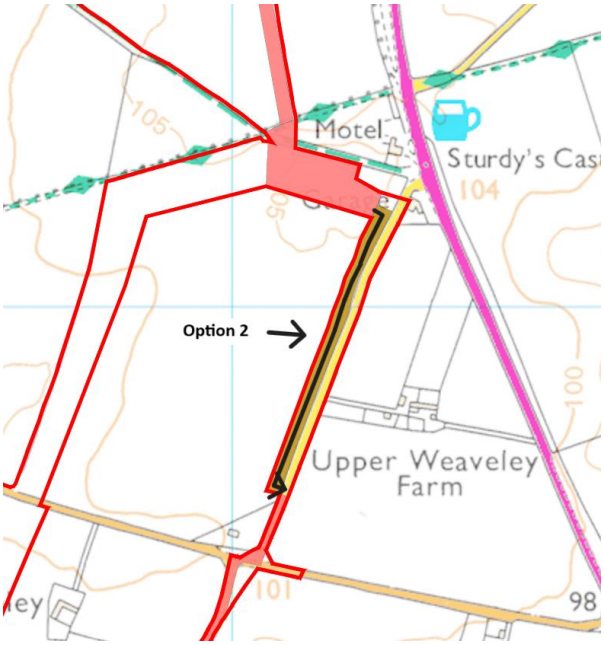
2.1.2 This cable corridor option (as shown in Figure 5.2A and Inset 2 below) proposes the use of the public highway — Banbury Road – for a distance of approximately 530 metres.



Inset 2: Cable Optionality Area 1 – Option 1

Option 2:

2.1.3 This alternative option (as shown in Figure 5.2B and Inset 3 below) proposes routing the cable through agricultural land, south of Banbury Road and east of Upper Weaveley Farm.



Inset **3**: Cable Optionality Area 1 – Option 2

Environmental Assessment

2.1.4 Environmental assessments have been considered in relation to each cable corridor option. The table below highlights whether any environmental effects for any given topics have been identified.

Topic	Cable Optionality Area 1 – Option 1	Cable Optionality Area 1 – Option 2
Historic Environment	No heritage features affected.	No heritage features affected.
Landscape and Visual Impact Assessment	Construction would be along the public highway for a period of between 6-8 weeks and cables hidden underground. Disruption to views would be temporary. Visual effects to footpath users north and west of the Option area would be reduced due to visibility of works mostly confined to the highway.	Construction would be parallel to the public highway for a period of between 6-8 weeks and cables hidden underground. Disruption to views would be temporary. Visual effects to road users would be reduced due to the screening of cable works behind the hedgerows. Visual effect to footpath users north and west of the Option area would be increased due to visibility of works.
Ecology and Nature Conservation	No designated ecology features affected. Removal of hedgerow in northern section	The corridor route would be set back from the line of the hedgerow. Small section of hedgerow to be removed at southern

Topic	Cable Optionality Area 1 – Option 1	Cable Optionality Area 1 – Option 2
	of the Option area to allow cable to pass onto highway land.	section of Option area for routing of cable on to highway land.
Hydrology and Flood Risk	No hydrology and flood risk effects.	No hydrology and flood risk effects.
Ground Conditions	Cable would need to avoid critical underground infrastructure, including electrical cables located under the highway.	Route runs parallel to critical underground infrastructure, including electrical cables located under the highway.
Traffic and Transport	Potential diversion/road closure of the public highway - Banbury Road for approximately 6-8 weeks.	Potential disruption of vehicular access along the public highway — Banbury Road for approximately 6-8 weeks. The effects would be the same as for Option 1 because the traffic and transport assessment considers the assessment of access routes to the access junctions.
Noise and Vibration	Temporary adverse impacts due to construction noise and vibration are likely at properties located in close proximity including Upper Weaveley Farm and North Oxfordshire Crematorium & Memorial Park approximately 20m east, there is also Sturdys, Castle Hotel and Car Centre located north of the route. However, there is no material difference in terms of the potential construction noise and vibration impacts between the two-cable route options.	Temporary adverse impacts due to construction noise and vibration are likely at to properties located in close proximity including Upper Weaveley Farm and North Oxfordshire Crematorium & Memorial Park approximately 20m east, there is also Sturdys, Castle Hotel and Car Centre located north of the route. However, there is no material difference in terms of the potential construction noise and vibration impacts between the two-cable route options.
Climate Change	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.
Socio Economics	No socio-economics effects anticipated.	No socio-economics effects anticipated.
Human Health	No human health effects anticipated.	No human health effects anticipated.
Agricultural Land Use and Public Rights of Way	No Agricultural land affected. Potential diversion for footpath users along Banbury Road.	Agricultural land would be disturbed but restored fully on completing of cable laying works. There is potential for diversion of footpath users along Banbury Road. The Outline Soil Management Plan (Appendix C of the Outline Code of Construction Practice [**REP3-030**]) identifies that soil survey work would be undertaken to determine the topsoil and subsoil resources that would be affected within these areas to ensure that appropriate soil handling measures will be implemented within these areas.

Topic	Cable Optionality Area 1 – Option 1	Cable Optionality Area 1 – Option 2
Waste and Resources	No waste and resources effects anticipated.	No waste and resources effects anticipated.
Air Quality	No air quality effects anticipated.	No air quality effects anticipated.

Engineering Assessment

Cable Route option	Cable Optionality Area 1 – Option 1	Cable Optionality Area 1 – Option 2
Cable Length	Approx. 530m	Approx. 527m
Number of Cable turns (≥45°)	Approx. 1	Approx. 2
Crossing roads or Railways	No	No
Nearby Utilities (water/gas/elec)	Water and Electricity assets nearby	Water and Electricity assets nearby
Access Restrictions / Easements	None, as included in highway boundary and farm land is owned by a Blenheim Trust	None, as the farm land is owned by a Blenheim Trust
Trenchless Sections HDD needed	None	None
Engineering constraints	Nearby Utilities	Nearby Utilities

Land Status – Cable Optionality Area 1

Option 1

2.1.6 The land over which this route is located falls within the Public Highway.

2.1.7 The use of the public highway allows the cables to be laid pursuant to the street works powers under Part 3 of the Development Consent Order (DCO) and in accordance with the Oxfordshire Permit Scheme for Road Works and Street Work (2019) (“Permit Scheme”).

Option 2

2.1.8 The land over which this route is located is owned by Marlborough 1981 Settlement (a Blenheim Trust).

2.1.9 The Trustees of the Marlborough 1981 Settlement are entering into an agreement with the Blenheim Landlords to transfer the relevant easement rights to the Blenheim Landlords. The Applicant has entered into Option and Lease Agreements with the Blenheim Landlords which enable the Applicant to use their

land for cable and access roads. The Applicant is agreeing a Deed of Variation with the Blenheim Landlords which will, amongst other things, capture the rights being transferred by the Marlborough 1981 Settlement to the Blenheim Landlords. Therefore, the Applicant does not require a separate easement agreement with the Marlborough 1981 Settlement.

Need for optionality

2.1.10 Option 1 is entirely within the adopted highway boundary, offering ease of access and construction logistics. However, this convenience is offset by the presence of critical underground infrastructure, including electrical cables owned and operated by Scottish and Southern Electricity Networks (SSEN).

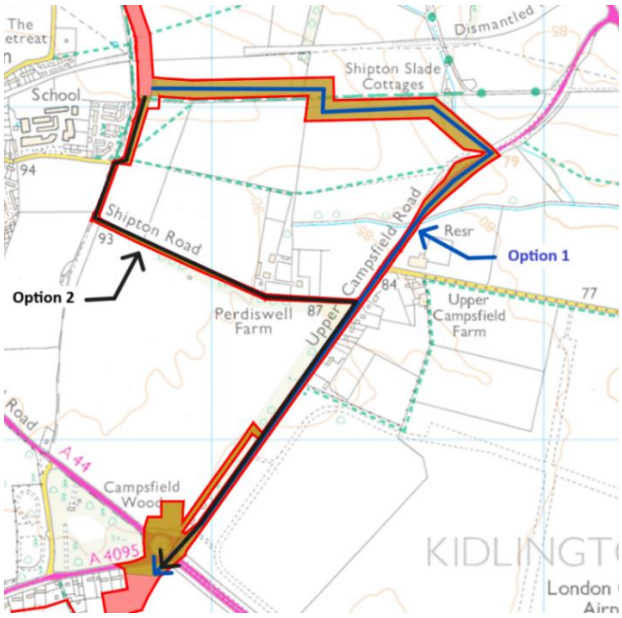
2.1.11 Due to the presence of SSEN infrastructure, the Option 1 route demands a high degree of utility coordination and risk mitigation. A full utility search and mapping package must be commissioned, followed for example by Ground Penetrating Radar (GPR) and Electromagnetic Location (EML) surveys to detect and confirm cable depths and alignments. Subsequent trial pit excavation at key crossings will be required to expose SSEN assets and inform trench offset or protection design.

2.1.12 For Option 2, whilst the technical challenge is reduced due to the proposed route running in parallel to critical underground infrastructure, there is an increased risk of environmental effects. Therefore, there is a trade-off between certainty of technical delivery against potential environmental harm.

2.1.13 As such, it is necessary for the Applicant to retain flexibility for both options, so that post-consent further technical and environmental surveys can provide increased clarity over which route is most suitable. If the surveys suggest that Option 1 is reasonably feasible despite the locality of the utility infrastructure, then the Applicant expects that Option 1 will be the preferred route. However, until that position is known for certain, the flexibility to pursue Option 2 is also required.

2.2 Cable Optionality Area 2 - Area between the Northern and Central Sites on land to the east of Woodstock and in the vicinity of the Bladon roundabout on the A44

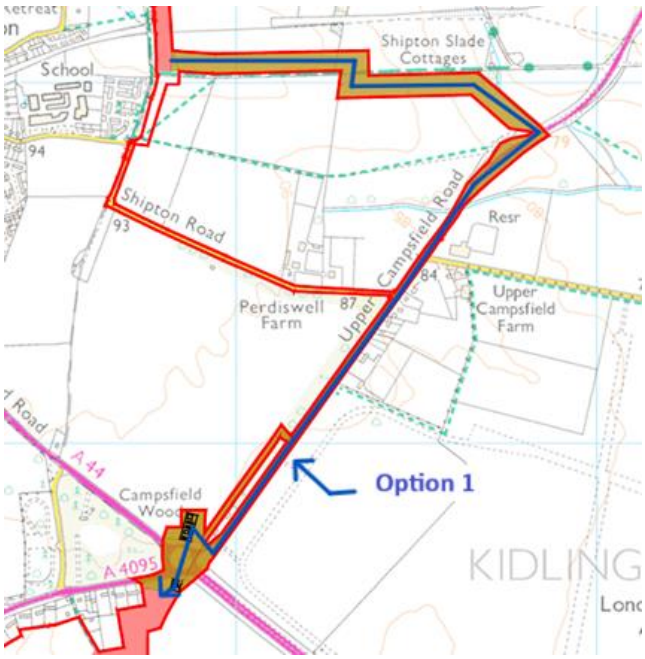
2.2.1 This option has broadly two potential cable routes as shown in Figure 5.3 [**APP-121**] and Inset 4 below.



Inset **4**: Cable Optionality Area 2 - Area between the Northern and Central Sites on land to the east of Woodstock and in the vicinity of the Bladon roundabout on the A44

Option 1:

2.2.2 This option (as shown in Figures 5.3A and 5.3B and Inset 5 below) runs along Upper Campsfield Road avoiding water utilities around Shipton Road and landfill, crossing the A44 at the Bladon Roundabout, a heavily trafficked strategic highway. The route remains within the public highway for most of its length, offering construction accessibility but introducing major traffic and safety constraints at the A44 crossing. Coordination with OCC is required to determine whether the Bladon Roundabout can be crossed using HDD or without.

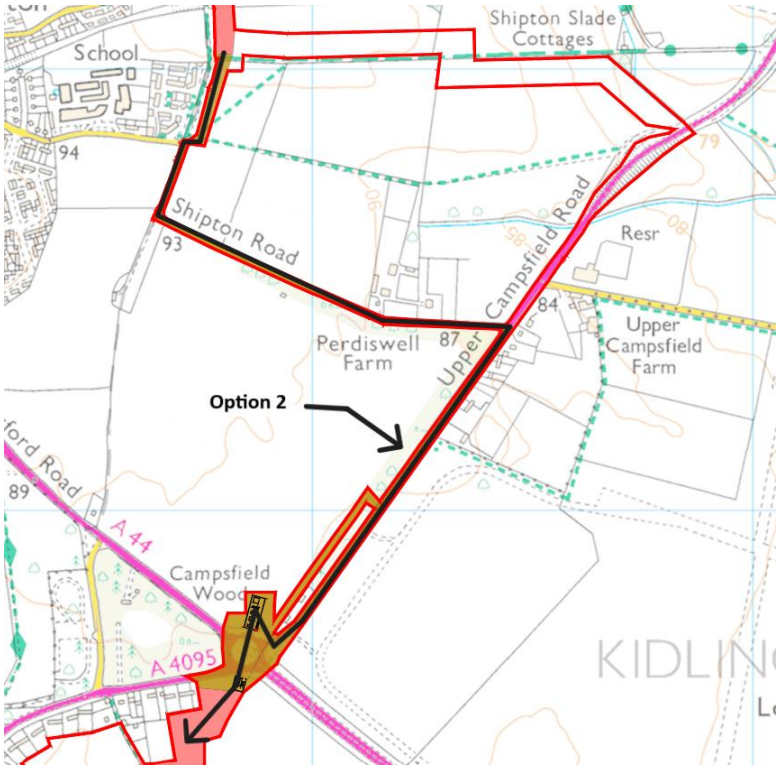


Inset **5**: Cable Optionality Area 2 - Option 1

Option 2:

2.2.3 This option (as shown in Figures 5.3C and 5.3D and Inset 6 below) follows Shipton Road, crossing water pipes and landfill adding complexity through the need for engagement with water utility authorities to confirm location and depth, and coordination with landfill management to assess ground conditions before joining Upper Campsfield Road and crossing the A44 at Bladon Roundabout, and continuing into the central site. Coordination with OCC is required to determine whether the Bladon Roundabout can be crossed using HDD or without.

2.2.4 The route remains within the highway boundary, which reduces off-site land acquisition requirements. However, the proximity of water utilities located approximately 30 meters east of the corridor likely including potable or treated water mains necessitates precautionary measures.



Inset **6**: Cable Optionality Area 2 - Option 2

Environmental Assessment

2.2.5 Environmental assessments have been considered in relation to each cable corridor option. The table below highlights whether any environmental effects for any given topics have been identified.

Topic	Cable Optionality Area 2 – Option 1	Cable Optionality Area 2 – Option 2
Historic Environment	No Heritage features affected.	No Heritage features affected.
Landscape and Visual Impact Assessment	Construction would be through the field and along Upper Campsfield Road for a period of between 6-8 weeks and cables	Construction would be through the field and along Shipton Road then south of Upper Campsfield Road for a period of

Topic	Cable Optionality Area 2 – Option 1	Cable Optionality Area 2 – Option 2
	hidden underground. Disruption in views would be temporary.	between 6-8 weeks and cables hidden underground. Therefore, disruption in views would be temporary. Disruption in views for the dwellings north of Shipton Road including Stagecoach Performing Arts Oxford Woodstock School. When considering the contained and isolated nature of the cable route corridor(s), with them being in proximity to or within the main Project construction site and the retention of existing landscape features, it is judged that the cable route option(s) would not give rise to a landscape effect greater than that identified for the main Project Site.
Ecology and Nature Conservation	No designated ecological features affected.	Hedges would be affected between crossing of agricultural fields.
Hydrology and Flood Risk	The cable route along Upper Campsfield Road may necessitate HDD to pass the cable under a ditch running east to west to the north of Upper Campsfield Road. The ditch would not be adversely affected by this work. No residual hydrology and flood risk effects.	No hydrology and flood risk effects. Crossing of a ditch which would not be adversely affected due to HDD.
Ground Conditions	The route has the potential to encounter underground infrastructure but avoids known main water pipes.	The route passes through an area where main water pipes are located. It also passes through a recorded area of landfill and may encounter difficult ground conditions including leachate.
Traffic and Transport	Potential disruption of vehicular access along the public highway - Upper Campsfield Road for approximately 6-8 weeks. The crossing of the A44 introduces major traffic and safety constraints common to both cable route options. HDD in this location is proposed and subject to consultation with OCC.	Potential disruption of vehicular access along Shipton Road and a public highway - Upper Campsfield Road for approximately 6-8 weeks as well as introducing major traffic and safety constraints at the A44 crossing, common to both cable route option. HDD in this location is proposed and subject to consultation with OCC.
Noise and Vibration	Temporary adverse impacts due to construction noise and vibration are likely at properties located in close proximity including Shipdale Slade Cottages, a number of properties and businesses along Upper Campsfield Road and Woodstock Boarding Cattery. Due to passing a greater number of properties, this option is anticipated to result in a greater number of impacts in	Temporary adverse impacts due to construction noise and vibration are likely at dwellings north of Shipton Road including Stagecoach Performing Arts Oxford Woodstock School, a number of properties and businesses along Upper Campsfield Road and Woodstock Boarding Cattery. However, due to passing fewer properties, this option is anticipated to result in fewer impacts in terms of

Topic	Cable Optionality Area 2 – Option 1	Cable Optionality Area 2 – Option 2
	terms of the construction noise and vibration compared to Option 2.	construction noise and vibration impact compared to Option 1.
Climate Change	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.
Socio Economics	No socio-economics effects anticipated.	No socio-economics effects anticipated.
Human Health	No human health effects anticipated.	No human health effects anticipated.
Agricultural Land Use and Public Rights of Way	Disturbance of agricultural land would occur to the north of the Option area with the cable being installed in fields towards Shipton Slade Cottages before continuing along highway land southwards on Upper Campsfield Road. Potential diversion for footpath users along Upper Campsfield Road. The Outline Soil Management Plan (Appendix C of the Outline Code of Construction Practice [**REP3-030**]) identifies that soil survey work would be undertaken to determine the topsoil and subsoil resources that would be affected within these areas to ensure that appropriate soil handling measures will be implemented within these areas.	The cable route option passes south across a short section of agricultural land to the east of Hensington. Potential diversion for footpath users along Upper Campsfield Road. The Outline Soil Management Plan (Appendix C of the Outline Code of Construction Practice [**REP3-030**]) identifies that soil survey work would be undertaken to determine the topsoil and subsoil resources that would be affected within these areas to ensure that appropriate soil handling measures will be implemented within these areas.
Waste and Resources	No waste and resources effects anticipated.	No waste and resources effects anticipated.
Air Quality	No air quality effects anticipated.	No air quality effects anticipated.

Engineering Assessment

Cable Route option	Cable Optionality Area 2 – Option 1	Cable Optionality Area 2 – Option 2
Cable Length	Approx. 2.9km	Approx. 2.3km
Number of Cable turns (≥45°)	Approx. 6	Approx. 6
Crossing roads or Railways	Yes (A44 Highway Road)	Yes (A44 Highway Road)
Nearby Utilities (water/gas/elec)	Telecom Openreach / Gas Utility / Electricity	Telecom Openreach / Water Utility / Electricity / Gas Utility
Access Restrictions / Easements	Easement Agreement required with Malcolm Stuart Price and Margaret Price, and the Oxford Diocesan Board of Finance. Otherwise, land included in highway boundary	None, as included in highway boundary and farm land is owned by a Blenheim Trust

Trenchless Sections HDD needed	One if needed at the roundabout	One if needed at the roundabout
Engineering constraints	None, no water utilities and landfill crossing	Water pipes and landfill crossings adding coordination and technical complexity.

Land Status – Cable Optionality Area 2

Option 1

2.2.6 The land over which this route is located is a combination of land owned by Malcolm Stuart Price and Margaret Price, the Oxford Diocesan Board of Finance and the public highway.

2.2.7 The Applicant has not yet entered an arrangement with Malcolm Stuart Price and Margaret Price, or the Oxford Diocesan Board of Finance. The Applicant is hoping to reach a voluntary agreement for an easement during Examination and negotiations remain ongoing with the landowners. It is expected that the Applicant will reach an agreement with Oxford Diocesan Board of Finance soon following several positive discussions with the landowner and their representatives. While negotiations with Malcom Stuart Price and Margaret remain ongoing and are progressing, the Applicant will need to rely on compulsory acquisition powers if this route is to be pursued and an agreement cannot be reached. This is essential to ensure the delivery of the Project. A full justification for compulsory acquisition powers is set out in the Statement of Reasons [**AS-015**].

2.2.8 The land to the south over which this route is located is owned by Marlborough 1981 Settlement (a Blenheim Trust). The Trustees of the Marlborough 1981 Settlement are entering into an agreement with the Blenheim Landlords to transfer the relevant easement rights to the Blenheim Landlords. The Applicant has entered into Option and Lease Agreements with the Blenheim Landlords which enable the Applicant to use their land for cable and access roads. The Applicant is agreeing a Deed of Variation with the Blenheim Landlords which will, amongst other things, capture the rights being transferred by the Marlborough 1981 Settlement to the Blenheim Landlords. Therefore, the Applicant does not require a separate easement agreement with the Marlborough 1981 Settlement.

2.2.9 The use of the public highway allows the cables to be laid pursuant to the street works powers under Part 3 of the DCO and in accordance with the Permit Scheme.

Option 2

2.2.10 The land over which this route is located is a combination of land owned by Marlborough 1981 Settlement (a Blenheim Trust) and the Public Highway.

2.2.1 The Trustees of the Marlborough 1981 Settlement are entering into an agreement with the Blenheim Landlords to transfer the relevant easement rights to the Blenheim Landlords. The Applicant has entered into Option and Lease Agreements with the Blenheim Landlords which enable the Applicant to use their land for cable and access roads. The Applicant is agreeing a Deed of Variation with the Blenheim Landlords which will, amongst other things, capture the rights being transferred by the Marlborough 1981 Settlement to the Blenheim

Landlords. Therefore, the Applicant does not require a separate easement agreement with the Marlborough 1981 Settlement.

2.2.2 The use of the public highway allows the cables to be laid pursuant to the street works powers under Part 3 of the DCO and in accordance with the Permit Scheme.

Need for optionality

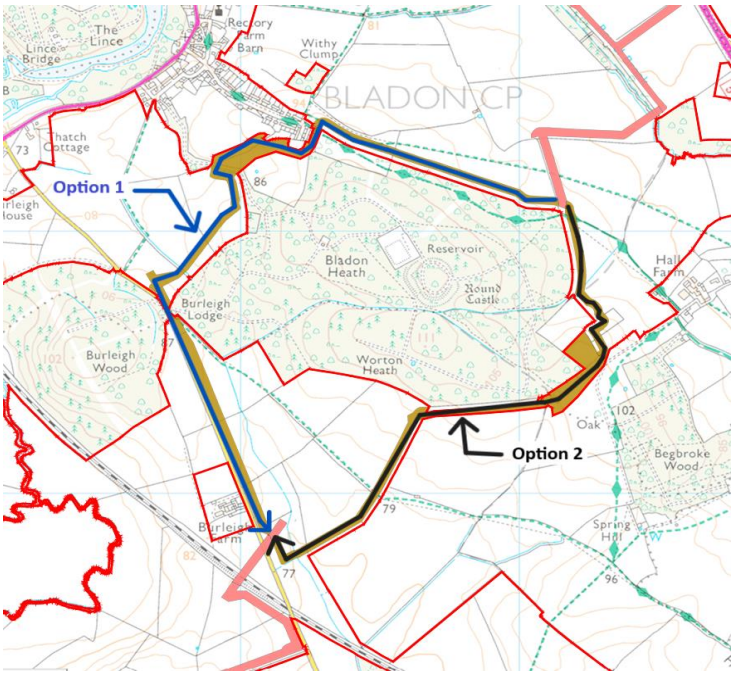
2.2.1 The key benefit of Option 2 is that the Applicant does not expect to rely on compulsory acquisition powers unless as a fallback in the event of non-compliance with the various agreements with the Blenheim Landlords, whereas an agreement with the landowner for Option 1 has not yet been secured. Therefore, from a landowner perspective, Option 2 is preferable.

2.2.2 However, from an environmental and engineering perspective, Option 1 is a strong preference because it is able to avoid the water pipes and landfill crossings. Option 2 would add coordination and technical complexity that threaten the potential delivery of the Project as well as increased environmental effects such as difficulty of ground conditions. The inclusion of Option 1 is therefore necessary to give certainty as to the successful delivery of the Project and aligns with the Project's approach to minimize or avoid environmental harm, which supports a compelling case in the public interest for powers over Option 1 to be granted.

2.2.3 The continued inclusion of both Options 1 and 2 is required at this stage to balance the public interest with private loss, in accordance with the CA Guidance. It is in the public interest to retain optionality at Option 1 because of the greater engineering certainty and preferable environmental position. In any event, the Applicant continues to engage with the landowner on terms more favourable than would be received by way of statutory compensation and therefore the Applicant's intention remains for compulsory acquisition powers to only be available as a fallback for that Option 1 too. However, the Applicant recognises that if a land agreement is not reached for Option 1 and additional environmental and technical surveys demonstrate that Option 2 can be delivered with certainty, then Option 2 would be preferable and so optionality for Option 2 is also necessary.

2.3 Cable Optionality 3 - Central Site on land east of Burleigh Wood and around Bladon Heath

2.3.1 This area has two options as shown in Figure 5.4 [**APP-122**] and Inset 7 below.

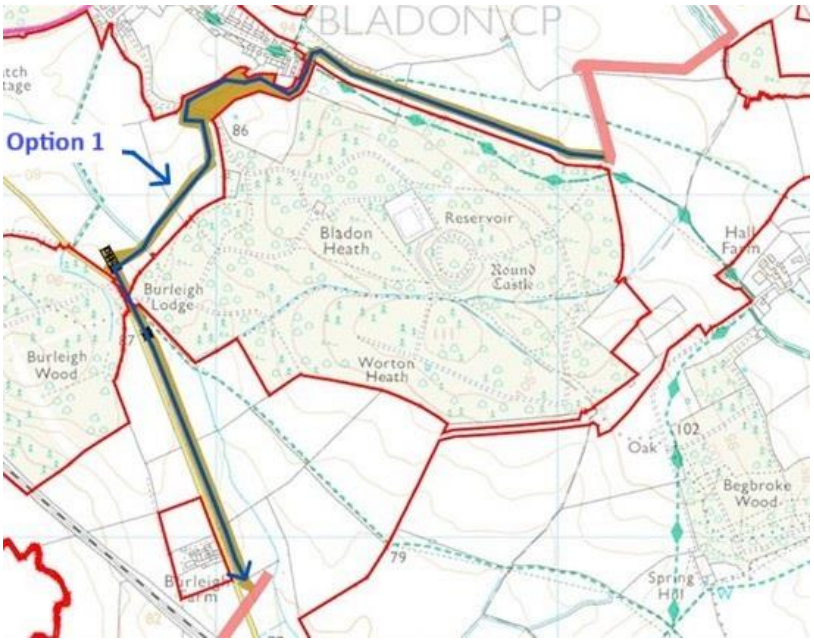


Inset **7**: Cable Optionality 3 - Central Site on land east of Burleigh Wood and around Bladon Heath

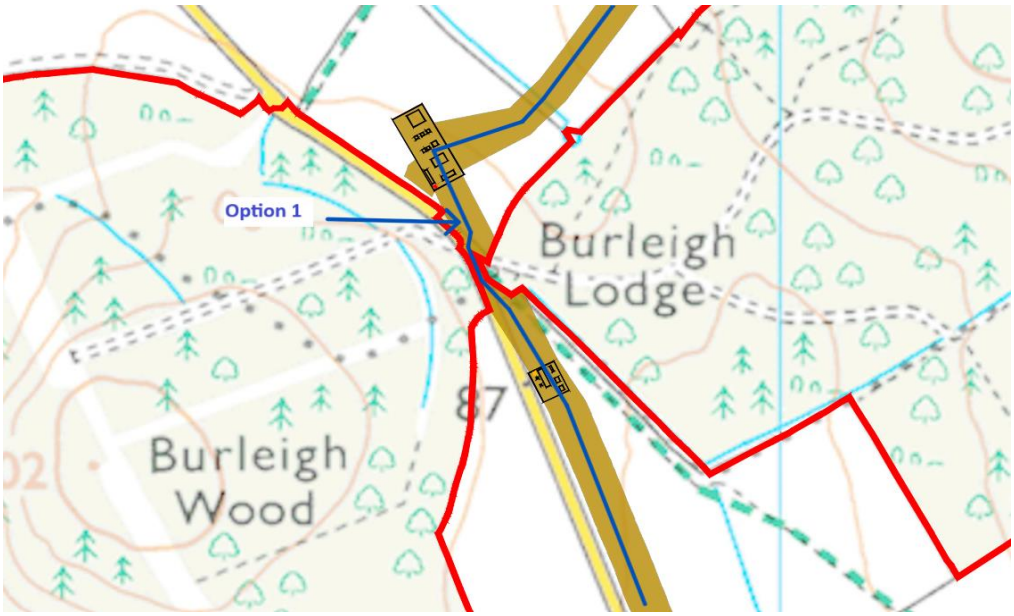
Option 1:

2.3.2 This cable corridor option (as shown in Figure 5.4A and Insets 8 to 10 below) runs along the northern boundary of Bladon Heath, continuing westward before using Horizontal Directional Drilling (HDD) to cross beneath Cassington Road.

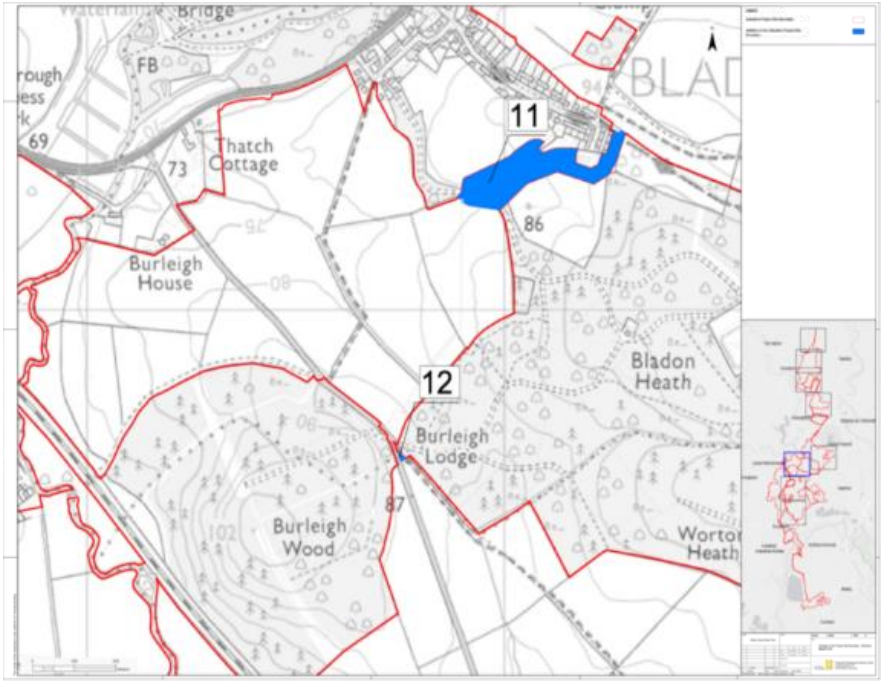
2.3.3 The HDD is specifically designed to allow the cable to traverse this busy road without surface disruption, avoiding open-cut trenching that would otherwise require road closures or diversions. In addition to minimising traffic impact, the HDD also allows the alignment to bypass the core of Bladon Heath woodland, reducing the need for vegetation clearance and protecting sensitive habitats, including potential root protection zones around mature trees. For this option, there is a constraint regarding the narrow path, accommodating two cables at 275kV and four cables at 33kV, with additional considerations for thermal capacity, electromagnetic clearances, and installation spacing requirements.



Inset **8**: Cable Optionality 3 - Option 1



Inset **9**: Cable Optionality 3 - Option 1, zoom in on the narrow path with HDD

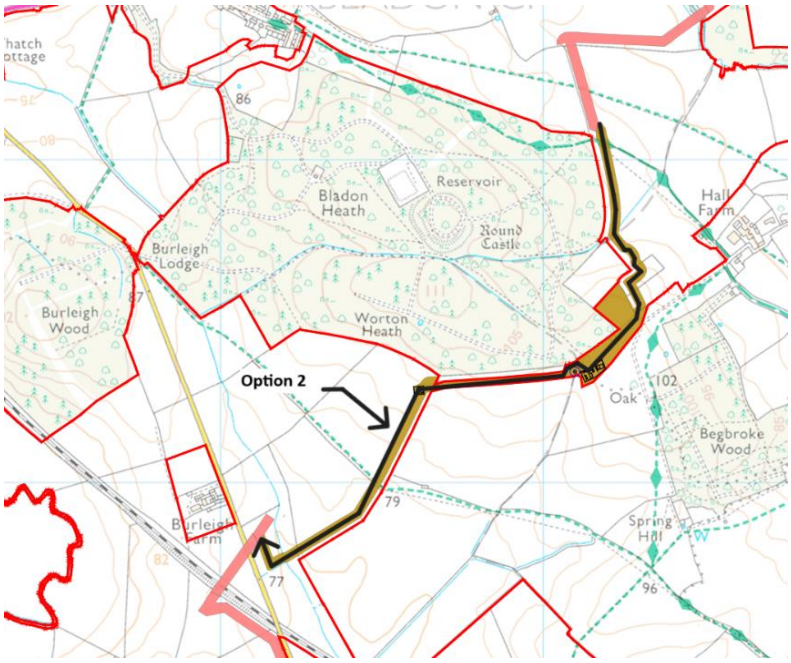


Inset 10: Cable Optionality 3 - Option 1, zoom in to areas 12 and 11. Land owned by Blenheim Trustee Company No.1 Limited and Blenheim Trustee Company No.2 Limited

Option 2:

2.3.4 This cable corridor option (as shown in Figures 5.4B and 5.4C and Inset 11 below) follows the eastern perimeter of Bladon Heath, tracking the woodland boundary before continuing west into the central site while avoiding direct woodland intrusion. The only difference between the two alignment options is the inclusion or omission of a Horizontal Directional Drilling (HDD) section to pass beneath a veteran tree's root protection zone (RPZ); the final decision on HDD use will be determined in consultation with OCC.

2.3.5 This cable corridor follows the eastern perimeter of Bladon Heath, avoiding direct woodland intrusion but passing close to several ecological and arboricultural features, including mature trees, hedgerows, and a veteran tree protected under BS 5837 and the NPPF. To avoid trenching within the tree's root protection zone (RPZ), a Horizontal Directional Drilling (HDD) section may be required; the final decision on HDD use will be made in consultation with OCC. Surface installation along this route may require enhanced environmental mitigation. In addition, following discussions with Oxford Airport, the alignment has been revised to reduce the Order Limits within the designated safety area to address operational concerns.



Inset **11**: Cable Optionality 3 - Option 2**, owned by The Warden and Scholars of the House or College**

Environmental Assessment

2.3.6 Environmental assessments have been considered in relation to each cable corridor option. The table below highlights whether any environmental effects for any given topics have been identified.

Topic	Cable Optionality Area 3 – Option 1	Cable Optionality Area 3 – Option 2
Historic Environment	Option 1 would result in one short section of the cable installation works being visible in views from the Blenheim Palace World Heritage Site. This is confined to the area south of Heath Lane (Bladon) and to the northwest of Bladon Heath. Here the cable works would need to route to the north of a hedgerow as that provides existing openings for the cable to pass through. Routing of the cable to the south of this hedgerow would reduce the visibility of the cable installation works in views from the Blenheim Palace World Heritage Site, but would introduce a requirement to use trenchless technology (HDD) in order to avoid removal of vegetation. This would result in disproportionate effects on other environmental topics and on residents along Heath Lane. The cable route option is located almost 2 km from Blenheim Palace and the works required for the cable installation would be very short-term. Any impacts on the Blenheim Palace World Heritage Site as a result of	Option 2 is preferred over Option 1 from a historic environment perspective as it avoids impact on views from Blenheim Palace. The option area passes through a small area identified through surveys as being of archaeological interest. This is in the area between Bladon Heath and Begbroke Wood and would be subject to further investigation during detailed design. Where required, the option area allows for the avoidance this area.

Topic	Cable Optionality Area 3 – Option 1	Cable Optionality Area 3 – Option 2
	this temporary change within its setting would be negligible.	
Landscape and Visual Impact Assessment	Construction would be within close proximity to Bladon Heath and Burleigh Woods for a period of between 6-8 weeks and cables hidden underground. Disruption in views would be temporary.	Construction would be within close proximity to Bladon Heath and Burleigh Woods for a period of between 6-8 weeks and cables hidden underground. Disruption in views would be temporary.
Ecology and Nature Conservation	No designated ecology features affected. Removal of hedgerow in northern section of the Option area to allow cable to pass onto Cassington Road.	Hedges would be affected between crossing of agricultural fields.
Hydrology and Flood Risk	No hydrology and flood risk effects.	No hydrology and flood risk effects.
Ground Conditions	Potential for presence of underground infrastructure, especially when passing along the Cassington Road and Burleigh Road.	Potential for presence of underground infrastructure.
Traffic and Transport	Potential disruption of vehicular access along Cassington Road and Burleigh Road. The HDD is specifically designed to allow the cable to traverse this busy road without surface disruption, avoiding open-cut trenching that would otherwise require road closures or diversions.	Avoid disruption of vehicular access along Cassington Road and HDD.
Noise and Vibration	Temporary adverse impacts due to construction noise and vibration are likely at dwellings north of Bladon Heath, Burleigh Lodge and Burleigh Farm which is located at the southern connection point. Therefore, this option is anticipated to result in a greater number of adverse impacts in terms of the construction noise and vibration compared to Option 2.	This Option avoids works close to residential properties. Therefore, no adverse construction noise and vibration impacts are anticipated from this Option.
Climate Change	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.
Socio Economics	No socio-economics effects anticipated.	No socio-economics effects anticipated.
Human Health	No human health effects anticipated.	No human health effects anticipated.
Agricultural Land Use and Public Rights of Way	Option 1 covers a greater length over that of Option 2 of agricultural land requiring excavation and handling of soils. The Outline Soil Management Plan (Appendix C of the Outline Code of	The length of agricultural land requiring open trenching is less that for Option 1. HDD is proposed to the south of Bladon Heath and would pass under a hedgerow and the root zone of a veteran tree. Open

Topic	Cable Optionality Area 3 – Option 1	Cable Optionality Area 3 – Option 2
	Construction Practice [**REP3-030**]) identifies that soil survey work would be undertaken to determine the topsoil and subsoil resources that would be affected within these areas to ensure that appropriate soil handling measures will be implemented within these areas. Potential diversion for footpath users along Cassington Road.	trenching for this section is therefore avoided. The Outline Soil Management Plan (Appendix C of the Outline Code of Construction Practice [**REP3-030**]) identifies that soil survey work would be undertaken to determine the topsoil and subsoil resources that would be affected within these areas to ensure that appropriate soil handling measures will be implemented within these areas. Potential diversion for footpath users along Cassington Road.
Waste and Resources	No waste and resources effects anticipated.	No waste and resources effects anticipated.
Air Quality	No air quality effects anticipated.	No air quality effects anticipated.

Engineering Assessment

Cable Route option	Cable Optionality Area 3 – Option 1	Cable Optionality Area 3 – Option 2
Cable Length	Approx. 3.16km	Approx. 2.3km
Number of Cable turns (≥45°)	Approx. 12	Approx. 10
Crossing roads or Railways	None	Yes
Nearby Utilities (water/gas/elec)	Water utility, Electricity and telecom Openreach	None
Access Restrictions / Easements	None, the farm land is owned by a Blenheim Trust	Easement Agreement negations on going with The Warden and Scholars of the House or College of Scholars of Merton in the University of Oxford.
Trenchless Sections HDD needed	One	One if needed to avoid veteran tree
Engineering Constraints	Narrow installation corridor accommodating 2 × 275 kV cables and 4 × 33 kV cables, with associated thermal and clearance constraints.	None at current stage

Land Status – Cable Optionality Area 3

<u>Option 1</u>

2.3.7 The land over which this route is located is owned by the Blenheim Landlords.

2.3.8 The Applicant has entered into Option and Lease Agreements with the Blenheim Landlords which enable the Applicant to use their land for cable and access

roads, amongst other things. The Applicant is discussing a Deed of Variation with the Blenheim Landlords which will capture land areas 11 and 12 (shown on Inset 10) which were not included in the original Option Agreement. The Applicant does not require any further separate easement agreements.

Option 2

2.3.9 The land over which this route is located is a combination of land owned by The Blenheim Landlords and The Warden and Scholars of the House or College of Scholars of Merton in the University of Oxford.

2.3.10 The Applicant has entered into Option and Lease Agreements with the Blenheim Landlords which enable the Applicant to use their land for cable and access roads, amongst other things. Therefore, the Applicant does not require any further separate easement agreements.

2.3.11 The Applicant has not yet entered an arrangement with The Warden and Scholars of the House or College of Scholars of Merton in the University of Oxford. The Applicant is in negotiations with the landowner and expects to agree an easement during Examination.

Need for optionality

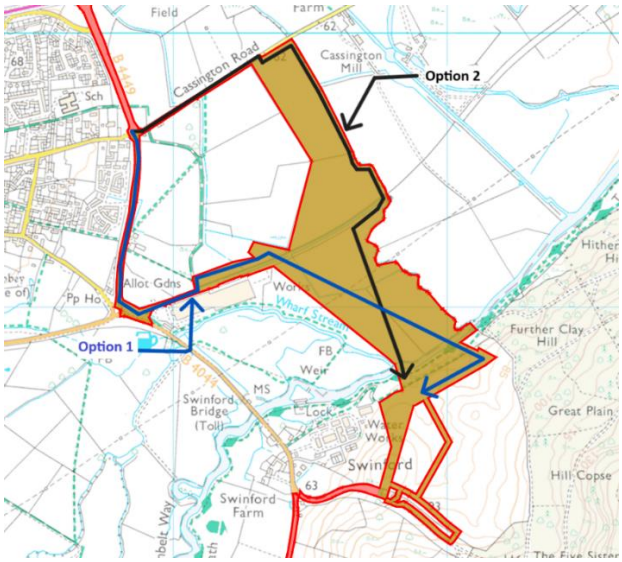
2.3.12 The key benefit for Option 1 is that the Applicant does not expect to rely on compulsory acquisition powers unless as a fallback in the event of non-compliance with the various agreements with the Blenheim Landlords, whereas at the moment an agreement with the landowner for Option 2 has not yet been secured. Therefore, from a landowner perspective, Option 1 is preferable.

2.3.13 However, from an environmental and engineering perspective, Option 2 is a strong preference because it is able to follow the eastern perimeter of Bladon Heath, tracking the woodland boundary before continuing west into the central site. This would, amongst other things, avoids impact on views from Blenheim Palace and avoid the technical challenge of the narrow installation corridor inherent with Option 1 including the associated thermal and clearance constraints. The inclusion of Option 2 is therefore necessary to give certainty as to the successful delivery of the Project and aligns with the Project's approach to minimize or avoid environmental harm, which supports a compelling case in the public interest for powers over Option 2 to be granted.

2.3.14 The continued inclusion of both Options 1 and 2 is therefore necessary at this stage to balance public interest with private loss, in accordance with the CA Guidance. It is in the public interest to retain optionality at Option 2 because of the greater engineering certainty and preferable environmental position. In any event, the Applicant continues to engage with the landowner on terms more favourable than would be received by way of statutory compensation and therefore the Applicant's intention remains for any compulsory acquisition powers to only be available as a fallback in any case. However, the Applicant recognises that if a land agreement is not reached for Option 2 and additional environmental and technical surveys demonstrate that Option 1 can be delivered with certainty, then optionality for Option 1 may become preferable and therefore remains necessary.

2.4 Cable Optionality 4 - Land between the Central and Southern Sites east and south of Eynsham around the Swinford Bridge

2.4.1 There are broadly two cable route options in this area as shown in Figure 5.5 [**APP-123**] and Inset 12 below.

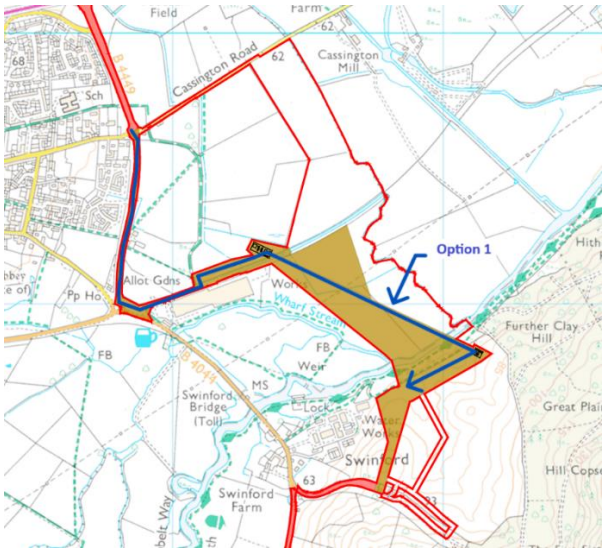


Inset **12**: Cable Optionality 4 - Land between the Central and Southern Sites east and south of Eynsham around the Swinford Bridge

Option 1:

2.4.2 This cable route option (as shown in Figure 5.5A-5.5D and Inset 13) follows the B4449 southward, turning onto Wharf Road to pass along the eastern boundary of the Siemens site before crossing the River Thames via Horizontal Directional Drilling (HDD).

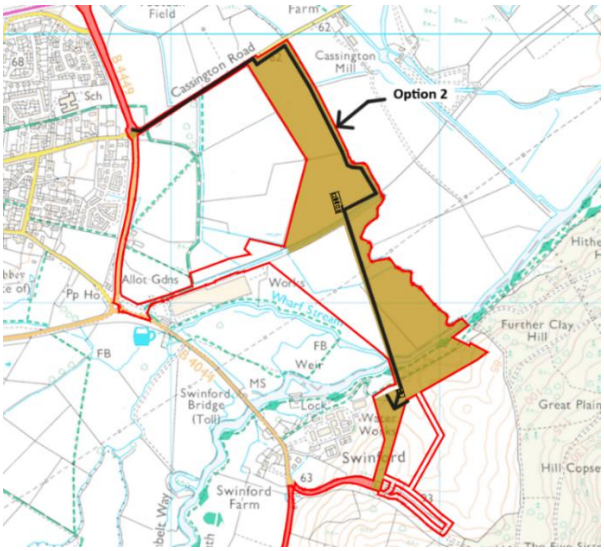
2.4.3 Note, as part of its Change Request 2 Notification [**REP2-045**], the Applicant is proposing to reduce the area required along Wharf Road following feedback from Siemens Healthcare Limited. This demonstrates the Applicant's willingness to reduce the powers being sought where land is no longer needed to facilitate the development. An alternative route for the cable is facilitated through the remainder of Option 1, by routing north before the gated area and running parallel in an adjacent parcel of land. Final details of the redline reduction will be set out in the formal change application.



Inset 13: Cable Optionality 4 - Option 1

Option 2:

2.4.4 This cable route option (as shown in Figure 5.5E-5.5H and Inset 14 below) runs through Cassington village along Cassington Road, where it must cross three existing culverts each requiring an HDD installation before continuing north to cross the River Thames via a fourth HDD.



Inset 1415: Cable Optionality 4 - Option 2

Environmental Assessment

2.4.5 Environmental assessments have been considered in relation to each cable corridor option. The table below highlights whether any environmental effects for any given topics have been identified.

Topic	Cable Optionality Area 4 – Option 1	Cable Optionality Area 4 – Option 2
Historic Environment	The Applicant has geophysical survey data for the land north of Wharf Road and it does not show anything of interest – it appears as though this land has been previously disturbed so maybe there was some small-scale extraction here.	The Applicant has geophysical survey data for the land north of Wharf Road and it does not show anything of interest – it appears as though this land has been previously disturbed so maybe there was some small-scale extraction here.
Landscape and Visual Impact Assessment	Temporary effects and construction. Small loss of hedgerow assumed to be replaced. This is a better option in LVIA terms, due to less hedgerow removal, less plant during construction, and therefore less effect on landscape character and possible visual effects.	Temporary effects and construction. Small loss of hedgerow assumed to be replaced. HDD on Cassington Road would have a greater visual effect during construction, more plant etc. Though not materially different to those effects already assessed.
Ecology and Nature Conservation	Option 1 avoids disturbance to field land and hedgerows south of Cassignton Road. Instead, the route passes south on the B449 and east on Wharf Road and thereby reduces impact on ecological receptors. Both Option 1 and Option 2 allow for HDD under the flood meadow and River Thames and there is no difference in effects associated with this section of the cable route option.	Option 2 requires hedgerow removal in the land south of Cassington Road up to the HDD compound. Both Option 1 and Option 2 allow for HDD under the flood meadow and River Thames and there is no difference in effects associated with this section of the cable route option.
Hydrology and Flood Risk	Option 1 is located in Flood Zone 3/2 (medium and high flood risk), in a flood warning/alert area. Very low to low surface water flood risk and there reservoir flood risk Crosses one drainage ditch, partially in an area of historical flooding	The cable route along Cassington Road would require HDD to pass under drainage culverts.
Ground Conditions	This Option follows along the established B4449 and Wharf Road. This B4449 lies at the western extant of the Mineral Resource Area and the works would not prevent or constrain any future extraction of minerals in this location. HDD under the area east of Siemens land passes under flood meadow and is common to both Option 1 and Option 2. Extraction of minerals in this location is considered unlikely but may be constrained during operation and post-decommissioning where cabling is left in place.	This Option passes eastwards along Cassington Road before heading south within open field land towards the HDD compound. The cable route passes inside of the mineral resource area and would constrain future extraction if intended. HDD under the area east of Siemens land passes under flood meadow and is common to both Option 1 and Option 2. Extraction of minerals in this location is considered unlikely but may be constrained during operation and post-decommissioning where cabling is left in place.

Topic	Cable Optionality Area 4 – Option 1	Cable Optionality Area 4 – Option 2
Traffic and Transport	Potential to install the cable within the verge or footway which would retain two-way vehicle movement along Wharf Road, however, may require on-street car parking to be temporarily suspended to maintain pedestrian provision safely. If cables were installed within the carriageway, one lane of Wharf Road might need to be temporarily closed, however, traffic movement could be maintained, on-street car parking may have to be temporarily suspended depending upon the precise location of the cables, whilst pedestrian provision could be retained.	Expected to require a closure of Cassington Road to facilitate HDD compounds. Given the cul-de-sac nature of Cassington Road, this would close vehicular access to the residential properties and businesses along it as well as Eynsham Cricket Club. Emergency vehicle access would not be able to be maintained.
Noise and Vibration	Temporary adverse impacts due to construction noise and vibration are likely at dwellings east of the B4449 and the Siemens factory along Wharf Road. However, no material difference in terms of the potential construction noise and vibration impact between the two-cable route options.	Temporary adverse impacts due to construction noise and vibration are likely to users of and a farm along Cassington Road. However, no material difference in terms of the potential construction noise and vibration impact between the two-cable route options.
Climate Change	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.	The quantities assessed for cables, set out in Table 14.9 in the ES [**REP3-016**] is considered to provide the worst-case assumption across all options.
Socio Economics	No socio-economics effects anticipated.	No socio-economics effects anticipated.
Human Health	No human health effects anticipated. The population health effects would be most influenced by the Traffic and PRoW differentials. Option 1 looks more likely to cause some additional congestion or disruption (including potential rat runs through Eynsham village) to the toll road route, which is already constrained and of concern to local communities. Most likely this could be mitigated in Transport terms to avoid any significant effects. Similarly, the additional PRoW disruptions would be of concern to local communities, a sensitive topic already, but could likely be mitigated with appropriate diversions.	No human health effects anticipated. The population health effects would be most influenced by the Traffic and PRoW differentials. Option 1 looks more likely to cause some additional congestion or disruption (including potential rat runs through Eynsham village) to the toll road route, which is already constrained and of concern to local communities. Most likely this could be mitigated in Transport terms to avoid any significant effects. Similarly, the additional PRoW disruptions would be of concern to local communities, a sensitive topic already, but could likely be mitigated with appropriate diversions.
Agricultural Land Use and Public Rights of Way	The length of agricultural land requiring open trenching is less than Option 1. HDD is proposed to the south of Bladon Heath and would pass under a	The length of agricultural land requiring open trenching is less than Option 1. HDD is proposed to the south of Bladon Heath and would pass under a hedgerow and the root

Topic	Cable Optionality Area 4 – Option 1	Cable Optionality Area 4 – Option 2
	hedgerow and the root zone of a veteran tree. Open trenching for this section is therefore avoided. The Outline Soil Management Plan (Appendix C of the Outline Code of Construction Practice [**REP3-030**]) identifies that soil survey work would be undertaken to determine the topsoil and subsoil resources that would be affected within these areas to ensure that appropriate soil handling measures will be implemented within these areas. Potential diversion for footpath users along Cassington Road.	zone of a veteran tree. Open trenching for this section is therefore avoided. The Outline Soil Management Plan (Appendix C of the Outline Code of Construction Practice [**REP3-030**]) identifies that soil survey work would be undertaken to determine the topsoil and subsoil resources that would be affected within these areas to ensure that appropriate soil handling measures will be implemented within these areas. Potential diversion for footpath users along Cassington Road.
Waste and Resources	No waste and resources effects anticipated.	No waste and resources effects anticipated.
Air Quality	No air quality effects anticipated.	No air quality effects anticipated.

Engineering Assessment

Cable Route option	Cable Optionality Area 4 – Option 1	Cable Optionality Area 4 – Option 2
Cable Length	Approx. 2.15km	Approx. 2.19km
Number of Cable turns (≥45°)	Approx. 3	Approx. 4
Crossing roads or Railways	No	Yes
Nearby Utilities (water/gas/elec)	Gas utility/Electricity/Telecom Openreach / Water Utility	Gas utility/Telecom Openreach / Water Utility
Access Restrictions / Easements	Easement agreement required with Siemens Healthcare Limited, the Eynsham Consolidated Charity and Smith & Sons (Bletchington) Limited. Highway easement is included in OCC Highways Permit scheme.	Easement agreement required with Smith and Sons, Easement agreement is included in OCC Highways Permit scheme
Trenchless Sections HDD needed	One	Four
Engineering constraints	None at current stage	3 culverts on Cassington Road, need for HDDs

Land Status – Cable Optionality Area 4

Option 1

2.4.6 The land over which this route is located is formed of land owned by Siemens Healthcare Limited, the Eynsham Consolidated Charity, Smith & Sons (Bletchington) Limited, and the public highway.

2.4.7 The Applicant has not yet entered an arrangement with Siemens Healthcare Limited, the Eynsham Consolidated Charity, or Smith & Sons (Bletchington) Limited. The Applicant expects to agree an easement with each party during Examination. Discussions are continuing with all three parties, and positive meetings have been held. With regard to land owned by Siemens Healthcare Limited, changes proposed as part of the Applicant's upcoming Change Request 2 will reduce the area over which a voluntary agreement is required, and the Applicant is hopeful this will allow discussions to progress to an agreement during Examination. With regard to Eynsham Consolidated Charity and Smith & Sons (Bletchington), negotiations are progressing and a voluntary agreement is expected to be reached during Examination.

2.4.8 The use of the public highway allows the cables to be laid pursuant to the street works powers under Part 3 of the DCO and in accordance with the Permit Scheme.

Option 2

2.4.9 The land over which this route is located is formed of land owned by Smith & Sons (Bletchington) Limited, and the public highway.

2.4.10 The Applicant has not yet entered an arrangement with Smith & Sons (Bletchington) Limited. The Applicant expects to agree an easement during Examination.

2.4.11 The use of the public highway allows the cables to be lay pursuant to the street works powers under Part 3 of the DCO and in accordance with the Permit Scheme.

Need for optionality

2.4.12 Option 1 avoids residential areas and public roads through Cassington, instead of routing through open agricultural land. While it intersects Public Right of Way (PRoW) 206/23/30, a temporary diversion is possible using an existing field gap with no hedgerow loss. Environmentally, the corridor is relatively unconstrained: it avoids Flood Zone 3 for the most part, has no significant archaeological sensitivity north of the Siemens boundary, and requires only one HDD at the Thames. Although it may introduce short-term traffic management around Wharf Road (e.g., temporary parking suspensions), it preserves two-way traffic and avoids full closures. From a land use perspective, it bypasses key agricultural land near Mead Lane, offering an additional advantage.

2.4.13 While Option 2 avoids affecting PRoWs, it introduces a series of technical and logistical challenges. The route lies entirely within Flood Zones 2 and 3 and has a history of flood alerts, increasing construction complexity. Due to the narrow width of Cassington Road, all HDD activities would likely require full road closure, significantly impacting local residents, businesses, and users of the adjacent cricket club. This alignment also entails a higher number of hedgerow removals and interactions with drainage features. Although it may slightly reduce vehicle

diversion impacts on Eynsham and the toll road, the construction footprint and traffic disruption within Cassington are more severe.

2.4.14 Necessary surveys for Option 1 include geotechnical investigations for HDD, ecological assessments, utility mapping, and limited archaeological trenching (if required). Whereas, Option 2 requires an extensive set of surveys including four separate HDD feasibility studies, traffic management planning, utility and ecological mapping, and drainage modelling.

2.4.15 Overall, Option 1 is the shorter and less complex route, with fewer construction risks and reduced impact on the local community. Option 2 is more costly, more disruptive, and less preferred in engineering and environmental terms. However, the Applicant is unable to commit to Option 1 at this stage because voluntary landowner agreements have not yet been entered for either route. In recognition of the need to balance the public interest against private loss, in accordance with the CA Guidance, the continued inclusion of both Options 1 and 2 is necessary at this stage to allow landowner agreements to progress in parallel to the additional surveys for each option. This will allow the developer to make a more informed decision post-consent (or earlier if landowner agreements and surveys are completed sooner) that ensures the chosen route is in the most suitable location on land which minimise or avoids environmental harm; has certainty of delivery of the Project; and balances the public benefit of the delivery of this critical national priority infrastructure with the potential private loss that may arise in absence of voluntary agreements.

3 Concluding remarks

3.1 Benefits of optionality

3.1.1 At this stage of the design process, it would be against the principles of national policy and the CA Guidance for the Applicant to commit to a specific cable corridor option. This is because, as supported by section 2, the optionality being sought is necessary to give certainty that the Project can be delivered and in a way which best balances the ability to minimise or avoid environmental harm in accordance with national policy, with the need to balance private loss and public benefit under the CA Guidance.

3.1.2 By retaining the optionality, landowner negotiations for all options can continue to seek to reduce potential private loss, whilst retaining the same potential public benefit from the Project (i.e. the delivery of significant renewable energy to the National Grid). Also, by retaining optionality, the Applicant is able to carry out additional environmental and engineering feasibility investigations post-consent (if required), to identify a route which can minimise or avoid environmental harm. This continued optionality not only secures certainty of delivery of the Project but will allow the final cable route to be chosen based on a holistic set of information that will be available for each cable corridor option. This will ensure that the cable route will be delivered in the most suitable location that best meets the tests under the Planning Act 2008, national policy and the CA Guidance.

3.1.3 NPS EN-1 recognises at paragraph 4.3.11 that, in some instances, it may not be possible for all aspects of a project to be settled. In this report the Applicant has explained why this is the case for the Project's cable corridor options but continues to provide assessment to allow an appropriate route to be selected in due course. This approach is consistent with achieving good design, as set out in NPS EN-1 at paragraph 4.7.2 and 4.7.3 where it states:

"Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation...", and

"Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise...."

3.1.4 Through the legal controls set out in section 3.2 below, there is no additional harm or risk in facilitating the optionality being sought. However, limiting the optionality at this stage would unnecessarily increase the risk of delivery, and/or increase the risk of delivering the cable route being delivered in an environmentally less suitable location, and/or increase the risk of the need to exercise compulsory acquisition powers that may have otherwise be avoided .

3.2 Legal controls

3.2.1 In accordance with section 122 of the Planning Act 2008, each cable corridor option must remain available as each option is required for the development to which the development consent relates or is at least required to facilitate or is incidental to that development. This is supported by section 2 of this report, which

explains the necessity for retaining flexibility for each cable corridor option at this stage of the design process. This position will remain the case until landowner negotiations have concluded, or greater environmental or technical detail is known. There is also a compelling case in the public interest for the land to be acquired compulsorily to ensure delivery of the Project as a Critical National Priority piece of infrastructure. This compelling case is explained in more general detail in the Statement of Reasons [**AS-015**].

3.2.2 In accordance with the CA Guidance, the inclusion of each cable corridor options is an example of the proper management of the potential risks or impediments that may arise when implementing the Project. Where there is a threat to the delivery of the Project for one option due to a potential engineering constraint (for example), the availability of an alternative option is essential even if compulsory acquisition powers would need to be exercised. Conversely, where later engineering or environmental surveys may be able to support the feasibility of a technically challenging option which has the necessary land rights secured, this offers a necessary alternative to another option where compulsory acquisition powers would need to be exercised. It is a combination of the various factors across all disciplines which must be considered in the decision-making process to balance any potential private loss and public benefit under the CA Guidance. Where there is outstanding uncertainty when considering an option in-combination of its environmental, technical and legal (i.e. landowner) considerations, optionality is essential for this Project as a Nationally Significant Infrastructure Project to give certainty as to the delivery of the infrastructure which is deemed critical national priority under national policy.

3.2.3 In light of the above, the Applicant recognises that increased optionality broadens the scope of compulsory acquisition powers being sought. As a result, there would be an increased number of landowners subject to compulsory acquisition powers post-consent. To manage this whilst recognizing the need for the optionality, the Applicant has updated the outline Code of Construction Practice to include an obligation on the undertaker to provide notice of its selected cable corridor option to the relevant planning authority and landowners of the selected option and discarded option(s) prior to the commencement of Work No. 4 (cable works). This ensures that each relevant planning authority and landowners are aware of the continued necessity of its land (or not) before the works are carried out. This ensures that the principles which are protected under the CA Guidance are respected post-consent.

3.2.4 Moreover, the powers of the DCO are inherently limited so that even if compulsory acquisition powers are granted over the full cable corridor options, they may not be exercised in full over all of the cable corridor options. Article 22 (Compulsory acquisition of rights) – which gives the undertaker the power to acquire the rights for the cable route – restricts the Applicant to acquiring the rights only for the purpose for which they are sought. This purpose is as set out in Article 19, namely where required for the authorised development or to facilitate, or as is incidental, to it. Therefore, there would be no justification and in fact no power, for the Applicant to use its compulsory acquisition powers to take more than is needed for those purposes irrespective of the scope of CA powers granted. In other words, once the Applicant has certainty of the cable route that is required to deliver the authorised development and what cable corridor options are no longer

necessary to deliver the Project, the Applicant would not be able to exercise compulsory powers over the superfluous cable corridor options.

3.2.5 This approach of securing a broad range of compulsory acquisition powers over an area of potential cable route that is wider than ultimately will be required for the delivery of a solar DCO project, is analogous to the standard and precedented approach taken for cable routes on other energy DCO projects, where compulsory acquisition powers are sought (and routinely granted) over a wide area of potential cable route, with the ultimate exercise of those compulsory acquisition powers only exercisable over a narrower area of land which is subsequently deemed sufficient for the development following additional surveys and investigations. This approach retains the necessary flexibility post-consent to allow the working width and ultimate cable placement to be over a narrower and most suitable area, whilst ensuring the ability to exercise those powers is limited.