



Botley West Solar Farm

Applicant's Responses to other D4 Submissions and
comments on Interested Parties' Responses to ExA's
Second Written Questions (ExQ2) Submitted at D4

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Approval for issue

Jonathan Alsop

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Contents

1	Introduction.....	1
1.1	Purpose of this Document	1
1.2	Structure of this document	1
2	Applicant's Responses to Representations provided at Deadline 4	4
2.1	Local Authorities and Statutory Consultees	4
2.2	Non-Statutory Consultees	32
2.3	Public / Landowner	50

Tables

Table 1.1:	List of Interested Parties that submitted Representations at Deadline 4	2
Table 2.1:	Applicant's Responses to Representations provided at Deadline 4 – Local Authorities and Statutory Consultees	4
Table 2.2:	Applicant's Responses to Representations provided at Deadline 4 – Non-Statutory Consultees	32
Table 2.3:	Applicant's Responses to Representations provided at Deadline 4 – Public / Landowner	50

1 Introduction

1.1 Purpose of this Document

- 1.1.1 The purpose of this document is to provide the Applicant's response to submissions made by interested parties at Deadline 4 of the Examination and provide comments on Interested Parties' Responses to ExA's Second Written Questions (ExQ2) Submitted at Deadline 4.
- 1.1.2 The Development Consent Order (DCO) application for Botley West Solar Farm (the Application) was submitted on 14 November 2024 and accepted for Examination on 19 December 2024. Deadline 1 of the Examination was on 4 June 2025, Deadline 2 was on 1 July 2025, Deadline 3 was on 22 July 2025 and Deadline 4 on 22 August 2025.
- 1.1.3 Two further documents are provided in response to the Examiners Second Questions (ExQ2).
- Applicants Response to comments on ExQ2 - Landscape and Visual Clarification Note [EN010147/APP/15.3];
 - Applicants Response to ExQ2.6.12 [EN010147/APP/15.4]; and
 - Applicant's Comments on the Host Authorities Response to Question 2.7.4 (as set out in Annex 1 of REP4-074) [EN010147/APP/15.5].
- 1.1.4 This document also provides the Applicant's comments on the responses made by Interested Parties to the Examining Authorities Second Written Questions (ExQ2) submitted at Deadline 4.
- 1.1.5 The Applicant has not responded to questions posed to specific Interested Parties, apart from clarifications provided on some questions. However, the Applicant will continue to review further submissions at each Examination deadline.
- 1.1.6 The list of Interested Parties' that submitted representations at Deadline 3 are set out in **Table 1.1** below
- 1.1.7 A total of 96 submissions were submitted to the Examination at Deadline 4. 40 of these were from the Applicant, with 56 being from Interested Parties.

1.2 Structure of this document

- 1.2.1 This document provides a response from the Applicant to Written Representations submitted at Deadline 1 and is structured as follows:
- Table 2.1: Applicant's Responses to Representations submitted at Deadline 4 – Local Authorities and Statutory Consultees
 - Table 2.2: Applicant's Responses to Representations submitted at Deadline 4 – Non-Statutory Consultees
 - Table 2.3: Applicant's Responses to Representations submitted at Deadline 4 – Public/Landowner
- 1.2.2 Submissions received by Interested Parties are presented as verbatim text (unless it has been more appropriate to summarise) and are then responded to by setting out the Applicant's position on the matter at the time of writing.
- 1.2.3 To increase the conciseness of this document similar points have been grouped together and summarised. The reference number column in the tables below refers to the reference given to the submissions made by Interested Parties.
- 1.2.4 The documents submitted with the Application are also referenced in this document, using the reference number [APP/x.y], where the last three numbers are the application document number,

as set out in the Examination Library. All documents are also presented in numerical order in the Guide to the Application **[REP4-002]**.

Table 1.1: List of Interested Parties that submitted Representations at Deadline 4

Examination Reference Number	Interested Party
REP4-041	Oxfordshire Host Authorities
REP4-042	Begbroke and Yarnton Green Belt Campaign (BYG)
REP4-043	Begbroke and Yarnton Green Belt Campaign (BYG)
REP4-044	Begbroke and Yarnton Green Belt Campaign (BYG)
REP4-045	Cumnor Parish Council
REP4-046	Cumnor Parish Council
REP4-047	Michael Field
REP4-048	Roderick and Christine Cooke
REP4-049	Stuart Brooks
REP4-050	Colin Hewetson
REP4-051	James Robertshaw
REP4-052	Historic England
REP4-053	Historic England
REP4-054	Cassington Parish Council
REP4-055	Cassington Parish Council
REP4-056	Cassington Parish Council
REP4-057	Cassington Parish Council
REP4-058	CPRE Oxfordshire
REP4-059	Diane Berry
REP4-060	Elizabeth Owen
REP4-061	Environment Agency
REP4-062	Forestry Commission
REP4-063	Forever Fields Community Art Project
REP4-064	Frances Stevenson
REP4-065	Hannes Bergmann
REP4-066	Historic England
REP4-067	John Orme
REP4-068	Josephine Christine Coy
REP4-069	Judith Frances Wardle
REP4-070	Leisa Marie Zabell
REP4-071	Michael Brown

Examination Reference Number	Interested Party
REP4-072	Natural England
REP4-073	Oxford Aviation Services Limited
REP4-074	Oxfordshire Host Authorities
REP4-075	Oxfordshire Host Authorities
REP4-076	Oxfordshire Host Authorities
REP4-077	Penelope Marcus
REP4-078	Roderick and Christine Cooke
REP4-079	Rosemary Lewis
REP4-080	Siemens Healthcare Limited
REP4-081	Dr Lidia Arciszewska and Prof David Sherratt FRS
REP4-082	Oxfordshire County Council
REP4-083	Michael Brown
REP4-084	Roderick and Christine Cooke
REP4-085	Susan Oldfield
REP4-086	Begbroke and Yarnton Green Belt Campaign (BYG)
REP4-087	Cassington Parish Council
REP4-088	Cumnor Parish Council
REP4-089	Harry St John
REP4-090	Layla Moran MP
REP4-091	Roderick and Christine Cooke
REP4-092	Tim Sumner
REP4-093	Stop Botley West Limited
REP4-094	Stop Botley West Limited
REP4-095	Stop Botley West Limited
REP4-096	Stop Botley West Limited

2 Applicant's Responses to Representations provided at Deadline 4

2.1 Local Authorities and Statutory Consultees

Table 2.1: Applicant's Responses to Representations provided at Deadline 4 – Local Authorities and Statutory Consultees

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
REP4-041	Oxfordshire Host Authorities	<p>REP3-066 – 13.4 The Applicant's Response to the OHA's Response to the Rule 17 Letter re Chapter 8 LVIA [PD-009] (Rev 0)</p> <p>OHA remain concerned about the LVIA as covered in previous responses.</p> <p>The Applicant's response covers numerous points and OHA comment specifically on the following:</p> <p>In Section 1.2.14 The applicant states that 'The assessment methodology used within the Botley West Environmental Statement (ES) is based on the DMRB (National Highways, Standards for Highways) as set out in paragraph 4.2.9 of Chapter 4: Approach to Environmental assessment [APP-041]. The two relevant documents published as part of the National Highways Standards are LA104 – Environmental assessment and monitoring (revision 1) (August 2020) and LA107 – Landscape and visual effects (revision 2) (February 2020).' The OHA note that this Guidance is designed for use for Roads and Bridges, which is a different type of development to the proposed Botley Solar Farm. It would seem entirely inappropriate to use DMRB methodology when GLVIA3 is the industry standard for us all and applies to all types of proposed development. Notwithstanding, the significance threshold should be standardised and the same throughout the EIA.</p> <p>1.2.21 states "The height of the proposed hedgerows are shown at 3.5 m in the visualisations. This need not be the case, as the height of the panels is 2.3 m. Where appropriate the hedgerows could be managed to a lower height, e.g. 2.5 m, which would retain long views, if required. Alternative methods of hedgerow establishment can be adopted. These are a matter for detailed design.' As covered in previous responses, Mitigation starts with avoidance, it is not acceptable to leave fundamental issues which have an impact of both landscape character and views to detailed design. This should form part of the LVIA.</p>	<p>The Applicant notes the OHAs' concerns.</p> <p>The use of Design Manual for Roads and Bridges (DMRB) within the Environmental Statement (ES)</p> <p>The Applicant confirms that the methodology used to assess the significance of effects is outlined in Chapter 4: Approach to Environmental Assessment [APP-041]. The matrix used to evaluate the significance of effect has been adapted from the DMRB LA104 (Highways England et al., 2020). The DMRB was devised for linear transport schemes but can be applied to any infrastructure project, including solar farm projects and their associated linear cable routes. The overall significance of an effect is evaluated by considering the magnitude of the impact alongside the sensitivity of the receptor. The categories used in the Botley West ES matrix follow the DMRB guidance which does not use a 'Very large' category for magnitude of impact. The main adaptation to the matrix in DMRB to the matrix used in the Botley West ES is the removal of the 'no change' magnitude of impact column. This is because if there is no change, then the impact is scoped out of the ES so this column is redundant.</p> <p>The work has been completed by competent experts, as required by the EIA Regulations.</p> <p>RPS is an accredited member of ISEP (was IEMA) and holder of its Quality Mark.</p> <p>The Use of the DMRB matrices within LVIA</p> <p>In addition to the above over-arching approach used in the ES, the landscape and visual impact assessment (Chapter 8: Landscape and Visual Resources [PDB-006] defines a High magnitude of impact and Very High sensitivity of receptor as a Substantial significance of effect (vs a Major significance of effect in the other assessments in the Botley West ES), reflecting Landscape Institute Technical Guidance Note 2/19: Residential Visual Amenity (Landscape Institute, 2019), "There needs to be a degree of harm over and above an identified substantial adverse effect to take a case into the category of refusal in the public interest. Changing the outlook from a property is not sufficient."</p> <p>The Applicant and the OHAs are in agreement that the industry standard guidance for LVIA methodology is GLVIA3 and the subsequent technical guidance notes, this includes Landscape Institute Technical Guidance Note 2024-01: Notes and Clarifications of Aspects of Guidelines for Landscape and Visual Impact Assessment- Third edition (GLVIA3 (August 2024) (LITGN-2024-01). This was agreed at a meeting with the OHAs on the 10th June 2025 and is noted as such in the Applicant's SoCG with the individual LPAs (e.g. Table 4.4 of the Statement of Common Ground (SoCG)</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<p>with the Vale of White Horse District Council (VoWHDC) [REP3-059], point 4.4.1).</p> <p>The Applicant cites the DMRB assessment criteria within The Applicant's Response to the OHAs' Response to the Rule 17 Letter [REP3-066] as an illustration of a standard (accepted) methodology and definitions, which are similar to those used by the Applicant (e.g. in the use of one combination of sensitivity or receptor/resources and magnitude of impact leading to a moderate effect). The Applicant's topic authors then modify the DMRB to comply with their industry guidelines and to suit the specific development type, as noted, for Landscape and Visual Resources, in paragraphs 1.2.14 to 1.2.29 of REP3-066.</p> <p>The Applicant refers the OHAs and the ExA to the judgement made by the ExA on the Applicant's methodology at the Mona Offshore Wind Farm Examination in section 2 of the Applicant's Response to the OHA's Response to the Rule 17 Letter [REP3-066] in particular paragraphs 1.2.10 to 1.2.13.</p> <p>EIA and thresholds of significance</p> <p>The Applicant responded to the matter of thresholds in paragraphs 1.1.2 to 1.1.12 of the Applicant's Response to the Rule 17 Letter [REP2-029]. The Applicant has provided further evidence of this in paragraph 1.2.6 of its Applicant's Responses to comments on EXQ2 – Landscape and Visual Resources Clarification Note [EN010147/APP/15.3].</p> <p>Hedgerow Height</p> <p>The Applicant maintains that the height that the hedgerows will be managed to is a matter for detailed design and in liaison with the relevant officers from the LPAs, as it might vary from location to location.</p> <p>The Applicant has provided further information on hedgerow height at the Applicants response – clarified to ExA's Q2 3.2.7 of its Applicant's Responses to comments on EXQ2 – Landscape and Visual Resources Clarification Note [EN010147/APP/15.3].</p> <p>The wording in Appendix C of the oLEMP has been revised and submitted as an updated document to clarify that as a general rule, 3 m would be the approximate height that hedgerows will be maintained at, unless there is a requirement from the LPAs to maintain them at a different height (e.g. to protect important views that they may wish to define). As hedgerows are managed on an annual basis. Maintenance of new and retained hedgerows, including their height, is specified in section 11.3 of the oLEMP which is secured through Requirement 6 of the draft DCO and will be developed in more detail, in liaison with the LPAs, as part of detailed design and the discharge of the Requirements.</p> <p>The Applicant would have the responsibility of ensuring the hedgerows and other 'soft' landscape proposals are maintained. This responsibility is likely to pass onto a separate management company but working to any approved management plan.</p> <p>It should be further noted that a Green Way Plan, which has been produced, in consultation with the OCC Public Rights of Way (PRoW) Officer, is to be submitted by the Applicant at Deadline 5.</p> <p>The purpose of this plan and consultation exercise is to ensure PRoW are returned to their definitive map route / alignment. PRoW routes / corridors are to be 15, in width (including hedgerows)</p>	

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			<p>throughout the Project with natural variation, e.g. through existing retained field gates and entrances where there is an existing pinch point.</p> <p>A compensation package is to be put in place to enable improvements to the offsite PRoW network.</p>	
REP4-041	Oxfordshire Host Authorities	<p>1.2.29 states 'The Applicant's Position – The use of the National Highways Standard significance of effects matrix (DMRB LA104, Table 3.8.1) adapted to reflect LVIA terminology (Table 8.12 of APP-045) is appropriate for the Botley West Solar Farm project.'</p> <p>However, it is noted that on page 15 of the Design 'Manual for Roads and Bridges (DMRB) LA104 (Highways England et al. 2020) guidance NOTE 3 'Significant effects typically comprise residual effects that are within the moderate, large or very large categories.'</p> <p>Therefore, if the LVIA is based on DMRB guidance and their assessment tables reflects those included in this guidance it is not clear why the significance of effects also does not follow the same DMRB guidance and count a moderate effect as significant.</p> <p>The OHA are still concerned that the assessment does not clearly describe how PRoWs are impacted by the proposals and relies on static representative viewpoints whose description is not expanded to illustrate how the viewpoint represents views from that route. Using the southern area as an example, Section 1.4 states 'the representative viewpoints, agreed with the LPAs are as they are named - representative views along certain routes. It is acknowledged that the assessment of the effects on PRoWs does not include detailed section by section descriptions of the change in views along each PRoW or road.' VWHDC has previously covered [REP1-074] that the viewpoints were not fully agreed. The OHA have also expressed concerns in [REP1-072] para 7.3.35, 7.3.43-45 and 7.3.58-7.3.63 about how representative viewpoints are used to represent the effects of the scheme of certain routes.</p> <p>Para 1.4.2 refers to changes in the table being in red text, but red text is not evident in the tables making it difficult to know what changes have been made. Having reviewed tables 1.1 -1.3 the OHA have concerns with the assessments presented in these tables. With regards to Table 1.3 Representative Viewpoints 48, 49, 50, 51 and 53 VWHDC and the OHA still have concerns with these assessments. For example, Viewpoint 49 this viewpoint is looking southwest from footpath 184/22/20 and is assessed at operation stage as Moderate not Significant effect and then Minor not Significant effect at Year 15. However, most of the slopes that can be seen from this viewpoint location will be covered with solar, and the substation area is likely also to be present in the view.</p> <p>Therefore, the moderate not significant effect is underplaying the effect. There is little mitigation vegetation proposed to reduce the significance to minor after 15 years. However, as the footpath travels southwards towards the solar development, the impact will increase.</p>	<p>The Applicant notes the OHA's concerns.</p> <p>The use of DMRB within LVIA</p> <p>Please refer to Applicant's response to the first part of REP4-041 above, in relation to DMRB.</p> <p>The significance of Moderate effects</p> <p>As noted in the Applicant's response to REP4-041, above, the Applicant and the OHAs are in agreement that the industry standard guidance for LVIA methodology is GLVIA3 and the subsequent technical guidance notes, this includes LITGN-2024-01. This was agreed at a meeting with the OHAs on the 10th June 2025 and is noted as such in the Applicant's SoCG with the individual LPAs (e.g. Table 4.4 of the Statement of Common Ground (SoCG) with the Vale of White Horse District Council (VoWHDC) [REP3-059], point 4.4.1).</p> <p>The Applicant has explained previously (e.g. at paragraph 1.1.10 of REP2-029) that LITGN-2024-01 provides guidance on 'Moderate' significance of effects at question/matter 3(5) "...<i>moderate effects may or may not be significant and justification would be needed in the methodology or receptor assessment as to whether a moderate effect is significant or not.</i>" The Applicant has repeated its position in its Applicant's Responses to comments on EXQ2 – Landscape and Visual Resources Clarification Note [EN010147/APP/15.3] that the Landscape Institute's guidance, as set out in LITGN-2024-01, is clear and that stating that all moderate effects should be significant, as the OHA's suggest, would be counter to the Landscape Institute's guidance.</p> <p>The Applicant considered the DMRB guidance on Moderate effects. However, the Applicant noted that the date of the relevant DMRB guidance is 2020 and the date of LITGN-2024-01 is August 2024. The DMRB guidance has been superseded by the Landscape Institute's guidance in LITGN-2024-01.</p> <p>Notwithstanding the Applicant's firm view that it has applied the current (and correct) Landscape Institute guidance when judging the significance of landscape and visual effects, the Applicant has put a scenario to the ExA in paragraphs 1.2.6 to 1.2.11 of Applicant's Responses to comments on EXQ2 – Landscape and Visual Resources Clarification Note [EN010147/APP/15.3] in the light of the guidance in NPS EN-1, paragraphs 1.1.30 to 1.1.33 as well as paragraphs 5.10.5, 5.10.13, 5.10.35 and 5.10.36.</p> <p>Representative Viewpoints</p> <p>The agreed Representative Viewpoints are just that – representative of a view at a certain point. However, visual receptors are not static, and neither are views, they change as a visual receptor moves (e.g. along a PRoW).</p> <p>Table 1.1 of the Applicant's Response to the Rule 17 Letter [REP2-029] provides a detailed breakdown of the impacts experienced by visual receptors at the Representative Viewpoints raised by the ExA and the OHAs. Table 1.2 provides additional information/context for</p>	Landscape_and_Visual_Impacts

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			<p>the judgements made on combining receptor sensitivity with magnitude of impact.</p> <p>Tables 1.1 to 1.3 of the Applicant's Response to the OHA's Response to the Rule 17 Letter [REP3-066] reviewed the magnitude of impact from additional Representative Viewpoints raised by the OHAs, in their response to the Rule 17 Letter. In a similar manner to Table 1.1 of REP2-029, it provides more in-depth information/context of the judgements made.</p> <p>In addition, the Applicant has reviewed the LVIA within Chapter 8: Landscape and Visual Resources [PDB-006]. The effects in relation to PRow routes, in addition to the Representative Viewpoints, have been described in more detail for each route. The revised chapter is to be submitted at Deadline 5.</p>	
REP4-041	Oxfordshire Host Authorities	<p>With regards to Viewpoint 51: View looking northeast from footpath 184/29/10 near Upper Whitely Farm, it is queried if this viewpoint is representative of this footpath route and the views that are available and therefore an appropriate assessment of this route. It is likely the Substation will be visible in views along with solar as the path passes through solar arrays.</p> <p>Viewpoint 53 states that there will be a Moderate not significant effects from this viewpoint 'Mainly due to the vast scale of the landscape within which the proposed development would appear as a subsidiary effect'. VWHDC disagree with this statement, the proposed development would cover most of the middle ground, clearly in contrast to the existing view. This is a representative viewpoint and the footpath travels down the hill to the eastern side of the solar farm and views of the solar farm and the substation would increase. VWHDC also disagree with the assessment that the effects at Year 15 will be minor not significant. As per the other viewpoints covered, mitigation will have limited impact on the viewpoint, due to the level changes and the type and location of mitigation proposed.</p> <p>With regard to table 1.2 no changes appear to have been made for viewpoints 27, 40 and 41, and only minor adjustments are stated for VPs 32 and 38. Viewpoint 32 near Begbroke will become less affected due to the panel removal proposed in the applicant's Change 2 request [REP2-045].</p> <p>Viewpoint 27 in Table 1.2 states that there will be minor adverse not significant effects 'Mainly due to the distance from the viewpoint and the skyline would not change'. The OHA disagree that the magnitude of impact on this viewpoint is only minor as the panels are on a slope and a focus of the view. The assessment does also only take account of one direction of the view although there are also solar panels proposed to the East of this viewpoint, which will add to the impact on users of this public right of way.</p>	<p>Representative Viewpoints</p> <p>The Applicant's updated Landscape and Visual Impact Assessment chapter [PDB-006], has reassessed the agreed representative viewpoints, refer to Appendix 8.5. This has included all the representative viewpoints mentioned within REP-041 by the OHA. The representative viewpoints are just that, they are representative of views available to visual receptors from any given route. The LVIA within Chapter 8 [PDB-006] provides a fuller assessment of effects from the public rights of way.</p> <p>Representative Viewpoint 27 has been reassessed with the magnitude of impact and significance of effect judged to be Low and Moderate/Minor (not significant) respectively. With the nearest solar panels 230m in filtered views and the majority of panels within the view being 500m from the viewpoint. With the skyline above the solar panels remaining. The Applicant's remains of the opinion that the skyline would therefore not change.</p> <p>Effects upon visual receptors at Representative Viewpoint 32 would be greatly reduced due to the proposed layout changes.</p> <p>Representative Viewpoint 38 has been reassessed. The Applicant remains of the opinion that effects would be as identified within REP4-041. Though it is acknowledged that the open aspect of the view would be lost due to the implementation of the Project.</p> <p>Representative Viewpoint 40 has been reassessed. A magnitude of impact of Medium resulting in a Moderate adverse significance of effect at winter Year, which is judged to be significant. It is considered that these effects would reduce over time and not be significant at summer Year 15, although views of some solar panels would remain.</p> <p>Representative Viewpoint 41 has been reassessed with a significance of effect of Moderate adverse and Minor at winter Year 1 and summer Year 15 respectively. The Applicant is of the opinion that neither effect is considered significant, primarily due to the sensitivity of visual receptors (road users).</p> <p>Representative Viewpoint 51 has been assessed and the proposed substation described in the assessment text.</p> <p>Representative Viewpoint 53 has been reviewed, and it is judged that the effects from this location would not be significant as previously stated.</p>	Landscape_and_Visual_Impacts

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			The assessment of landscape and visual effects is supported by viewpoints assessment. Viewpoints are intended to be a representative snapshots of a receptor's experience within a landscape only. A representative viewpoint assessment judges the effects on the views experienced by visual receptors from specific, static viewpoints (agreed with the LPAs), whereas views from along routes, within a landscape, vary. It should be noted that the direction of view chosen by the Applicant was that where the Project would be most visible.	
REP4-041	Oxfordshire Host Authorities	<p>Viewpoint 38 is assessed as moderate/major significant effect during Y1 and Y15 because 'the development would be visible across the fields up to 1.6 km away'. At Y15 effects are assessed as medium not significant because 'The main focus of the view, formed by the distant landform, would be retained' with the mitigation planting. The OHA don't agree with this assessment and consider the impact to be underplayed. This is a representative view of the footpath and users currently experience open panoramic views of the Evenlode valley and its rising landforms and a view of Church Hanborough church when travelling westwards down the slope. Most of the fields in this view will be covered in solar. The photomontage for the year 15 summer view shows mitigation hedge planting on either side of the PRow to block the views of the panels, however, due to the varied landform in this area large areas of panels will remain visible despite the high hedges. Hedge planting on both sides of the footpath is also uncharacteristic in this part of the site and will fundamentally change the character of the local landscape and the views from this footpath when travelling through the landscape.</p> <p>In addition, the photomontage for Y15 does not appear to be accurate as it shows a fence in the centre of the footpath and does not indicate any panels on the west side of Lower Road, although they would be visible on the left side of this view.</p> <p>Viewpoint 40 assesses the view from the edge of Cassington considers effects to be minor, not significant "Mainly due to the development being set back from the viewpoint and the skyline would not change". The OHA considers the impact on residents and recreational users to be significant. The proposed panels will be seen extending across the flat land around the northwestern side of Cassington, and then gently rising onto the sloping arable land above, beyond an overhead line which runs in the fields to the north of the village. They will occupy the slopes in views from the village and when travelling northwards on PRow 152/6/10. Views from the recreation ground, which adjoins the PRow on the northwestern side of the village have not been assessed, but this recreational open space would be surrounded by panels on three sides. The magnitude of impact on viewpoint 41 north of the village is also considered to be underestimated.</p> <p>To mitigate effect the OHA are of the view that a gap needs to be maintained between Cassington, and the start of the area of panels, so as to respect the landscape setting and character of the village, and the visual amenity of residents and those using the Recreation Ground and the local paths around the village. A narrow gap is proposed at present, but an arc of around 600-750m would enable a more legible set back from the village, approximately following the 70m contour.</p> <p>Regarding the assessment of effects for viewpoints illustrated in Table 1.1, it is apparent that the applicant has upgraded the assessment of effects at year 15 for viewpoints 5b, 23 and 24, with viewpoint 23 recorded as a significant effect. It is interesting that the assessment of effects has increased for these viewpoints, but the OHA still consider that these effects have been downplayed, as illustrated in our Rule 17 letter response [REP2-049].</p>	<p>Accuracy of photomontages</p> <p>Could the OHAs clarify which representative viewpoint this refers to?!, The photomontage of Representative Viewpoint 38 does not have a fence in the centre of the footpath nor is the viewpoint located next to Lower Road. Representative Viewpoint 38 is located on footpath 152/6/10, near Purwell Farm, refer to Figure 8.10 [APP-085]...</p> <p>Views experienced from private properties in Cassington</p> <p>Please refer to the Applicant's response to REP4-093 below, in respect of matters related to RVAA. In addition, the updated Landscape and Visual Impact Assessment (LVIA) [PDB-006] includes an assessment of effects from settlements and residential receptors, including Cassington.</p> <p>Approximately a dozen properties in the central section of Barrow Court are the closest to the Project. Solar panels would be 40 m from the boundaries (rear gardens) of the properties at the closest point. The Applicant notes that the gardens' perimeters are lined by dense vegetation, which would provide differing degrees of screening throughout the year. Therefore, it is likely that if any views were available, they would only be gained from first floor windows. GLVIA3 notes that people are less sensitive to changes in view when that change is viewed from rooms not normally occupied during daylight hours, usually upper floor windows (GLVIA3, paragraph 6.36).</p> <p>Views from the recreation ground to the north of Cassington would be limited due to the intervening vegetation. Viewpoint 40 shows existing, high, mixed species hedgerows along the field boundaries.</p> <p>Landscape character surrounding villages</p> <p>The landscape around Cassington is not nationally, regionally or locally designated. The 'setting' of villages is not a landscape designation, nor is it defined in OHA's Local Plans.</p> <p>The Landscape Character Type (LCT) adjacent to Cassington is Open Rolling Vale Farmland LCT, which has a medium susceptibility to accommodate both wind turbine and solar farm development, according to the Renewable Energy and Low Carbon Energy Assessment and Strategy for West Oxfordshire (Landscape Design Associates, 2016).</p> <p>The Applicant notes that unlike other built development (e.g. residential development) the temporary (NPS EN-3 paragraphs 2.10.65 and 2.10.66) use of the land for solar farming is ultimately and easily reversible as set out in the Applicant's Response to the Rule 17 Letter [REP2-029] paragraphs 1.1.18 and 1.1.19.</p>	Landscape_and_Visual _Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<p>The setting of the Cassington Conservation Area is assessed in ES Appendix 7.5: Settings Assessment (Rev 1) [REP2-014].</p> <p>Assessment of representative viewpoints</p> <p>Please refer to the Applicant's response to REP4-041 above in respect of effects from Representative Viewpoints 27, 40 and 41.</p> <p>The effects on visual receptors at Representative Viewpoints 5b, 23 and 24 have been reassessed. Significance of effect identified from 5b and 23 are judged to be significant at winter Year 1 and summer Year 15, but not significant from 24 due to the transient oblique nature of the view and the small proportion of the view that would be changed.</p> <p>It should be noted that although the assessment of landscape and visual effects is supported by the representative viewpoints alongside the photomontages. Whilst the assessment of visual effects was based on the available views at the agreed representative viewpoints themselves. They are only a representative snapshot of a receptor's experience within a wider landscape. A representative viewpoint assessment judges the effects on the views experienced by visual receptors from specific, static viewpoints (agreed with the LPAs), whereas views from along routes, within a landscape, vary.</p>	
REP4-052	Historic England – ICOMOS Technical Review August 2025	<p>ICOMOS recalls that Paragraph 102 of the Levelling-up and Regeneration Act 2023 introduces a statutory duty relating to the protection of World Heritage properties. Specifically, it mandates that requirement that, when determining planning applications, decision-makers must have “<i>special regard to the desirability of preserving the setting of a World Heritage Site</i>”, in addition to preserving the site itself (page 6).</p> <p>The HIA shows some progress but does not fully address the key concerns outlined in its February 2024 Technical Review. While the HIA follows recognized methodology, the HIA relies on the World Heritage Site Management Plan's predefined list of attributes, without applying an independent methodology for identifying and analysing OUV. It recognizes the property's relationship with its rural setting (Attribute 7 identified in the Management Plan), but does not provide a revision and more thorough inventory of the attributes that contribute to the Outstanding Universal Value, as recommended by ICOMOS in its February 2024 Technical Review.</p> <p>The assessment does not meaningfully explore how the broader landscape setting supports the property's Outstanding Universal Value, including through and use, spatial organization, or cultural associations. It approaches the relationship between the property and its setting primarily in visual and physical terms, focusing on visibility from within the property, topographical screening, and key outward views.</p> <p>There is little consideration of how changes in land use—such as the shift from arable farmland to energy infrastructure over a period of 35-42 years—might affect the legibility or perception of the designed landscape, or how the arrangement of rural villages, approach routes, and their spatial relationship to the estate contribute to the experience of OUV. Similarly, the assessment does not address the symbolic or cultural significance of the setting, such as the Arcadian landscape ideals associated with Blenheim—an issue specifically raised by ICOMOS.</p> <p>The HIA concludes that, because the development is not visible from within the Palace, any impact on OUV will be minor and reversible. However, ICOMOS has stressed that setting should be understood more broadly, incorporating perceptual, cultural, and experiential dimensions. These remain largely unexplored in the November 2024 HIA.</p> <p>A major omission is the absence of a Landscape Character Assessment, which ICOMOS identified as essential to understanding how the wider setting supports OUV. Instead, the HIA describes the surrounding landscape as having “generally low” sensitivity - a judgement ICOMOS explicitly rejects given the site's designed and Arcadian context.</p>	<p>Although the Levelling-up and Regeneration Act was given Royal Assent in October 2023, it contains provisions which are prospective, i.e. ones that will be enacted at some future point in time. Section 102 of the Act as referenced by ICOMOS deals with the duty of regard to specific types of designated heritage asset (including World Heritage Sites) in the granting of planning permission. Section 102 was not in force at the time of Royal Assent; neither the previous Government (who introduced the Act) or the present Government has provided any programme setting out when Section 102 will be enacted. Consequently, the statutory duty claimed by ICOMOS does not exist. As and when Section 102 of the Act is enacted, it comprises the insertion of additional text into Section 58A of the Town and Country Planning Act 1990. The provisions would therefore not apply to applications for Development Consent Orders made under the Planning Act 2008.</p> <p>Without prejudice to that, the Applicant considers that the extensive information, analysis and assessment on heritage issues contained within the ES and the Application documents more generally is sufficient to enable the ExA and the Secretary of State to have special regard to these points. Even if it was concluded that some harm to the setting of the WHS would arise, this must be weighed against the significant public benefits of the Proposed Development to which substantial weight should be given in accordance with the relevant NPSs.</p> <p>ES Appendix 7.4: Heritage Impact Assessment – Blenheim Palace World Heritage Site [APP-141] (the HIA) examines each of the attributes which help to convey the Outstanding Universal Value (OUV) of the World Heritage Site (WHS). These attributes are set out in the Blenheim Palace WHS Revised Management Plan 2017 and as such were subject to considerable consultation with organisations that make up the WHS Steering Group, including Historic England, ICOMOS-UK, Natural England, Oxfordshire County Council and West Oxfordshire District Council. The Steering</p>	Historic_Environment

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>The HIA also fails to assess cumulative impacts. It does not consider how the solar farm, in combination with other nearby developments, might contribute to a gradual erosion of the World Heritage property's setting. Nor does it account for the absence of a buffer zone or explore alternative layouts to reduce harm.</p> <p>In summary, while the HIA incorporates mitigation and avoids direct visual intrusion, it lacks the depth and contextual understanding of setting and landscape character that ICOMOS has advised should inform decision-making.</p> <p>ICOMOS does not agree with the conclusion (in the HIA) that the proposal will lead to a 'minor negative' impact, or 'less-than-substantial harm, and modest in degree' on the OUV of the property.</p> <p>The project must be seen in the context of mounting development pressures around the World Heritage property, as previously outlined in the ICOMOS February 2024 Technical Review on urban expansion. Together, these pressures—urban expansion and the Botley West Solar Farm—constitute a substantial threat to the landscape character and spatial context that support the property's Outstanding Universal Value.</p> <p>ICOMOS does not consider that removing the areas marked 2.1, 2.2, 2.5, and 2.20-2.26 from the development is sufficient to reduce the substantial harm this project will have on the Outstanding Universal Value of the property.</p> <p>In light of the above, ICOMOS concludes that the proposed development, its current form, individually and through cumulation with other proposals in the wider setting of the property, presents a significant adverse impact on the Outstanding Universal Value of Blenheim Palace through a cumulative transformation of its wider rural setting.</p> <p>ICOMOS therefore recommends that the State Party:</p> <ul style="list-style-type: none"> • Commission a Landscape Character Assessment focused specifically on the way in which the wider setting supports the Outstanding Universal Value of Blenheim Palace; • Require a revised and enhanced Heritage Impact Assessment for the Botley West Solar Farm that independently defines attributes of the Outstanding Universal Value, addresses the full range of experiential and cultural dimensions of setting, and integrates the findings of the Landscape Character Assessment; • Undertake a cumulative impact assessment that considers the Botley West Solar Farm alongside other approved or proposed developments in the setting, including recent and planned urban expansions; • Assess the current planning and management system for the property's setting, including the adequacy of policy protections in the absence of a buffer zone, and consider introducing additional safeguards. <p>ICOMOS also recommends that no further decisions on the approval or implementation of the project be taken on the Botley West Solar Farm until the above measures are completed and reviewed, specifically the cumulative impact assessment. The current trajectory of landscape change in the immediate and wider setting of Blenheim Palace suggests a need for a more coordinated and heritage-led response to spatial planning. Without this, the risk to the integrity and authenticity of the property's Outstanding Universal Value will increase.</p>	<p>Group meets annually to review the progress of the action plan designed to protect the attributes that convey the OUV of the WHS.</p> <p>The Applicant does not agree with ICOMOS that the HIA should provide a revised ad hoc inventory of the attributes that convey the OUV of the WHS. This is not something that should reasonably be undertaken by the promoters of a proposed development – the correct way to establish a revised set of attributes is through the next revision of the WHS Management Plan (likely to be in 2027), so that these revised attributes can be established through consultation with relevant organisations including those which make up the WHS Steering Group.</p> <p>The Applicant is preparing a revised HIA which will respond to the points raised by ICOMOS and also other issues raised during the Examination. This revised HIA will also address the proposed changes to the design of the solar farm as set out in the Applicant's Change Request 2 Notification [REP2-045].</p> <p>With regard to the ICOMOS comment that the HIA fails to address cumulative impacts, the Applicant notes that a cumulative effect assessment has been undertaken within ES Chapter 7: Historic Environment [APP-044] and this is summarised within ES Chapter 20: Cumulative Effects and Inter-relationships [APP-057].</p> <p>The Applicant has worked closely with Historic England to reduce potential impacts on the OUV of the WHS as a result of change within its setting, culminating in the proposed removal from the development of any works in certain fields (Fields 2.1, 2.2, 2.5, and 2.20-2.26) where Historic England consider that harm would occur if development were to proceed in the form initially sought.</p> <p>It is therefore disappointing to see that ICOMOS now consider that the proposed development, even in its amended form, would result in 'substantial harm' to the OUV of the WHS. This is certainly not in accordance with the conclusion of the Applicant or indeed Historic England on this matter.</p> <p>It is not clear if ICOMOS are using the term 'substantial harm' in the way that it is used within national planning policy, but in the absence of any such clarity it should be assumed that ICOMOS do intend for the term to be seen in that context.</p> <p>'Substantial harm' (to the significance of a heritage asset) is not defined either in the National Planning Policy Framework (NPPF) where it first appeared in 2012, nor in any of the National Policy Statements. The historic environment section of the web-based Planning Practice Guidance which underpins the NPPF was last updated in July 2019. It states '<i>In general terms, substantial harm is a high test, so it may not arise in many cases</i>'. Case law on this issue has determined that for harm to be substantial, it must be so great that much or all of the significance of the heritage asset is lost.</p> <p>In their Technical Review, ICOMOS do not provide any explanation as to how the proposed development would result in harm to the OUV of the WHS. The OUV is set out in the Statement of OUV (SOUV) which has been adopted by UNESCO. It is based on two of the qualifying criteria for inscription as a WHS:</p> <p>Criterion (ii): <i>By their refusal of the French models of classicism, the Palace and Park illustrate the beginnings of the English Romantic</i></p>	

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<p><i>movement, which was characterised by the eclecticism of its inspiration, its return to national sources and its love of nature. The influence of Blenheim on the architecture and organisation of space in the 18th and 19th centuries was greatly felt both in England and abroad.</i></p> <p>Criterion (iv): <i>Built by the nation to honour one of its heroes, Blenheim is, above all, the home of an English aristocrat, the 1st Duke of Marlborough, who was also Prince of the Germanic Holy Roman Empire, as we are reminded in the decoration of the Great Drawing Room [the Saloon] by Louis Laguerre (1719-20). Like the World Heritage properties Residence of Würzburg and the Castles of Augustusburg and Falkenlust in Brühl, Blenheim is typical of 18th century European princely residences.</i></p> <p>The Applicant does not understand that, in their assertion of 'substantial harm', ICOMOS are really suggesting that the proposed development would result in the total or almost total loss of significance of the WHS, as represented by the criteria established in the SOUV, or otherwise.</p> <p>ICOMOS have set out a number of recommendations within four bullet points. It should be noted that these are predominantly aimed at the State Party rather than the Applicant. Whilst the Applicant is willing to provide appropriate and reasonable assistance to the State Party in regard to these recommendations, it is only the second bullet point to which the Applicant can respond in the form of the revised HIA. Even with this recommendation, it is not possible for the revised HIA to 'integrate the findings of the Landscape Character Assessment' as this latter study is required to be produced by or on behalf of the State Party. The Applicant is not aware of a current intention for the State Party to commission such a study, therefore there is no programme for the production of a report that could be examined by the Applicant and integrated into the revised HIA.</p>	
REP4-053	Historic England	Acknowledged, see response to ICOMOS Technical Review [REP4-052]	This is noted and a response is provided to the ICOMOS Technical Review above.	Historic_Environment
REP4-061	Environment Agency	<p>Q2.4.6 Justification for SF6 The applicant has amended the Outline Layout and Design Principles document to give reasons for not fully adopting an SF6-free development. Do you accept those reasons?</p> <p>Response We understand the switch gear will primarily utilise SF6 free technology. If this is not possible for the 275kV switchgear, we acknowledge the applicant will utilise 'sealed for life' options. Therefore, with regard to climate change, the Environment Agency has no further concerns in relation to this issue at this time.</p>	The Applicant acknowledges and appreciates this response.	Climate_Change
REP4-061	Environment Agency	<p>2.7.5 Consultation The applicant has commented at [REP3-065] that National Highways would be consulted on the final Construction Traffic Management Plan (CTMP) because of an amendment to a paragraph within the outline Code of Construction Practice (CoCP) [ExQ1.7.20]. In a similar vein, the applicant says the Environment Agency would be consulted on the whole CoCP because of a paragraph written into the flood risk assessment [ExQ1.7.27]. This appears to be an unusual and non-standard approach to securing consultation and the ExA strongly suggest the consultees are named on the face of the dDCO. The applicant should update the dDCO accordingly or the consultees (named in this question) should provide written confirmation that the applicant's current approach is acceptable.</p> <p>Response</p>	The Applicant acknowledges and appreciates this response. Revision 5 of the dDCO was updated to include specific mention that approval from the relevant planning authority is to be in consultation with the Environment Agency in respect of flood risk.	Consultation_Process

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
REP4-061	Environment Agency	<p>To confirm, we agree with the ExA's suggestion that the Environment Agency should be named on the face of the dDCO (Schedule 2 Paragraph 11(1)) to ensure we are consulted on the full CoCP.</p> <p>Q2.8.3 Fish and the riverbed The applicant, at [REP3-065], has said that HDD underneath rivers would only see vibration for a period of 2 weeks and therefore vibration impacts would be minimal. Do you accept this, or do you feel fish surveys are necessary?</p> <p>Response HDD induced vibration for a period of 2 weeks could still have impacts on fish and cause an offence under the Salmon and Freshwater Fisheries Act 1975. As there is no known vibration/ noise value for HDD, we request that sensitive periods are avoided in order to protect spawning fish. HDD must not take place during the following dates: <ul style="list-style-type: none"> • 1st Oct to 31 May (inclusive) to protect salmonids • 15 March to 15th June (inclusive) to protect coarse fish During a meeting with the applicant (July 2025), it was agreed that the sensitive periods listed above would be avoided and this would be detailed in the CoCP</p>	<p>This is noted. Further to on-going discussions between the Applicant and the EA, both the oCoCP [REP4-022] and ES Appendix 6.2 - Cable Laying Methodology and Indicative HDD Crossing Locations [REP4-016] were updated at Deadline 4 to account for these sensitive periods to ensure the fish spawning seasons were protected.</p>	Local_Ecology_and_Nature
REP4-061	Environment Agency	<p>Q2.8.11 Monitoring mitigation ExA question to the applicant – What would happen if ecological monitoring found that a greater adverse effect was being had on a species (i.e. bats, breeding bird assemblage) than the ES envisages? What would the mitigation options be and where are they secured? Would panels be removed to lessen the impact? Natural England / Environment Agency – Please provide your comments on this matter and what monitoring would achieve without effective mitigation options being tabled or understood at this point in the DCO process.</p> <p>Response We are unable to provide comments at this time and will endeavour provide an update at Deadline 5.</p>	<p>This is noted. Please refer to Q2.8.11 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p>	Local_Ecology_and_Nature
REP4-061	Environment Agency	<p>Q2.10.2 Flood modelling In relation to the modelling that has been undertaken, the applicant states [REP2-027, page 4]: "While the current model is uncalibrated and excludes some features (e.g., eastern flow route, culverts, urban pipework), it has identified key flood flow patterns and areas of potential mitigation...the modelling outputs have informed initial mitigation concepts." How reliable and robust are the flood mitigation proposals when they have been informed by uncalibrated and incomplete data?</p> <p>Response Hydraulic models are subject to inherent limitations and uncertainties. While these can be reduced through calibration and verification, formal calibration in this case is constrained by the absence of flow and level monitoring on the Cassington Mill Stream and its associated drainage network. In situations where direct calibration is not possible, it is essential to evaluate model reliability through sensitivity testing of key parameters and validation of model outputs against documented historic flood events where information is available. Sensitivity testing helps to assess how assumptions—such as the selection of model parameters—affect model outputs. Where results are highly sensitive to input parameters, the associated uncertainty is greater, which can influence the reliability of any subsequent flood risk management interventions. Conversely, low sensitivity indicates greater confidence in the model outputs. To date, the applicant has undertaken limited sensitivity testing, specifically in relation to culvert sizing, which has been reported to have minimal impact on flood extents and depths. Given the current level of uncertainty in the model results, further sensitivity testing is essential, with particular focus on infiltration losses and surface roughness parameters. At present, the applicant's direct rainfall hydraulic modelling for Cassington has not been reviewed in detail by the Environment Agency. It is noted that the modelling undertaken to date reflects only baseline (existing) conditions and does not incorporate any of the proposed flood mitigation measures outlined in the applicant's Surface Water Modelling Report [APP-172]. While these baseline model outputs have informed some initial intervention concepts, further modelling is required to assess the effectiveness of</p>	<p>This is noted and has been discussed with the Environment Agency that the modelling will be reviewed post-consent upon finalisation of option modelling and refinement of the baseline model.</p> <p>The comment from EA is noted in respect to the review of the flood risk modelling and the requirement for further refinement. Post-consent, the flood risk mitigation measures will be developed in close consultation with the relevant regulatory bodies, including the Lead Local Flood Authority (LLFA) and the Environment Agency (EA), ensuring compliance with all statutory requirements. The EA have requested a review of the modelling upon completion of option modelling, post consent to ensure best practice modelling measures and compliance. The approach to detailed flood risk modelling and mitigation design post-consent is consistent with established best practice for major infrastructure projects.</p>	Hydrology_and_Flood_risk

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		any proposed measures in reducing flood risk and to ensure that no interventions inadvertently increase flood risk elsewhere. We have requested that, once the applicant identifies and tests preferred flood risk management interventions within the hydraulic model, the updated modelling is submitted to both the Environment Agency and the Lead Local Flood Authority for detailed review.		
REP4-061	Environment Agency	<p>2.10.11 Water Supply Strategy</p> <p>It is noted in the Statement of Common Ground (SoCG) submitted at Deadline 3 [REP3-047] that the applicant is proposing to prepare a Water Supply Strategy post consent. Please confirm whether the timing of this strategy is acceptable to the EA.</p> <p>Response</p> <p>It is preferred that a Water Supply Strategy is committed to at the pre-application stage and submitted alongside the Environmental Statement for review.</p> <p>However, preparation of the strategy post consent is proportionate at this stage given the applicant has confirmed that mains water supply and/ or off-site supply (tankering and/ or use of bowsers) is intended to cover all demands.</p> <p>It is the applicant's risk if any demands and supply options are underestimated and any permitting requirements cause delays pre-commencement on this basis.</p>	<p>This is noted.</p> <p>The applicant continues to be engaged with the Environment Agency.</p>	Hydrology_and_Flood_risk
REP4-061	Environment Agency	<p>2.17.4 Landfill cabling</p> <p>With regards to potentially installing underground cabling in close proximity/ through a landfill, has the applicant sought advice from you about how best to approach this and, if so, are there sufficient safeguards in place to give you reassurance that contamination, leachate or release of landfill gases would not occur?</p> <p>Response</p> <p>The applicant is yet engage with the Environment Agency about how best to approach the potential installation of underground cabling in close proximity/ through a landfill. We have the following information and advice to offer at this time.</p> <p>As the landfill (Hensington Cutting Landfill Site) is of an historic nature and is not permitted, the regulation of the site would come under the remit of the relevant Local Authority. However, having looked at the information we do hold it appears that in addition to inert, semi-inert and biodegradable wastes, extensive tipping of asbestos also took place at landfill site, so this would need to be taken into consideration if the waste is disturbed. Any disturbance of the waste could create pathways for contamination/ landfill gas/ leachate to migrate. If the applicant chooses to proceed with the option to drill through the waste mass any arisings would have to be sampled and classified in accordance with WM3 (Waste classification technical guidance - GOV.UK) and disposed of at an appropriately permitted waste site</p>	<p>This is noted. The Applicant will consult with the Local Authority and Environment Agency post completion of ground investigation works on the extent of remedial works/installation methodology. Of note is the oCoCP which states at para 1.10.46 – “Where ground investigation identifies potential risks to sensitive receptors from contamination, a remediation strategy would be prepared and agreed with the Environment Agency/relevant local planning authority prior to its implementation.”</p>	Cable_Routes
REP4-072	Natural England	<p>Q2.8.4 Ammonia Deposition</p> <p>The ExA understand that ammonia deposition is under review between the parties. Provide an update and what steps are being undertaken to avoid, reduce or mitigate the effects.</p> <p>Response:</p> <p>In our answer to ExQ 1 (1.12.2) we stated that ‘There is increasing evidence of the potential impacts from ammonia emissions from road traffic which were not considered when Natural England developed our NEA001 guidance.’. This evidence is currently only preliminary. Natural England have not published updated guidance and we currently advise that NEA001 is used to assess potential impacts from air quality.</p> <p>We advised that a more precautionary assessment may be appropriate for this proposal and shared additional information on the potential impacts of ammonia deposition given the proximity to the AADTthreshold. We understand the applicant is undertaking further work on this topic.</p>	<p>The methods associated with the modelling of air quality impacts have been agreed with Natural England and, as such, the modelling is currently being progressed. It is anticipated that the results of the modelling will be published at Deadline 6.</p>	Local_Ecology_and_Nature
REP4-072	Natural England	<p>Q2.8.9 - Skylarks</p> <p>The Oxfordshire Host Authorities (OHA) and Cassington Parish Council (amongst others) note that the skylark plots to be provided are only intended to provide foraging areas. There is an alleged loss of nesting/ breeding skylark habitat by the proposed development that the interested parties (IP) consider to be adverse. The OHA suggest some 60ha of off-site land needs to be secured and maintained to support</p>	<p>The Applicant's position with respect to skylark is set out in Annex 6: Technical Note on Skylark of The Applicant's Response to ExQ2s [REP4-037] and any mitigation.</p>	Local_Ecology_and_Nature

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		some 228 skylark territories. Provide comment on the request and the need for such mitigation.		
		<p>Response</p> <p>Natural England agree that the provided mitigation plots are only likely to function as foraging areas and not be used for nesting/breeding. We understand that there are areas of archaeological mitigation areas which may also function as skylark breeding habitat.</p> <p>Natural England will not provide bespoke advice on the mitigation requirements for impacted priority species unless they are also a notified feature of a SSSI, MCZ or habitats site or there is a functional linkage.</p>		
REP4-072	Natural England	<p>Q2.8.11 - Monitoring mitigation</p> <p>What would happen if ecological monitoring found that a greater adverse effect was being had on a species (i.e. bats, breeding bird assemblage) than the ES envisages? What would the mitigation options be and where are they secured? Would panels be removed to lessen the impact?</p> <p>Natural England / Environment Agency – Please provide your comments on this matter and what monitoring would achieve without effective mitigation options being tabled or understood at this point in the DCO process.</p> <p>Response</p> <p>As we understand it, there are two separate monitoring requirements proposed: a) generalised monitoring of habitat conditions and b) bespoke monitoring of bat populations.</p> <p>Generalised monitoring should be secured to ensure that the prescribed mitigation habitats are being managed in accordance with the relevant management plans, ensure the grazing regime is adequate or at the correct density, ensure that the hedgerow buffers have been maintained and cut on the appropriate rotation, monitor establishment of relevant vegetation communities etc.. This monitoring and assessment can provide a good indication of whether or not mitigation is likely to be functioning for the target species. It can allow for targeted changes or amendments to the management regimes in order to ensure mitigation is best delivered.</p> <p>Bespoke monitoring of the bat populations is recommended by Natural England. This bespoke monitoring will provide data on how the created 'bat buffers' are being used by the populations. It may help to better understand the impacts of solar installations on bats and may contribute to better understanding of the mechanisms of disruption. We expect that Botley West will act as a case study for solar developments in areas of ecological sensitivity for bats. Given the already collected baseline data, there is an opportunity for high quality analysis of the before and after use of the site by bats, and the effectiveness of the proposed mitigation.</p> <p>Generalised monitoring is common best practice and required for most plans or projects implementing environmental mitigation. The bespoke monitoring is an opportunity afforded to this development proposal given its unique landscape scale mitigation strategy.</p>	<p>The Applicant's monitoring commitments with respect to ecology are set out in section 13 of the oLEMP [REP4-028]. Compliance with the commitments in the oLEMP is secured via Requirement 6 of the dDCO [REP4-004]. The monitoring includes both habitats and species-specific work. With respect to bats, and as discussed with Natural England during recent consultation, this includes monitoring of key flightlines using static bat detectors during spring, summer and autumn. Further details are provided in the bat technical note submitted at Deadline 5 [EN010147/APP/15.6].</p>	Local_Ecology_and_Nature
REP4-072	Natural England	<p>Q2.8.12 Biodiversity Metric</p> <p>In the applicant's rebuttal of the local impact report [REP2-026, page 37] the applicant provides reasoning for not applying a temporal multiplier to the biodiversity metric. Do you disagree and, if you do, what are the implications for the ExA's and the SoS' assessments?</p> <p>Response</p> <p>As long as the phasing of the habitat is correct and created within one year then it is correct that the temporal multiplier does not need to be used. This phasing should be outlined in the oLEMP.</p>	<p>The oLEMP has been updated at Deadline 5 to reference that phasing of works in any given area will be <1 years between impact and habitat creation and that, as such, the temporal multiplier does not apply.</p>	Local_Ecology_and_Nature
REP4-072	Natural England	<p>Q2.8.14 Woodland fragmentation</p> <p>The applicant has stated [REP2-026] that: "maintaining connectivity between woodlands and water course features is ensured within the masterplan through the provision of the buffers around water courses, hedgerows etc. Indeed, the masterplan would improve connectivity between these features compared to the baseline as the majority of the fields present across the Project site have little or no field margin. Once built, the Project would provide a minimum of 5m of margin either side of all hedgerows." Given this statement, do you consider there the potential for fragmentation between woodland (and ancient woodland) areas to occur, or would the proposal provide betterment compared to the current situation?</p>	<p>The Applicant's position remains as per [REP2-026] – the fencing around the site will be designed to be permeable to all wildlife except deer for operational security reasons. However, deer will still be able to move through the Project site between woodlands using the buffer corridors which are all interconnected.</p>	Local_Ecology_and_Nature

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>Response Natural England have, for this proposal, been providing advice on the functional linkage of woodlands for bat species. We would agree that it is generally fair to characterise the increased buffers of hedgerows and water courses as a benefit, potentially allowing an expansion of woody/scrub species from the edge. However, when considering species impacts or the functional connectivity of woodland, there may still be site specific impacts from the project around certain 'pinch points'. For example, woodland species may be travelling between parcels of woodlands through what is currently open arable / pasture lands. These species may be prevented from doing so post-construction i.e. through fencing or panel avoidance.</p>		
REP4-072	Natural England	<p>Q2.8.16 Biodiversity Net Gain vs loss of habitat Many IP have queried whether BNG would actually be an effective replacement for the habitat (breeding and foraging opportunities) that would be lost to bats and breeding birds through the loss of arable land by way of the project. Do you have any views on this, particularly with regards to connectivity between existing established habitats and the distance to proposed BNG land?</p> <p>Response Biodiversity net gain does not seek to address the needs of specific priority species. When assessing the impact of the projects on specific species, generalised net gain should not factor into the assessment of impact.</p>	This is noted.	Local_Ecology_and_Nature
REP4-072	Natural England	<p>Q2.11.10 - Agricultural land yield At ExQ1.11.11 [PD-008] the ExA requested that Blenheim Estate provide further detail regarding which parcels of agricultural land to be included within the proposed development were degraded of nutritional and organic content. A response was received from Blenheim Estate at [REP2-067]. However various interested parties (IP's), including Professor David Sherratt at DL3 [REP3-112], have raised concern in respect of the information given in terms of accuracy. In order to assist the ExA, please review the initial question posed at ExQ1.11.1 by the ExA [PD-008] and the responses received and provide commentary.</p> <p>Response ALC grade is based on inherent soil properties and has stronger weight in planning decision making compared to soil health. We would agree that the content of [REP2-067] does not focus on the ALC of the land parcels (but it does appear to answer the question posed in Q1.11.11). Natural England have based our advice on the ALC survey [APP-102] and have no further comments to make at this time.</p>	This is noted.	Agricultural_Land_Use
REP4-074	Oxfordshire Host Authorities	<p>Q2.5.5 Land retention at Church Hanborough As noted above, the SoS needs to be satisfied that the land to be acquired is not more than is reasonably required of the purposes of development. Applicant - The ExA notes that land to the southeast of Church Hanborough, Field 2.116 and the northern section of Field 2.115 is contained within the Order limits and is, according to the landscape, ecology and amenity plan [AS-022], available for community food growing. 1) What consultation has been undertaken to ensure that this area is the most appropriate for community food growing? 2) If it is not needed or essential to provide space for community food growing, is there a compelling case for compulsory acquisition? 3) What is the actual tangible benefit to the applicant of retaining this land in the Order limits as opposed to re-drawing the boundary to exclude such land entirely? 4) Would the land not be better served being kept in its current agricultural use? West Oxfordshire District Council (WODC) – This area is within the Church Hanborough Conservation area, do you feel that community food growing would be an appropriate use of this land having regard to heritage objectives.</p> <p>Response: WODC: No consultation has been undertaken with the OHA to determine the appropriateness or suitability of the land parcel for community food growing. At statutory pre-application consultation stage, the applicant's illustrative masterplan identified the land parcel as meadow grassland / opportunities for enhancement. WODC stated that was not clear what the nature of the</p>	<p>The detailed design of the proposed development requires the approval of the relevant planning authority; this is secured through Requirement 5 in Schedule 2 of the draft DCO [REP4-004]. The need for, and nature of, any community food growing activities and equipment would be subject to review as part of that process. If there is little or no interest in community food growing, then then land would be retained as managed grassland within the Project site. The Applicant's notes the view of WODC that elements of community food growing spaces such as storage sheds, water butts, polytunnels and paraphernalia associated with cultivation and growing of food could be regarded as uncharacteristic in terms of the heritage objectives of the Church Hanborough Conservation Area. However, many such elements are present at Farthings Lea Farm which is located immediately to the north of this part of the Project site (on the other side of Church Road) and similarly within the Conservation Area. This is reflective of the existing diversified rural, agrarian landscape of which the Conservation Area forms part and the established setting of this asset.</p> <p>The Applicant published the PEIR on 30th November 2023, undertaking a ten-week statutory Phase Two consultation until 8th February 2024. This is shown in the Statement of Community Consultation [APP-028].</p>	Historic_Environment

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>enhancements might be at that stage.</p> <p>Although the applicant had indicated that they had been in consultation with community food growing organisations such as the Cherwell Collective, it is not clear that any discussions had been held with organisations about the suitability of the land at Church Hanborough for community food growing or whether there would be interest in utilising this land for such a purpose.</p> <p>The land in question is within the Church Hanborough Conservation Area and is currently in agricultural use. A previously stated and identified in our response to the Examining Authority's First Written Questions [REP2-050] Q1.6.6, views to the east and south east of the Church Hanborough Conservation Area are particularly relevant to the proposed development where the views to the surrounding countryside can be appreciated from public rights of way that extend from the south of the village. The land proposed for community food growing would sit within key views within the Conservation Area and would likely change the character of the landscape within the setting of the Conservation Area.</p> <p>Although WODC would support the provision and expansion of community food growing spaces, including allotment provision in suitable locations, for the multiple benefits they can bring including support for the health and wellbeing of communities, we consider that the proposed use could be harmful to the character of the conservation area, particularly if the community food growing area was to occupy the full extent of the area identified on the Applicant's Masterplan. Community food growing spaces are often characterised by different sized plots with storage sheds, water butts, polytunnels and paraphernalia associated with cultivation and growing of food. Such structures in the context of the Church Hanborough Conservation Area would likely be regarded as uncharacteristic and would likely conflict with heritage objectives of the Conservation Area.</p>	<p>ES chapter 15, paragraph 15.9.5.11 said:</p> <p><i>Space will also be provided for at least two community agriculture groups to operate on the Project site, including on behalf of Cutteslowe Larder and Cherwell Collective. It is proposed that these community agricultural groups will start the venture on a small scale starting with 0.5 ha with polytunnels and open field cultivation to produce fresh produce for food banks and aims to empower the community to grow their own winter crops for the most vulnerable local households. Each field site would need approximately 500m x 15m on the margins of the array fields, close to villages or settlements. Cherwell Collective would establish permanent low-maintenance food growing spaces for community benefit.</i></p> <p>The illustrative masterplan within the Phase Two consultation materials [APP-029] showed the areas of mitigation or enhancement (i.e. areas without panels), all of which were consulted on as potential sites for community food growing. The land at Church Hanborough is not suitable for Cherwell Collective or Cutteslowe Larder/ Plot 4. It has been offered to a single grower of organic onions.</p>	
REP4-074	Oxfordshire Host Authorities	<p>Q2.6.20 Sansom's Platt protection</p> <p>In HE's RR [RR-0398] it is indicated that the scheduled area is accepted to be the site of a Roman Settlement associated with Akeman Street and may extend beyond the existing scheduling boundary. In light of the trial trenching results possibly not being available until DL5 and given your existing knowledge of this and other similar sites, please provide a plan suggesting what you might consider to be a suitable buffer zone to protect the potential remains in this area.</p> <p>Response</p> <p>OHA: The applicant has proposed a number of buffer zones to protect archaeological remains as identified from the geophysical survey.</p> <p>Whilst we are in general agreement with the appropriateness of these buffers for most of the proposal area, we have previously highlighted [REP1-070] that we are unable to confirm that the proposed buffers are appropriate without the evaluation data to ensure that this survey has identified the full extent of the archaeological deposits.</p> <p>In the case of the Roman settlement at Sansom's Platt the buffer zone to protect the physical archaeological remains will need to be of sufficient size to cover all of the archaeological remains associated with this settlement site. The required extent of this will need to be based on the accurate survey data from the archaeological evaluation, which we do not yet have a copy of. The buffer zone would also need to protect the setting of these significant remains. Whilst we would defer to the advice of Historic England on the matter of setting, it is important to note that the setting of these remains is dependent on their significance, which can only be appropriately understood from the results of the archaeological evaluation to provide the required data on the date range, level of survival and extents of the archaeological remains.</p> <p>As such it is not possible to set out what would be an appropriate maximum extent in the absence of this data being available.</p>	<p>The Applicant notes this response. As set out in the Applicant's response to ExQ2.6.19 in the Applicant's Response to the ExA's Second Written Questions (ExQ2) (Rev 0) Part 1 [REP4-037], any adjustments to the protected Areas of Archaeological Interest will be set out in the layout presented in the detailed design which has to be approved by the relevant planning authorities in accordance with Requirement 5 of the draft Development Consent Order (Rev 5) [REP4-004]. This process ensures that the Oxfordshire County Archaeology Service can review the extent of the protected Areas of Archaeological Interest in the light of all available information including the results of the trial trenching.</p>	Historic_Environment
REP4-074	Oxfordshire Host Authorities	<p>Q2.7.8 Replacement panel requirement</p> <p>The OHA requested a clause within the dDCO stating that if 30% or more of the solar arrays were to be replaced at one time, a new CTMP should be produced [REP2-050]. The applicant has responded at [REP3-065] that panel replacement would be phased over 5 years. It is unknown whether that means 20% per year. Could both parties give consideration as to how this level of replacement could be written into the dDCO, whether as a definition (under maintain) or as an additional to a Requirement etc. Explain with reasons.</p>	<p>Please refer to Q2.7.8 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p> <p>The extent of annual panel removal across the five-year period may vary depending on the extent of panel replacement required, although the Applicant will not replace more than 30% of panels in a single year. This Applicant has updated the outline Operational</p>	Project_description_and_Design_parameters

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>Response:</p> <p>OHA: In [REP2-050] OHA suggested that an additional CTMP would be necessary should more than 30% of panels in the northern, central or southern site need to be replaced at the same time. For clarity this meant 30% of panels within the northern site or 30% of panels in the central site, or 30% of panels in the southern site (not 30% of the total panels across the scheme). As such, even if the applicant were to replace 20% of the panels per year for five years, this would still likely result in the replacement of 30% of the panels within one of the three sections within a single year.</p> <p>30% of the panels within one of the three sites amounts to approximately 200,000-240,000. The applicant in ES Chapter 14: Climate Change [REP3-016] outlines that 25,709 HGV journeys are expected within the initial construction phase. As such, one might assume that for the replacement of approximately 1/9 of the total panels around 2500-3000 HGV movements would be required. OCC as the Highway Authority consider this would generate sufficient HGV movements (let alone other associated vehicle movements) to justify a further CTMP.</p> <p>Likewise, replacement of panels at this scale will result in a significant amount of waste which would not be covered by the Decommissioning Waste Management Plan secured as part of the outline Decommissioning Plan [APP-236]. As such, in the event of large scale replacement of panels a waste management plan would also need to be produced and approved by the relevant Waste Authority Whilst it is noted that the applicant has indicated in the Outline Operational Management Plan that replacement of panels is anticipated but 'will not involve significant construction works and will be managed within the framework of operation procedure, not construction-phase plans' [REP3-032, paragraph 2.2.2], the OHA are concerned that this may not be the most cost effective approach to maintenance and as such may not be considered a viable solution by any future operators of the development and may result in it not be adhered to. This approach also does not take into consideration the possibility of new, more efficient technologies being developed within the lifetime of the development that may result in the desire for widescale replacement.</p> <p>Given the above the OHA consider that a safeguard needs to be put in place if a large-scale replacement of panels occurs to prevent any significant impacts on the road network or waste facilities. This safeguard would be most effectively secured by the inclusion of a requirement drafted along the following lines –</p> <p>(1) No more than 30% of solar panels constructed in the central site, northern site, or southern site may be replaced until a panel replacement construction traffic management plan and panel replacement waste management plan in respect of the relevant site has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the relevant highway authority and waste authority.</p> <p>(2) In sub-paragraph (1) –</p> <p>(a) "the central site" means land within the Order limits identified as 'Central Site Area' within Figure 1.1 - Site Location & Order Limits Overview [APP-059] and</p> <p>(b) "the northern site" means land within the Order identified as 'Northern Site Area' within Figure 1.1 - Site Location & Order Limits Overview [APP-059] and</p> <p>(c) "the southern site" means land within the Order identified as 'Southern Site Area' within Figure 1.1 - Site Location & Order Limits Overview [APP-059].</p> <p>The applicant will need to ensure that the references to application documents contained within paragraph 2 if the Site Location and Order Limits Overview [APP-059] is updated.</p>	<p>Management Plan to secure this commitment. On that basis, the requirement proposed by the OHAs would not be required.</p>	
REP4-074	Oxfordshire Host Authorities	<p>Q2.7.10 Schedule 12</p> <p>The applicant has amended schedule 12 of the dDCO, removing the words "within the Order limits" [REP2-027]. The applicant justifies this as being the means by which hedgerows that straddle the Order limits could be removed in full if necessary.</p> <p>Local authorities</p> <p>1) What are your views on this amendment?</p> <p>2) Are you content that the Outline Landscape and Ecology Management Plan (OLEMP) would provide suitable and satisfactory mitigation/ replacement planting for any hedgerow lost that falls outside the Order limits?</p> <p>3) Are the hedgerows affected suitably surveyed or protected (by the need for surveys and environmental mitigation/ protection measures) in the ES and the DCO?</p> <p>Applicant</p> <p>4) The result of the change to Schedule 12 appears to re-draw the Order limits around these hedgerows</p>	<p>The Applicant's response to this question and legal justification for the change is set out in its Responses to ExA's Second Written Questions (ExQ2) [REP4-037].</p> <p>All assessment of impacts to hedgerows within ES Chapter 9 Ecology and Nature Conservation [REP4-012] both as a receptor in their own right and as supporting habitat for other species (such as dormice) have been made using the Hedgerow Removal Plans provided by the Applicant [AS-007]. As such, any removal that might be outside of the Order Limits will still have been accounted for within the overall assessment and conclusion of significance.</p>	DCO_Process

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>without seeking the additional land or rights to do this. It would seem unfair for the landowners (whose land the hedgerows fall upon) to be affected in this way without any compensation for the rights lost or the loss of features on their land. Provide a legal note as to why this change is acceptable with regards to the relevant compulsory acquisition guidance and legislation or revert back to the previous wording accordingly.</p> <p>Response: OHA: (1) The OHA do not support the proposed amendment. If hedges are proposed to be removed as part of the development, then these hedges should be included within the Order Limits to ensure that any potential impacts from their removal have been appropriately assessed.</p> <p>(2) and (3) It is noted that none of the tracked changes within the updated ES [REP2-013] and oLEMP [REP3-035] reflect the amendment to the Order Limits. This suggest that the impact pathways caused by the amended Order Limits have not been assessed by an ecologist.</p> <p>Impacts regarding the hedgerow regulations, biodiversity net gain as well as species such as dormouse and bats could become significant.</p> <p>The ecological implications of this therefore must be considered, particularly in relation to the hedgerow regulations, biodiversity net gain, dormouse and bat mitigation.</p>		
REP4-074	Oxfordshire Host Authorities	<p>Q2.7.11 Paragraph (6) of Schedule 16 At [REP1-005], the applicant updated Schedule 16 of the dDCO with text regarding 'anticipatory steps' to discharging requirements before the Order is made. The applicant cites some examples where such text has appeared before, saying there is precedent.</p> <p>1) The ExA notes all the examples given are highway projects. Can the applicant confirm whether any energy-based projects, including the most recent for solar schemes, contain such provisions? 2) Can the applicant explain what the benefits are of having this clause within the Order and whether there really is an impediment to the project that needs overcoming in this way? Do the local authorities have any practical or operational concerns regarding the inclusion of this provision?</p> <p>For Clarity [REP3-005] is the latest version of the dDCO (rev 4) and was used in the preparation of this response.</p> <p>Response: OHA: The OHA note that paragraph 1.2 of Advice Note 15 (Drafting development consent orders) states: "A thorough justification should be provided in the Explanatory Memorandum for every Article and Requirement, explaining why the inclusion of the power is appropriate in the specific case". [Emphasis added]. Paragraph 4.16.2 of the Explanatory Memorandum [RE3-006] says paragraph 6 has been added "to provide that any anticipatory steps which the Applicant takes to comply with the requirements before the Order is made will be treated as effective in complying with the requirements once the Order is made, thereby avoiding the need to repeat such steps". This sets out in layman's terms what paragraph 6 says. To allow the OHA to properly consider this provision, the OHA consider it would be helpful if a proper justification for its inclusion were provided. It would also be helpful if the Applicant could explain which anticipatory steps it intends to take before the Order is made and what impact these will have on the OHA (particularly on OHA resourcing) before the Order is made. The OHA are unaware of this provision being included in other solar Orders and would suggest that it does not necessarily follow that because a provision is appropriate for (say) a highways scheme in Norfolk that it is similarly appropriate for a solar scheme in Oxfordshire.</p>	<p>The Applicant's response to this question in relation to the relevance of other DCO precedence is set out in its Responses to ExA's Second Written Questions (ExQ2) [REP4-037].</p> <p>Also as set out in that response, the purpose of the drafting is to allow steps to be taken (e.g. plans to be shared with the approving authority in advance) prior to the Order coming into force and for those steps to 'count' as a formal step towards satisfaction of the relevant requirement. The intention being to avoid any delay in the discharge process if steps are able to be taken earlier whilst the making of the Order is awaited. For example, the Applicant may wish to share draft documents to the local authorities (and consultees) to invite comments prior to the DCO being made and during the period between the Order being made and the Order coming into force. This is to encourage an efficient discharge process and to give clarity that if the Applicant takes any proactive steps for the purposes of Schedule 2 (Requirements), those steps may be taken into account for determining compliance with that provision as if they had been taken after the Order came into force.</p> <p>In recognition of the local authorities' resource concerns, the Applicant has amended the DCO at Deadline 5 to add a new sub-paragraph that requires any document submitted to the relevant planning authority which the undertaker considers may constitute a step referred to at sub-paragraph (1), to include a statement that it is likely to engage sub-paragraph (1). This is to give the local authorities a clear oversight of the intended process and timings.</p> <p>Notably, to assist further, the Applicant has also incorporated paragraph 7 (Register of requirements) into Schedule 16 of the dDCO to ensure the local authorities have clear and consistent oversight of the full suite of discharge applications.</p>	DCO_Process
REP4-074	Oxfordshire Host Authorities	<p>Q2.7.17 Legal agreements The Joint LIR [REP1-072] made reference to off-site works (biodiversity, improvements to public rights of way etc) that would need to be secured via a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990 as amended. The LIR also made reference to the availability and suitability of using a section 278 agreement under the Highways Act 1980 to facilitate works to public highways as</p>	<p>S106 Agreement We understand that the concern of the OHAs which is driving the request for a s106 agreement is to ensure that the ecological management and monitoring under the oLEMP are secured. The Applicant does not consider a s106 agreement to be necessary in</p>	Legal

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>opposed to powers sought in the dDCO. On the understanding that Development Consent Orders are used as 'one stop shops' for the consenting regime to speed up infrastructure delivery, provide express legal reasons why such different legislative routes should be pursued, and the pros and cons (implications) should development consent be granted for the project in the absence of such legal agreements.</p> <p>Response: OHA: DCOs as "one stop shops" – the general position</p> <p>The ExA will be aware that section 150 (removal of consent requirements) of the Planning Act 2008 provides a mechanism for including certain additional prescribed consents and authorisations within a DCO, where the "relevant body" that would otherwise be required to grant the prescribed consent or authorisation has consented to the inclusion. These are prescribed in the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015. Section 150 is consistent with the Government's proposal, when introducing the DCO regime, to "as far as possible, create a single application process for all of the development authorisations needed for nationally significant infrastructure projects". (Planning for a Sustainable Future (2007) para. 2.13(d); emphasis added).</p> <p>Parliament has demanded therefore that, for certain consents and authorisations, the consent of the relevant body is required. The OHA note that in the Planning and Infrastructure Bill, which is due to be considered in Committee in the House of Lords after the summer recess, there is no proposal to amend section 150 or the 2015 Regulations mentioned above. (See the latest version of the Bill, which was brought from the House of Commons to the House of Lords on 12 June 2025).</p> <p>While the DCO regime is sometimes referred to as a "one stop shop", as the above shows, the position in the Planning Act 2008 is more nuanced than that and it has been acknowledged from the outset that the DCO itself would not consent everything.</p> <p>DCOs and agreements</p> <p>Section 106 of the Town and Country Planning Act 1990 Turning to agreements made under section 106 of the Town and Country Planning Act 1990, it is clear these are complimentary to the DCO regime and have been considered as such since the regime's outset because section 106 itself was amended by section 174 of the Planning Act 2008 to allow the promoter of a nationally significant infrastructure project to enter into agreements with local authorities, in the same way as a developer seeking planning permission under the 1990 Act.</p> <p>Section 278 of the Highways Act 1980 The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009 ("the model provisions") were made under section 38 of the Planning Act 2008. While the power for the Secretary of State to designate, and the requirement to have regard to, the model provisions have both been removed by the Localism Act 2011, they still play an important role in DCO applications. (For example, in respect of the instant application, the Applicant states that its Explanatory Memorandum "seeks to identify and explain departures from the ... model provisions [as] ... the Applicant considers that it is still relevant to note and explain variations made in the Order compared to the model provisions ..." (paragraph 1.6.2 of the Explanatory Memorandum, [REP3-006])). Model provision 13 (agreements with street authorities) provides that a street authority and the undertaker may enter into agreements with respect to certain matters and where a DCO provides the undertaker with powers to interfere with streets, the DCO invariably includes such a provision. (For instance, as well as in the instant dDCO, recent solar DCOs which such a provision include article 12 of the Cleve Hill Solar Park Order 2020, article 13 of the Longfield Solar Farm Order 2023, article 13 of the Mallard Pass Solar Farm Order 2024, the Gate Burton Energy Park Order 2024 and article 14 of the Cottam Solar Project Order 2024).</p> <p>The highways agreements made under DCOs are usually based on the relevant highway authority's section 278 agreement. Therefore, as with the position in respect of agreements made under section 106 of the Town and Country Planning Act 1990, DCO highways agreements are complimentary to the regime.</p> <p>Conclusion The positives of proceeding with agreements made under these provisions include the fact that the</p>	<p>that regard, as Requirement 6 of the draft DCO ensures that the provisions of the oLEMP are already suitably secured by way of secure legal mechanism. The Applicant does not currently consider there to be any separate need for a s106 agreement in order to facilitate the management and monitoring measures as set out in the oLEMP, but is happy to discuss any more specific concerns/requests with the OHAs.</p> <p>Highways Agreement As set out in its responses to ExQ2.7.6, the Applicant accepts that a highways side agreement is a reasonable request in relation to more substantial highways works. Therefore, at Deadline 4, the Applicant updated the Construction Traffic Management Plan (see new paragraphs 1.6.7 and 1.7.3) to include commitments to enter into a highways side agreement to facilitate certain identifiable works.</p> <p>To be clear, the intention is not to enter into a s278 agreement because such agreements in part authorise the ability to carry out the works covered under it, which the DCO already achieves. Therefore, it will be a highways side agreement pursuant to Article 15 of the dDCO (agreements with street authorities) to facilitate the delivery of those works (i.e. approval of design, inspection, any bond payable, maintenance etc). This will be akin to other aspects usually found in a s278 agreement.</p>	

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		parties (whether local authorities or applicants) are experienced in negotiating them, whether under the DCO regime or otherwise, and so they offer a tried and tested regime for assisting the delivery of the project. Not proceeding with such agreements would necessitate devising a new bespoke regime specific to the DCO in question and it is difficult to envisage any party benefitting from such an approach.		
REP4-074	Oxfordshire Host Authorities	<p>Q2.8.8 Farmland bird strategy Please outline what is envisaged in such a strategy, why you consider it necessary to secure, why it is needed in respect of national policy and what the implications would be if the project was granted development consent without such a strategy in place.</p> <p>Response: OHA: 15 species, recorded as breeding or possibly breeding, are identified as priority species (listed on S42 of the Natural Environment and Rural Communities Act 2006). Multiple species recorded are also identified as priority species in Oxfordshire's draft Local Nature Recovery Strategy (LNRS) including lapwing, curlew and a farmland bird assemblage (corn bunting, grey partridge, lapwing, linnet, skylark, tree sparrow, yellowhammer, yellow wagtail), nightingale, house martins and tawny owl. The draft LNRS has not been mentioned in the ES and should be considered, with the LNRS expected to be in place late 2025. The latest version of the LNRS can be found here: https://www.oxfordshire.gov.uk/residents/environment-and-planning/local-naturerecovery-strategy The term 'Farmland birds' is not defined within the ES and breeding bird survey report [APP-158] and are subsequently not given specific consideration. 'Farmland bird' is a generic term used to describe bird species often associated with agricultural landscapes and the habitats that those landscapes provide. Many of these birds are protected (e.g. raptors subject to special protections under Schedule 1 of the WCA 1981) or priority species (e.g. skylark, identified as being species of "principal importance for the purpose of conserving and enhancing biodiversity in England" under section 41 of the NERC Act 2006). These species may also be described as of conservation concern under national or local criteria (e.g. red list of BOCC). As a public body, the Planning Inspectorate has statutory duties relevant to farmland bird conservation under: - Section 40 of the NERC Act 2006 – to further the general biodiversity objective, linked to priority habitats. - Regulation 10 of Habitats Regulations 2017 – to preserve, maintain and reestablish wild bird habitat. Further to this, the following National Policy Statements paragraphs are relevant to this matter: - EN-1: 5.4.16, 5.4.35, 5.4.42, 5.4.43 - EN-3: 2.10.77, 2.10.90. NPPF and NSIP policies EN-1, EN-3 and EN-5 require a measurable net gain in biodiversity to be demonstrated and delivered. Without specific consideration of farmland birds, it cannot be concluded that the previously mentioned policies have been satisfied regarding these species. In the absence of a robust strategy, the scheme would displace a notable proportion of Oxfordshire's breeding skylark from the consent order boundary into the surrounding landscape – which is already likely at a state of equilibrium for breeding skylark. Skylarks are a ground nesting bird with strong anti-predator behavioural traits. They do not typically nest within small fields (<5ha), within 50m of field boundaries, hedges, trees or structures and do not nest within solar arrays. Providing breeding plots within or close solar arrays, on in peripheral areas closer than 50m to boundaries, likely not be successful. It is currently considered that the applicant's current approach to farmland bird compensation is lacking and unlikely to be effective in addressing the losses caused by the development. Residual impacts on protected and priority species are likely to exist and be significant. Section 9.9.90 of the ES concludes no significant numbers of territories of skylarks or other ground nesting birds have been recorded. However, this appears to contradict the high impact on skylarks which are considered separately as a specific mitigation requirement. Lapwings (a LNRS priority species) also do not appear to have been considered in this section. This species also requires areas of extensive grassland with shallow water during breeding season including reeds and sedges for nesting.</p> <p>Further detail is requested to demonstrate how the mitigation hierarchy has been applied to farmland birds specifically as an assemblage, including consideration of how this has influenced design in more</p>	<p>The Applicant's position with respect to skylark mitigation is set out in the Technical Note on Skylark Annex 6 of the Applicant's Response to ExQ2s [REP4-037]. This sets out a quantitative analysis of the Project site's ability to support skylark once constructed and shows that the combination of suitable nesting areas within the Project site and the enhancement of foraging that will be available to support skylark nesting offsite will ensure that the population can be maintained at a higher level than the baseline and that, crucially, that nesting provision/support will be available every year regardless of crop types present.</p> <p>The draft LNRS was not available at the time the ES was produced during early to mid 2024. This was confirmed during pre-application consultation with the OHA ecologists. The ES does, however, reference the fore-runner for the LNRS in the Oxfordshire Nature Recovery Network (ONRN). As set out in section 7.2 of the oLEMP [REP4-028], the ONRN was considered at the very earliest stages of Project design and led to the inclusion of the River Evenlode Corridor as a key feature within the Project, recognising that, at a landscape scale, delivery of this feature was the main way that the Project design could contribute to the aims of the ONRN. The LNRS has been developed out of the ONRN with respect to such landscape-scale enhancements.</p> <p>With respect to other farmland bird species, as set out in ES Chapter 9 9.90 <i>et seq.</i>, none occurred within the Project site during the two full years of survey in numbers that would be considered significant in their own right (details of how this is determined are set out in ES Appendix 9.9 Breeding Bird Survey Report [APP-158] and ES Appendix 9.10 Wintering Bird Survey Report [APP-159]). However, the assemblages of both breeding and wintering birds was considered to be of County value, given the diversity of species present. The significance of the effect from habitat loss on wintering birds, specifically those that require post-harvest farmland for foraging, is recognised within the ES as being moderate adverse and therefore significant in EIA terms.</p> <p>However, this conclusion should be set within the context of research that was published post submission of the ES that demonstrated that solar sites managed for biodiversity benefit (as Botley West will be) can support significantly higher numbers of farmland birds than intensive arable landscapes (Copping <i>et al.</i> 2025).</p> <p>With respect to lapwing, they were not mentioned specifically as, although they were found on site during winter, their breeding numbers were very low (3 territories in 2023 and 5 in 2024). Given the requirements of this species for extensive grassland with shallow water for foraging, the floodplain meadow that will form the majority of the River Evenlode Corridor will provide enhanced habitat for this species compared to the baseline.</p>	Local Ecology and Nature

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>detail beyond the sowing of foraging seed mixes on the 36ha of retained meadows with under-lying archaeology. Such a strategy should:</p> <ul style="list-style-type: none"> - Update and quantify the level of harm likely to be caused to relevant species, through update survey and assessment. - Identify measures to be implemented to compensate for those identified harms (and ideally result in net gains) for each relevant species (*it is not appropriate to accept harm to one species in exchange for positive measures against another. Each relevant species should be its own discrete planning consideration). - Identify suitable land where those measures can be implemented and secured. - Prescribe detailed method statements and timescales for implementation and ongoing management for a minimum period of 30 years. - Require ongoing ecological monitoring to establish the efficacy of the approach and allow for adaptive management where issues arise. 		
REP4-074	Oxfordshire Host Authorities	<p>Q2.9.4 Consequences of assessments</p> <p>The ExA note your concerns about the applicant's methodology (particularly on landscaping) underplaying the effects arising from the proposed project, and the ExA also note the applicant's rebuttals defending the decisions made. The question following on from this is whether, as a result, you consider the mitigation to be adopted by the applicant is equally underplayed.</p> <p>1) Do you consider that, if the effects arising had been deemed 'significant', that additional mitigation above and beyond what is proposed would be required, or:</p> <p>2) Do you consider that the mitigation proposals would likely have remained equivalent to what is currently proposed, regardless of whether the applicant reported moderate adverse effects as significant or not significant?</p> <p>If the answer to question 2 is no (i.e. more mitigation would have been proposed had the effects been deemed significant), which areas do you think the mitigation proposals have been underplayed and what do you consider needs to be done for more effective mitigation?</p> <p>Response:</p> <p>OHA: Landscape</p> <p>Yes, the mitigation proposed is inadequate, specifically the mitigation embedded into the design. It is usual to undertake assessment and design in parallel, taking an iterative approach to this, so that where significant effects are expected, the design can be altered to respond accordingly, and to reduce effects if that is possible. Planting hedgerows and trees is one form of mitigation, but mitigation by design is the first and most important step, so that the right development is proposed in the right place. This appears to be the step that has not been given sufficient attention in this case. It is very evident, for example, that there are certain areas of the project which are too close to properties, settlements, historic assets, or proposed across ground, which is too widely visible, or too sensitive to this type of development (the steeper ground of the escarpments for example). Some changes have been put forward by the applicant, but these appear to mainly be in relation to avoiding archaeological sites. The suggested changes do not appear to have been followed by a rationalisation of the development parcels so that it follows good design principles. One would expect to see an appraisal of the relative sensitivities of the different parts of the site, and for this to inform the design. Panels should be removed from the more sensitive areas and focused across areas of lower sensitivity, where there are fewer open views, where the landscape character is more ordinary, where key features would not be masked, or key views blocked etc. Once the design is the very best that it can be (avoiding sensitive areas, being compact, logical, using areas that are naturally more screened etc), it is then important to apply further mitigation measures, such as proposed planting.</p> <p>If the effects arising had been deemed to be significant, as indeed many of them should be, and would be expected for this sort of development, then this would have provided a trigger for the applicant to focus to a much greater degree on improving the design, to design out significant effects. It would have been more obvious where panels should be removed, and how the design could be improved through the typical EIA mitigation hierarchy: avoid; reduce; mitigate; compensate. [REP1-072 Paragraph 7.3.115].</p> <p>The mitigation proposals are likely to have remained similar, if we are only talking here about the proposed planting, although more careful attention would have been given to the local landscape characteristics and therefore species, style and character, heights, and the way the</p>	<p>The Applicant's response with respect to section 7.4 of the OHA LIR [REP1-072] is set out in [REP2-026]. An update with respect to the comments relating to birds, skylark in particular, is presented in the Skylark Technical Note, Annex 6 of the Applicant's Response to ExQ2s [REP4-037].</p> <p>Bats in the LIR have also been addressed in the Bat Technical Note submitted at Deadline 5 [EN010147/APP/15.6].</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>vegetation is to be maintained. Nuance is required in terms of the types of planting and types of hedgerows proposed – woodland, copses, tree belts, lower hedges, higher hedges, laid hedges etc should all be considered. It would be beneficial to define different categories of proposed hedgerows. In terms of maintenance, traditional techniques such as laying should be considered to help tie into and reinforce landscape character, rather than detract from it. More fundamentally though, the design embedded mitigation, achieved through changes to the layout and positioning of panels, would have been very different, and a more sympathetic scheme could have been developed. This could still be a sizable project, but would be concentrated on the less sensitive areas, away from villages and individual hamlets or farms, and away from the steeper slopes and elevated land where the development would be far more widely visible, leading to a reduction in unacceptable levels of adverse effects.</p> <p>OHA: Ecology</p> <p>While it is appreciated that this question is primarily directed towards landscape considerations, underplaying the assessment and therefore the mitigation has a bearing on ecological implications. It is considered important here to reiterate the considerations outlined in section 7.4 of the joint local impact report [REP1-072] which still need to be addressed.</p>		
REP4-074	Oxfordshire Host Authorities	<p>Q2.10.2 Flood modelling</p> <p>In relation to the modelling that has been undertaken, the applicant states [REP2-027, page 4]: “While the current model is uncalibrated and excludes some features (e.g., eastern flow route, culverts, urban pipework), it has identified key flood flow patterns and areas of potential mitigation...the modelling outputs have informed initial mitigation concepts.”</p> <p>How reliable and robust are the flood mitigation proposals when they have been informed by uncalibrated and incomplete data?</p> <p>Response:</p> <p>OHA: Flood modelling for the ordinary watercourses was reviewed by a consultant on behalf of the Host Authorities. This review was of the hydraulic modelling reports only and did not undertake model rerunning or development of its own modelling.</p> <p>Hydraulic models are a simplified representation of real-world processes, and therefore there are assumptions and limitations. This includes representations of features, landform and calculations to represent the different flood events. The modelling included sensitivity to downstream boundary and information on the operation of the sluices.</p> <p>The conclusions from the review were that the model for the existing flooding from the ordinary watercourses would require further, more detailed work:</p> <ul style="list-style-type: none"> • to cover the potential for validation/calibration from sourcing any known flood incidents and; • further testing of the sluice operation and its impact on the flood risk and to understand a worst-case scenario. 	<p>The comment from OHA is noted in respect to the review of the flood risk modelling and the requirement for further refinement.</p> <p>Post-consent, the flood risk mitigation measures will be developed in close consultation with the relevant regulatory bodies, including the Lead Local Flood Authority (LLFA) and the Environment Agency (EA), ensuring compliance with all statutory requirements. The EA have requested a review of the modelling upon completion of option modelling, post consent to ensure best practice modelling measures and compliance.</p> <p>The approach to detailed flood risk modelling and mitigation design post-consent is consistent with established best practice for major infrastructure projects.</p>	Hydrology_and_Flood_risk
REP4-074	Oxfordshire Host Authorities	<p>Q2.11.8 Outline Decommissioning Plan</p> <p>Applicant - The detail regarding the return of land to agricultural use/farmland in the Outline Decommissioning Plan (ODP) [APP-236] is noted. However, the ExA requests that further commitments are included within the ODP to ensure that the land to be returned to agricultural use/farmland would be to the same Agricultural Land Classification (ALC) grade. Additional detail should include, but is not limited to, specific methods and timescales to be involved.</p> <p>Oxfordshire Host Authorities (OHA) – Noting the current wording of Requirement 14 within the Draft Development Consent Order (dDCO) [REP3-004], please comment on whether it is considered necessary for the relevant planning authority to also determine the acceptability of the end state of the land to be returned to agricultural use/farmland in terms of the ALC grade after the decommissioning stage.</p> <p>Response:</p> <p>OHA: We do not consider it is necessary to determine the acceptability of the end state of the land to be used for agriculture. Detail can be provided within the required decommissioning plan which is to accord with the outline decommissioning plan [APP-236]. The outline plan states at 2.1.6 “The soil is anticipated to have undergone a period of approximately 37.5 years of lower intensity farming practices including conservation sheep grazing, whilst the Project is operational, providing potential benefits to soil health.”</p>	<p>At Deadline 4 the Applicant explained that it did not consider further commitments within the Outline Decommissioning Plan were appropriate or necessary to ensure the land would be returned to agricultural land use at the same ALC grade. The Applicant also committed to providing updates to the Outline Soil Management Plan to explain that similar measures will be implemented during decommissioning phase of the Project to maintain the quality of soils and reinstate land to its preconstruction condition. Noting comments from the OHAs, the Applicant considers that the Outline Decommissioning Plan is the most appropriate document to secure management of impacts on soils at the decommissioning phase, on the basis that the Outline Soil Management Plan is intended to support the implementation of the Code of Construction Practice, for management of soils through the construction phase. As noted in the Applicants response to ExQ2.11.8, the Outline Decommissioning Plan at paragraph 2.1.5 already requires the land would be restored to its preconstruction condition, as far as practicable, in accordance</p>	Decommissioning

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>This is considered sufficient should land return to agricultural use.</p> <p>OHA consider ecological benefit accrued during operation of the solar farm will also need to be assessed prior to decommissioning as over 37.5 years ecology habitats may have established which could have more value than a return to more intensive agricultural use.</p> <p>Furthermore, it may not be feasible to return all areas of the site to the same grade of agriculture dependant on the post development habitats implemented including specific species measures.</p> <p>The assessment of decommissioning within the ES [REP2-013] focusses primarily on disturbance and indirect impacts as a result of the decommissioning works and does not necessarily consider direct loss of habitats at this stage of the project. These direct impacts should be assessed in more detail including an assessment of reinstatement of habitats such as referred to in sections 9.9.96 and 9.9.104.</p>	<p>with measures like those set out in the Outline Soil Management Plan (see Annex C [reference]).</p> <p>The Outline Decommissioning Plan also states that “the nature of the decommissioning activities and potential for significant effects is anticipated to be at worst, similar to construction or otherwise less significant. Therefore, the DP and DTMP will include similar measures to those included in the Outline Code of Construction Practice (oCoCP) [EN010147/APP/7.6.1], and Outline Construction Traffic Management Plan (CTMP) (appended to oCoCP) submitted with the DCO Application, covering issues such as transportation methods, pollution prevention, soil management, and waste management.”</p> <p>The ExA should have comfort that this will require appropriate measures to be incorporated into the detailed Decommissioning Management Plan, which will be well understood once such measures have been developed and implemented through the construction phase. The development of the detailed plan will also be subject to OHA approval under Requirement 14 and the procedure for discharging requirements under Schedule 16 of the Draft Development Consent Order [Reference], noting the OHA has already expressed a view that it is not necessary for it to determine the acceptability of the end state of the land under Requirement 14. It would be open to the OHAs to refuse to approve the Decommissioning Plan if they had concerns that it was likely to give rise to new or materially different environmental effects. If it became apparent (and the Applicant's firm position being that it will not) that measures different to those proposed to be implemented at the construction phase as part of the Soil Management Plan and Code of Construction Practice are required to be implemented at decommissioning, the burden would be on the Applicant to satisfy the OHAs of those measures as part of the Schedule 16 process.</p> <p>Please also refer to Q2.11.8 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p>	
REP4-074	Oxfordshire Host Authorities	<p>Q2.13.2 Tree protection scenarios</p> <p>[REP1-047] shows various scenarios in relation to works adjacent to/within root protection zones. However, no indication is provided on the plans of where such incursions may occur. Provide plans that show where each scenario may occur.</p> <p>Oxfordshire Host Authorities (OHA) – do you have sufficient information to provide clear advice on the likelihood of impact to the tree roots and if not, what additional information do you require?</p> <p>Response: OHA: No. The information is very generic; it shows proposed methods of tree protection for a range of scenarios but not showing where each scenario is implemented on site. Insufficient information has been provided to provide clear advice on the likelihood of impact to tree roots. Additional information is required. Without knowing the tree constraints across the site, it hasn't been possible to determine how the proposed scenarios would work in reality. Tree constraints need to be identified before any site design development is completed. The site design guide needs to be based on the actual tree constraints, not just a set of principles. A detailed survey of all trees and woodlands adjacent to all works that have the potential to impact on these features, it is not possible to make an accurate and detailed arboricultural assessment of the</p>	<p>Please refer to Q2.13.2 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p> <p>The updated arboricultural drawings do identify the cable route; however, the colour of the cable route has been updated to make it easier for the viewer to identify these areas in accordance with the legend. Updated plans are appended – See Annex 9: Updated Arboricultural Drawings [REP4-036 and REP4-037].</p>	Trees_Plants_and_Flora

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>impact of this proposed development. A detailed arboricultural survey would need to be completed to provide accurate comments on realistic tree related implications of the proposal.</p> <p>An updated detailed Arboricultural Impact Assessment (AIA) in accordance with BS 5837:2012 is required, including accompanying arboricultural impact assessment plans, once the above surveys have been completed, to include trees and all works on the plans, including the photovoltaic (PV) solar farm and associated infrastructure the exact location of cable routes.</p> <p>This AIA needs to follow the basic framework below.</p> <p>Step 1: Identify which trees are a constraint to development due to their arboricultural value (e.g. which trees are Category A & B as per BS5837). These need to be plotted on scale plans, showing the BS category of each tree and the tree's Root Protection Area.</p> <p>Step 2: Amend the design to reflect the tree constraints found on site. i.e. the site layout needs to avoid any construction works in the Root Protection Areas of the higher value trees identified in Step 1.</p> <p>Step 3: Having identified the higher value trees and amended the design accordingly, then identify how the retained trees are going to be protected prior to works starting on site. i.e. using the submitted scenarios.</p> <p>Individual tree protection plans must be provided for all the sites. So, it is clear to the construction team, where exactly tree protection barriers, ground protection, utility routes etc is to be located. This is also a requirement as set out at Table B.1 of BS 5837:2012 and is standard practice for protecting trees during construction works.</p> <p>The above information needs to be submitted in the form of a series of tree protection plans and AIA and Arb Method Statement (AMS).</p> <p>Comments on scenarios:</p> <p>Tree Protection Protocol Scenario 6 is not acceptable. Using machinery to excavate within RPAs is likely to lead to excessive and adverse arboricultural impacts, contrary to section 7.2.1 of BS 5837:2012 which states 'To avoid damage to tree roots, existing ground levels should be retained within the RPA. Intrusion into soil (other than for piling) within the RPA is generally not acceptable, and topsoil within it should be retained in situ. However, limited manual excavation within the RPA might be acceptable, subject to justification. Such excavation should be undertaken carefully, using hand-held tools and preferably by compressed air soil displacement'. NJUG Volume 4 also provides guidance for installing utilities within proximity to trees.</p> <p>Specifically relating to section 6.6 of the Scenario which states 'If trenching works will affect more than 20% of any retained trees RPA the impact should be assessed by the project Arboricultural Consultant as the tree may require removal'. This does not accord with BS 5837:2012, which states 'This should extend to arboricultural supervision whenever construction and development activity is to take place within or adjacent to any RPA'. So therefore, any works in the RPA should be assessed by an arboriculturist.</p> <p>Similarly, Tree Protection Protocol Scenario 9 is not acceptable. Strip foundations within the RPA of trees can lead to extensive root loss and should be avoided. Machinery for excavating in RPAs should also be avoided.</p>		
REP4-074	Oxfordshire Host Authorities	<p>Q2.13.5 Photomontages</p> <p>In [REP2-026] the applicant has responded to question raised by your consultants LUC regarding the photomontages not showing the worstcase scenario of winter in year 15. The applicant has stated "At winter Year 15, the views experienced by visual receptors would be similar to those experienced in summer Year 15, given the height and width of the proposed landscape mitigation and the height of the solar panels." Do you agree with this statement?</p> <p>Response:</p> <p>OHA: We do not agree with this statement. Deciduous trees, shrubs and hedgerows are largely transparent when leafless, typically between around October through to April each year. It is good practice to assess and illustrate a worst-case scenario when vegetation is at its least effective in terms of screening or filtering views. Deciduous hedgerows and trees are widespread in the study area and there is a big difference in the openness of views, and the general appearance and character of the landscape, between the winter and summer months.</p> <p>Young immature plants, in particular, can be almost invisible when leafless. This is not an area where coniferous or evergreen vegetation is particularly widespread or characteristic.</p> <p>Example representative visualisations which illustrate this point include 18, 27, 37, 38, 40, 46, 50 and 53.</p>	<p>It is in the Applicant's experience and professional opinion that the width and height of existing and proposed hedgerows and other mitigation (e.g. copses and tree belts) that by winter Year 15 the effects would be reduced to being not significant.</p> <p>The Applicant notes that although typical planting palettes have been suggested in the oLEMP, the final LEMP, including planting mixes will be agreed with the LPAs at the detailed design stage. If it is decided that mixes should include native evergreen species to assist in screening during the winter months, these can be included at this time.</p>	Landscape_and_Visual _Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
REP4-074	Oxfordshire Host Authorities	<p>Q 2.13.7 Hedges</p> <p>Hedges adjacent to new and existing Public Rights of Way</p> <p>There have been several representations regarding the “tunnelling effect” of planting tall hedges on both sides of many of the Public Rights of Way (PRoW).</p> <p>1) Using a worst-case scenario, provide scaled plans that show a typical section across these paths, showing the minimum suggested width of path and suggested height of hedges on both sides at maturity during operation.</p> <p>2) Include details of the proposed species mix as outlined in the outline Landscape and Ecology Management Plan (OLEMP) [REP3-034].</p> <p>3) In Appendix C of the OLEMP, it is noted that hedgerows should be managed to a minimum height of 3m but no maximum is provided.</p> <p>On the plan and within the OLEMP include details of the proposed maximum height for these hedges during the operational phase of the proposed development to ensure they do not get overgrown. Include details of who holds responsibility for this maintenance.</p> <p>Response</p> <p>OCC: OCC as Highways Authority maintains the position outlined at paragraph 3.5.1 of Oxfordshire County Council's Relevant Representation [RR-0793] that any mitigation hedge planting that would result in a ‘greenway’ around PRoW should have an overall corridor width of 15m. Hedges should be planted appropriately set back from the edge of this corridor to ensure that once the hedges have matured the hedge is not encroaching on the PRoW and that any trimming of these hedges will not result in thorny detritus being left on the PRoW.</p>	<p>A range of typical plans and sections illustrating proposed planting along new paths is provided in Figures 7.6.3.2 A to 7.6.3.2 M of the Outline Landscape and Ecology Management Plan (oLEMP) [REP3-034]. These have been prepared to show planting proposals at Year 1, Year 5, and Year 15 (maturity) stages.</p> <p>The wording in Appendix C of the oLEMP has been updated to confirm that 3 metres is the maximum intended height for hedgerows. The maintenance of new and retained hedgerows is addressed in Section 11.3 of the oLEMP. This maintenance regime is secured through Requirement 6 of the draft DCO, and will be developed in further detail during the detailed design stage and through the discharge of requirements.</p> <p>The presence of Public Rights of Way (PRoWs) flanked by hedgerows and trees is a characteristic feature of the existing landscape. Some existing routes, such as 416/11/20 (Claude Duval Way), already pass through narrow, green corridors, reinforcing the contextual fit of the proposed mitigation.</p> <p>The proposed design allows for a minimum 5-metre-wide corridor within which PRoWs would run in the majority of cases. This would result in a broader, greened corridor, which remains consistent with local landscape character and not uncharacteristic of existing conditions.</p>	Hedgerow
REP4-074	Oxfordshire Host Authorities	<p>Q2.13.8 Landscape mitigation and decommissioning</p> <p>In the applicant's response to the Rule 17 letter [REP2-029], the applicant states “the proposed landscape mitigation would be retained after the removal of the infrastructure elements and will continue to provide a positive long-term contribution to and reinforcement of the character of the landscape, in line with the management guidelines for the area. Should the proposed landscape mitigation be considered detrimental to landscape character at decommissioning, then it could be removed. However, as it follows the current management guidelines this is unlikely to be recommended.”</p> <p>To the applicant</p> <p>1) When a number of interested parties (IP) have expressed that the landscape character, at present, is defined by long sweeping views across undulating countryside from higher vantage points, how do you justify your position that the landscape mitigation (including lining footpaths with 3m high hedgerows, thus removing or blocking a proportion of these views) would reinforce landscape character?</p> <p>2) Is the landscape mitigation (i.e. such as additional hedgerows along footpaths) being relied upon for biodiversity net gain calculations or are these deemed as separate biodiversity enhancements?</p> <p>3) There is no mention of future hedgerow management in the outline Decommissioning Plan (ODP) and no mention of whose responsibility this would be. Add this maintenance responsibility information to the ODP along with a proposed appropriate height for future maintenance to ensure the wider landscape views would not be affected.</p> <p>To all IP</p> <p>4) The ExA recognises that the proposal would have visual impacts on the landscape, and several IP's have expressed concerns as to how adverse they would be. The ExA nonetheless is considering all stages of the development and is considering the future condition of the landscape post-decommissioning. What would your reaction be if, at this stage, areas of landscape mitigation (for example, planting hedgerows along public footpaths) were excluded from the applicant's plans and not implemented? ** This would of course result in un-mitigated visual effects being endured during operation but, at decommissioning stage, the original landscape character could be restored closer to that presented, enjoyed and described in the book by Forever Fields [REP1-101].</p> <p>** Please note the ExA is not necessarily advocating this or pursuing this as a possibility but simply seeking to consider detail of operational</p>	<p>1) Please refer to the Applicant's Response to ExA's Q2.13.13 [REP4-037]. The landscape would retain its expansive characteristic, with a dominant sky, views of focal features such as the church spire of Hanborough, and a skyline formed by the wooded landform of Burleigh Wood. The low-lying nature of the solar panels, themselves, would not affect the open character of the landscape. The proposed mitigation planting would slightly reinforce its semi-enclosed character with visual containment provided by hedgerows and woodland belts.</p> <p>2) Yes, as BNG calculations need to incorporate all habitats to be created within a development, planting that is associated with landscape mitigation is incorporated into the BNG calculations.</p> <p>3) Please refer to Q2.13.7 and Q2.13.9 of the Applicant's Responses to comments on ExQ2 – Landscape and Visual Resources Clarification Note [Document Ref: EN010147/APP/15.3].</p> <p>A range of typical plans and sections across new paths is shown on figures 7.6.3.2 A to 7.6.3.2 M, of the outline Landscape and Ecology Management Plan (oLEMP) [REP3-034]. These plans and sections have been produced to illustrate proposed planting at Year 1, 5 and 15 (maturity).</p> <p>A typical planting schedule is included at Appendix B of the oLEMP, giving details of the proposed species mix. The wording in Appendix C of the oLEMP has been revised and submitted as an updated document to clarify that 3 m would be the approximate height that hedgerows will be maintained at, unless there is a requirement from the LPAs to maintain them at a different height (e.g. to protect important views that they may wish to define). Maintenance of new and retained hedgerows, including their height, is specified in section 11.3 of the oLEMP which is secured through Requirement 6 of the draft DCO and</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>and decommissioning phases of the development, taking into account paragraph 2.10.151 of NPS EN-3.</p> <p>Response: OHA: It would be better for hedgerows and trees to be planted, than for them not to be planted. The panels, associated structures, and fencing of the solar farm will be intrusive in views and out of character with the landscape. However, more careful and considered design, including the removal of panels and reducing the heights of panels in areas of more open views, would allow for the reduction in height of screening hedgerows. Management and maintenance would be essential for new planting to potentially become and remain a positive feature. Clarity is needed on proposed species, proposed management, how this will be undertaken and ensured including funding, both during the project and in perpetuity. Hedges for example would need to be regularly laid if they are to develop effectively and to tie in with those which are locally characteristic (see https://www.cpre.org.uk/stories/hedgelaying-in-the-oxford-green-belt/). The planned character and heights of hedgerows are important – the minimum height of 3m is well above head height and will change the availability of open views across the landscape. Hedges are more usually trimmed annually (only after the end of the bird nesting season) and maintained at heights of around 1.5-2m. Laying is usually done on a 5–10-year cycle, to ensure they remain thick and healthy. In terms of hedgerow and vegetation maintenance, as tenant farmers would no longer be in place, who would do this work? How would it be guaranteed to be appropriate and in character, and to continue post decommissioning? All landscape proposals need to be more nuanced in terms of their design. For example, hedgerows could be planned so that they sweep further away from paths in places, to create a series of spaces which are less oppressively enclosed, and which enhance the character of the journey along them; they could have gaps to allow open views across the countryside; different types and categories of hedge could be proposed. Essentially, landscape proposals need to be carefully designed, implemented and maintained to establish a robust landscape framework, which can help soften and integrate development. It is not simply a case of seeking to block views, and this would be inappropriate and out of character. If hedgerows are present for more than 30 years, they will become protected under the Hedgerow Regulations, so they will need to remain in-situ in perpetuity, albeit that a different management regime could be proposed once the solar panels have been removed such as lowering the maintained hedge height. In terms of the mitigation proposed through use for sheep for grazing, there are many practical considerations which appear not to have been looked at. These include the number of animals that would be required over such a large area, design and location of fencing so animals can be moved from field to field or transported elsewhere, animal care and welfare - access to water, inspections, lambing, winter feeding, shearing requirements etc. Use of sheep on this scale would need to be thoroughly planned and embedded into the project design from the outset, so that it works from a farming and animal welfare perspective. The solar panels and mitigation hedgerows would reduce the visibility of stock and therefore visual inspection would be more difficult and labour intensive. What would happen to the land post decommissioning, would the conservation grazing grassland be maintained? Furthermore, from an ecological perspective the proposed landscape mitigation and enhancement for biodiversity are strongly linked. For example, planting and improving the biodiversity value of hedgerows is a requirement for mitigating impacts to bats, dormice and other species that rely on hedgerows. We would therefore encourage hedgerows to be retained and enhanced as far as possible after the site has been decommissioned. This will help to ensure a biodiversity legacy and all enhancements including floodplain meadows, woodland, trees, and hedgerows should be viewed and secured as long-term enhancements of the landscape for nature recovery. Significant concern remains that if habitat creation and enhancement works are only temporary then the impacts of the enhancements for biodiversity, protected and priority species would not provide long term benefits nature recovery and climate resilience.</p> <p>The impacts of decommissioning on ecology and biodiversity as well as the legacy of the proposed BNG should be thoroughly considered and assessed when determining land use post decommissioning. If the land is returned to its previous agricultural grade and use this is considered a significant missed opportunity to deliver a significant and long-term contribution to local nature recovery and biodiversity with national importance.</p>	<p>will be developed in more detail, in liaison with the LPAs, as part of detailed design and the discharge of the Requirements.</p> <p>The Applicant would have the responsibility of ensuring the hedgerows and other 'soft' landscape proposals are maintained. This responsibility is likely to pass onto a separate management company but working to any approved management plan.</p> <p>It should be further noted that a Green Way Plan, which has been produced, in consultation with the OCC Public Rights of Way (PRoW) Officer, is to be submitted by the Applicant at Deadline 5.</p> <p>The purpose of this plan and consultation exercise is to ensure PRoW are returned to their definitive map route / alignment. PRoW routes / corridors are to be 15, in width (including hedgerows) throughout the Project with natural variation, e.g. through existing retained field gates and entrances where there is an existing pinch point.</p> <p>A compensation package is to be put in place to enable improvements to the offsite PRoW network.</p> <p>The OHA's are correct that after 30 years under Section 4 (a) of the Hedgerow Regulations 1997 hedgerows are deemed to be 'Important Hedgerows'. However, this does not mean that they cannot be reduced in height (as noted by the OHAs and regulated by the Management of Hedgerows (England) Regulations 2024). It does not prohibit the removal of hedgerows but requires landowners to justify the need for their removal. Section 6.1 (a) to (j) of the Hedgerow Regulations details circumstances under which the removal of any hedgerows under the Regulations may be permitted if it is required.</p>	

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
REP4-074	Oxfordshire Host Authorities	<p>Response to ExQ1.14.9 [PD-008]</p> <p>The ExA acknowledge the Change Request (CR) 2 notification [REP2-045]. However, the CR has not taken into account all of the changes proposed by others, particularly in relation to the ICOMOS-UK submission and OHA's. Please refer back to this question and respond with a plan with overlays, as requested, indicating the omissions proposed in excess of those captured by CR2. It is acknowledged that this may change at DL4 when OHA submits the findings from their visits, as outlined in [REP3-072].</p> <p>Response:</p> <p>OHA: The OHA have made suggestions through their previous representations, for land parcels to be omitted from the proposed development, for numerous reasons including landscape, heritage, ecology, flood risk, minerals and waste and green belt impacts.</p> <p>A site visit was undertaken with the OHA landscape consultant on 15 July 2025 to consider whether any land parcels should be omitted from the proposed development, specifically to address the landscape impacts of the scheme. The opportunity was also taken to consider the proposed omissions suggested by both ICOMOS UK [REP2-071, 072, 073 and 074] and Historic England in their representations [REP1-086] to understand whether the proposed omissions would address the concerns of the OHA</p> <p>A map of suggested omissions is included at Appendix 1 to this representation, to show where panels could be removed, to reduce the landscape and heritage impacts of the proposed development.</p> <p>Proposed omissions relate to landscape and built heritage impacts only, and do not fully reflect the extent of the OHA's view about the totality of the required omissions.</p> <p>The OHA welcome the areas proposed to be omitted by PD-011 Section 89- Change request 2 and the associated Proposed Changes to DCO Application - Change Request 2, however these changes are not extensive enough to address Landscape and Heritage concerns.</p> <p>The OHA site visit assessment was very similar in outcome to the areas proposed to be removed in the ICOMOS-UK [REP2-071, 072, 073 and 074] .However, there are additional areas the OHA would like to be removed from the scheme in addition to the ICOMOS areas for removal. These include additional areas in the South near the substation, areas of higher ground to the south-east of Bladon, land to the north of Cassington, higher-lying land to the south of Bladon Heath Wood, which is seen on views from Church Hanborough across the valley and additional sloping and elevated land either side of River Evenlode to the south of Church Hanborough. There is also additional Heritage Areas such as the setting and approach to the southern side of Blenheim, the setting of Shipton Slade Farm and north of the proposed Salt Cross Village.</p> <p>The OHA Omission Plans, at Appendix 1 show areas the OHA would like to see removed, those specifically related to 'Heritage' are Keyed blue. The areas which are most visually prominent, form part of a setting and or part of a historic field pattern are Keyed as 'Landscape following Site Visit'. The other areas keyed 'Landscape' are those areas judged to have unacceptable due Landscape, Visual or Heritage impacts.</p>	<p>The Applicant has taken on board concerns raised by Historic England, ICOMOS and others in respect of land to be omitted from the proposed development. In recognition of this feedback, the Applicant has submitted Change Request 2 alongside Deadline 5 which includes the removal of large areas of land from the Project as well as further scheme refinements which reduce the solar installation in other areas. It is recognised that the OHA does not consider these changes go far enough. The Applicant will consider the OHA Omissions Plan [REP4-075] in detail and provide a response at Deadline 6. To confirm however, at this stage the Applicant has no intention of reducing its Order Limits or proposed installation area any further.</p>	Landscape_and_Visual_Impacts
REP4-074	Oxfordshire Host Authorities	<p>LVIA methodology and assessment of effects.</p> <p>At Issue Specific Hearing 1 (ISH1) and EXQ1.14.10 [PD-008] the ExA asked the applicant to explain why effects with a significance level of Moderate or less were considered not to be significant.</p> <p>Whilst the applicant provided a response at [REP2-025] and [REP2-029], the ExA is minded to agree with other representations on this matter, including the LIR [REP1-072], OHA [REP3-072] and Stop Botley West [REP3-120] and still consider this matter unresolved.</p> <p>In light of these representations (and the alternative approach taken in other ES chapters) and in order for the ExA to reconcile this issue, please comment on the representations made at DL3 and provide a more detailed and robust reasoning for your position.</p> <p>Response:</p> <p>OHA: At paragraph 1.2.29 of The applicant's response to the OHA's response to the Rule 17 Letter [REP3-066] the applicant states 'The Applicant's Position – The use of the National Highways Standard significance of effects matrix (DMRB LA104, Table 3.8.1) adapted to reflect LVIA terminology (Table 8.12 of APP-045) is appropriate for the Botley West Solar Farm project.' However, it is noted that on page 15 of the Design 'Manual for Roads and Bridges (DMRB) LA104 (Highways England et al. 2020) guidance NOTE 3 'Significant effects typically comprise residual effects that are within the moderate, large or very large categories.'</p> <p>Therefore, if the LVIA is based on DMRB guidance and their assessment tables reflects those included in</p>	<p>LVIA methodology and assessment of effects</p> <p>Please refer to the Applicant's responses to comments on ExQ2 – Landscape and Visual Clarification Note [Document Ref. EN010147/APP/15.3] paragraphs 1.1 to 1.1.5. These provide further clarification on the agreement of the methodology with the OHAs, which include agreement to the use of Landscape Institute Technical Guidance Note-2024-01: Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment: Third edition (GLVIA3), which at question/issue 3(5) explicitly states that moderate effects can be considered to be significant or not significant. To do otherwise would go against Landscape Institute guidance.</p> <p>Please also refer to the Applicant's response to REP4-041 above in respect of Representative Viewpoints and DMRB.</p> <p>A review of the LVIA has been carried out and it is acknowledged that there are some effects, from specific Representative Viewpoints, where Moderate effects would be significant.</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		this guidance it is not clear why the significance of effects also does not follow the same DMRB guidance and count a moderate effect as significant.		
REP4-074	Oxfordshire Host Authorities	<p>Community benefit Please confirm whether the proposed community benefit fund is £440,000 or £441,000 as there are variations in the figures within various documentation submitted into the Examination.</p> <p>Response: OHA: On 8th May 2025 a community benefit fund figure of £525 per M/W per annum for the duration of the development (index linked) was agreed between the Applicant and the OHA (this equates to £441,000 per annum). A further discussion is to be arranged to refine details around the timing of payments (including whether they would cover the construction phase), scope for an alternative funding mechanism from year 15, and a potential scheme that offers low-cost solar panels to affected communities in the early stages of the development. The intention is to capture this in a simple legal agreement and then begin drafting the main deed of obligation that is explained further in Question 2.15.2 below.</p>	The Applicant recognises this as the outline agreement reached on 8 th May 2025.	Legal
REP4-074	Oxfordshire Host Authorities	<p>Community Benefit Funding Applicant - The Examining Authority (ExA) is aware that the proposed community benefit funding sits outside of the Examination. However, please confirm how the proposed funding is to be secured to ensure it can be effectively delivered? Similar scaled projects have previously drafted section 106 agreements to secure such funding. Oxfordshire Host Authorities (OHA) – Please confirm how you wish to see the community benefit funding to be secured and who would be the administrator of the fund.</p> <p>Response: OHA: The OHA consider the community benefit fund mentioned in Question 2.15.1 should be secured by a deed entered into under section 1 of the Localism Act 2011 (which allows a local authority to do anything that an individual can do, subject to statutory restrictions) and section 111 of the Local Government Act 1972 (which allows a local authority to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions). The deed would be entered into between the OHA and the Applicant and will need to be completed before any grant of development consent. The OHA are aware that this approach has been followed on other DCO projects to deliver community benefits and consider its use appropriate here also. Any deed would have to provide for circumstances in which the applicant transferred ownership of the project to any other person and for that person to enter into a deed on terms no less advantageous to the OHA. With regard to administering the fund, the OHA have been working with the affected parishes who are intending to set up a Community Interest Company (CIC) made up of representatives of the affected parishes. Upon receipt from the applicant, the OHA would transfer the annual funds to the CIC which would be the administrator of the community benefit fund. Should the CIC not come to fruition for any reason or be disbanded during the life of the development, the OHA (or successor(s) to their statutory functions) would administer the fund.</p>	The Applicant agrees that a section 111 agreement will be used to secure the community benefit fund. This agreement will be executed should DCO consent be granted, during discharge of conditions with the OHA. The Applicant has been a party to the discussions with the affected parish councils.	Community_Benefits_and_Impacts
REP4-074	Oxfordshire Host Authorities	<p>New hedgerows The proposed provision of new hedgerows to compensate for removal elsewhere or to provide screening is noted by the ExA [APP-129]. However, whilst not only having the potential to change the nature of existing views, concern has also been raised by Stop Botley West regarding users of Public Rights of Way (PRoW) who may potentially experience feelings of enclosure and/or experience a tunnelling effect, which in turn may have a negative effect on mental wellbeing [REP2-081]. What consideration has been given to such effects and could hedgerows be lowered at key vantage points to reduce the potential for such effects?</p> <p>Response: OHA: In terms of the 'tunnelling effect' of the proposed public rights of way mitigation, the OHA maintains the position outlined in paragraph 7.8.46 of the joint LIR [REP1-072] and in response to ExA1 Q1.1.2 [REP2-050] that any planting adjacent to the PRoW needs to be a sufficient distance from the PRoW to prevent an enclosing or tunnelling effect and to prevent harm to PRoW users from overgrown hedges. The OHA do not believe that any submissions by the applicant to date fully address these issues</p>	<p>The applicant has responded to the Tunnelling effect and height and management of hedgerows. Please refer to Q2.15.9 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p> <p>The location of key bat foraging corridors, together with proposed buffers, are set out in the Bat Technical Note submitted at Deadline 5 [EN010147/APP/15.6].</p>	Hedgerow

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>however discussions have begun with the applicant to discuss the onsite PRow mitigation measures. Regardless of the design of the mitigation in terms of users of the PRow, from an ecological perspective the proposed flexibility in the management of hedgerows below a minimum of 3 metres in certain locations is agreed with. Natural hedgerows that are managed appropriately should have varying heights along their length depending on aspects such as the presence of trees and shrubs of different age categories.</p> <p>Rotational cutting of hedgerows would allow for some hedgerows too be cut in deferring years, resulting in some hedgerows being cut and others not cut in any given year. This is desirable from an ecological perspective and would help to achieve varying levels in hedgerow height across the site. The requested detail regarding the locations of key bat foraging and commuting routes is a key detail in helping to determine appropriate management in these locations. For example, where a hedgerow could be maintained at a lower height at key vantage points, but it is also considered a key bat flightline then consideration will be required to determine the most appropriate approach to hedgerow height and management.</p>		
REP4-074	Oxfordshire Host Authorities	<p>Q2.16.2 Highway works interface</p> <p>Can the applicant co-ordinate with Oxfordshire County Council (OCC) to facilitate the submission of 1:1250 and 1:500 plans showing the overlay of potential works areas both for the project and for the junction improvements on the A40 that OCC are undertaking, to show the level of interaction between the Order limits and the scope of works intended. In addition to the provision of this plan, both OCC and the applicant are requested to answer the following questions:</p> <p>Both</p> <p>1) Could this matter be resolved via protective provisions or via a separate memorandum of understanding to be submitted to the Examination?</p> <p>Applicant</p> <p>2) The applicant states [REP2-026, page 59] "it cannot control the nature and timing of the works proposed to the A40." What prevents the applicants from being flexible in relation to the works in proximity to the A40 and why can works in this location not be undertaken as a bespoke piece of infrastructure delivery, timed to avoid cumulative effects with OCC works programme?</p> <p>3) Describe the sequencing or phasing of the project as a whole and whether it would be sequential construction of north, central and south areas or concurrent construction.</p> <p>Oxfordshire County Council4) Please provide an anticipated timetable for the construction and delivery of the improvement works to the A40.</p> <p>Response:</p> <p>OCC: Please see the 1:500 highways general arrangement plan for the Eynsham roundabout at Appendix 2 of this document which has been sent to the applicant. The plan forms part of the live planning application for the A40 improvements (available to view at www.myeplanning.oxfordshire.gov.uk using reference R3.0064/25).</p> <p>Turning to the questions:</p> <p>1) Following discussions with the applicant we understand that they may want OCC to lay ducting under the roundabout whilst the improvement works are undertaken. We have stressed the importance of confirming this and providing the necessary details as soon as possible as it will affect the A40 improvements works plan and schedule. If ducting is the preferred option, it may be possible to achieve this outside of the DCO with a highways side agreement (including provision for all applicable costs). We have previously set out the issues with alternative methods (see our answer to Question 1.17.17 of ExAQ1 [REP2-050]). Whilst not supported by OCC for sustainability and highway network management reasons, if direct interface with the completed A40 works is required, rather than lay a cable by trenching and backfilling across the A40, OCC would require reinstatement/resurfacing of the entire carriageway of the impacted area of the roundabout (not simply backfilling and surfacing the cable trench) to ensure the integrity of the recently completed works. In this event, a highways side agreement (S278) would be the preferred mechanism to ensure the satisfactory reinstatement of the highway.</p> <p>4) The HIF2 A40 improvement works timetable is:</p> <ul style="list-style-type: none"> • Planning application validated 22/07/25 	<p>The Applicant thanks OCC for providing their 1:500 scale highways general arrangement plan for the Eynsham roundabout. The Applicant confirms that they are liaising with OCC in this regard and have provided specifications of ducting requirements for the Project to OCC to continue these discussions to reach an agreed position. The Applicant notes OCCs comment that these works may be possible outside of the DCO with a highways side agreement and this will form part of the ongoing discussions.</p> <p>Please refer to Q2.16.2 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p>	Traffic_Transport_and_Access

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<ul style="list-style-type: none"> • Targeting November/December 2025 planning committee • Start works on site March-June 2026 		
REP4-074	Oxfordshire Host Authorities	<p>Q2.16.3 Road widening works Management</p> <p>In response to ExQ1.17.5, you have confirmed that all road widening works would be retained for the lifetime of the Project [REP2-025]. Can you confirm the following:</p> <ol style="list-style-type: none"> 1) If the additional land required is all within the boundary of the Order limits. 2) If construction associated with these works is included in the outline Code of Construction Practice. Assessment 3) How was the assessment and subsequent decision to widen certain roads and not others carried out. Can you also confirm if this assessment included the following: <ol style="list-style-type: none"> a. proposed HGV route along the A4095 b. access to and from new buildings such as the proposed education facility 4) Taking environmental factors into account, what are the benefits verses harms if the width of these roads were to be reduced back to their original size post construction. <p>Response: OCC: From the point of view of OCC as the Highways Authority the preference would be that the widened roads would be reduced back to their original size following the construction phase. However, this would be dependent on the situation surrounding the ongoing maintenance of the solar panels throughout the operational phase. If, as the OHA have raised concerns around elsewhere, the maintenance of the panels would include the possibility of large-scale replacement of panels (whether due to faults in the panels or replacement with more efficient technology), and these panels would need to be delivered by HGV then the widened roads would need to be retained for the lifetime of the development (including the decommissioning phase).</p>	<p>The Applicant has set out reasons for the road widening being retained for the lifetime of the Project in its response to ExQ2.16.3 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p>	Traffic_Transport_and_Access
REP4-074	Oxfordshire Host Authorities	<p>Clarification on mitigation</p> <p>In the applicant's response to ExQ1.18.8 [REP2-025], it is stated that the principle of incidental extraction (i.e. use it or sell it) is a type of mitigation for developing over a mineral safeguarding area. Is that mitigation or opportunism?</p> <p>Response: OCC: The applicant's reply to ExQ1.18.8 [REP2-025] states that in that in terms of mitigation measures for the development, the principle of incidental extraction would be adopted during construction works when developing over a Mineral Safeguarding Area (MSA). We would disagree that this should be considered an appropriate mitigation measure for safeguarding the mineral resource impacted by this proposed development. It is acknowledged that the principle of incidental extraction is removing and using or selling mineral encountered during non-mineral development. The incidental extraction with this proposal is as a result of digging trenches and for utilities which are required to ensure delivery of the wider development. However, it is not considered mitigation if the other impacts of the development remain unacceptable. This development would cause much wider sterilisation of a significant and safeguarded minerals resource and is therefore considered unacceptable. In addition, this approach would result in the partial removal of mineral only to the depth required for infrastructure, leaving substantial quantities of safeguarded mineral sterilised beneath the development footprint. The applicant's response to Q1.18.7 [REP3-065], states that "it is likely that much of the cable route will be founded within the overburden". Therefore, this is not mitigation of the mineral resources within the development, it is the reusing on site or selling the potentially very limited mineral that is going to be removed anyway due to trenches/utility works. This potentially benefits the developer economically, without fulfilling the core purpose of the NPPF and mineral safeguarding, which is to protect long-term access to mineral resources for future generations. It is therefore considered in this instance, that this incidental extraction functions more as opportunism than meaningful mitigation of the wider mineral resources within this proposal. Notwithstanding the above, should the SoS grant the DCO despite OCC's objections on minerals safeguarding grounds, as Mineral Planning Authority we would like to ensure we receive details of the</p>	<p>Incidental extraction, in principle, offers an opportunity to re-use safeguarded resource where it is encountered during the development-related construction works or for re-use in the local market, where the material is deemed suitable for that intended purpose. The Applicant therefore concurs that incidental extraction presents opportunism. And should this occur, the Applicant will be happy to provide the relevant detail.</p> <p>Arisings may only be brought to surface during pile removal works, and those arisings are likely to be very limited in volume.</p>	Ground_Conditions

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>sales from the incidental extraction, if any, for minerals planning purposes.</p> <p>In addition, in response to ExQ1.1.18.8 [REP2-025] the applicant states that incidental extraction would likely be where safeguarded resources are encountered during such works as “trenching/utilities/piling” works.</p> <p>We understand how incidental extraction may occur when creating trenches and installing utilities, however we seek clarity on how piling will cause extraction as we understand that these are driven into the ground with high pressure machinery, thereby not creating any mineral extraction. Unless the developer is referring to when and if the piles are removed.</p> <p>Clarity on the impact, duration and removal of the piling was sought in our response at 1.18.7 [REP2-50]. Whilst our response was not included in full within Q1.18.7 [REP3-065], particularly those comments in relation to our concerns over decommissioning and either the potential retaining in situ of the piles following decommissioning or removal and damage to mineral, the applicant has now confirmed that all piles will be removed.</p> <p>They also state in their response to Q1.18.7 [REP3-065], that the piles will be removed without any significant volume of material being brought to the surface. We would appreciate evidence on how the removal of steel piles, driven into the ground, can be easily undertaken without impacting or disturbing material surrounding them is possible.</p> <p>In addition, the management of the waste arising from these removed piles should now be considered along with all other waste arisings.</p> <p>Table 18.23 of the ES [AP-055] sets out that during the construction phase, it is estimated that the maximum number of Solar Photovoltaic (PV) modules used could be up to 2,200,000 and this is repeated in Table 9.1 [APP-238]. If each module requires four piles, there is the potential for up to 8,800,000 three-meter steel piles that will become a waste arising and will need managing following decommissioning. Details on quantities, management method and availability of facilities is not provided, and this should be known and considered prior to any decision taken.</p>		

2.2 Non-Statutory Consultees

Table 2.2: Applicant's Responses to Representations provided at Deadline 4 – Non-Statutory Consultees

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
REP4-042	Begbroke and Yarnton Green Belt Campaign (BYG)	<p>In our D2 submission REP2-062 we commented on Historic England's (HE) assessment of Botley West. Most notably, it omits consideration of the impact on its OUV of the changes that would take place in the wider setting of the Blenheim WHS. Reference is made by HE to the ICOMOS International 2024 Technical Review. In full awareness of the Botley West proposal, the Review expressed concern that "the proposal would lead to a large change in the landscape character of the setting of the property (from rural to semi-industrial) if implemented which may have an impact on the maintenance of its OUV".</p> <p>1. We are concerned as to why HE has chosen to exclude the impact on the OUV in its own assessment, merely referring to ICOMOS and the obligation for the Applicant to address the matters raised in its Technical Review. Changes to the wider setting that might impact the OUV of the WHS must surely also fall within its own remit?</p> <p>2. HE stated it had requested ICOMOS to provide an update to its 2024 Review which considered the details of the Botley West proposal. It is of concern that no indication has been given as to the likely timing of that update.</p> <p>3. Furthermore, in its latest submission (RP3-081) HE no longer makes any reference to the ICOMOS update or when it might be received. HE is the State Party responsible for interacting with ICOMOS. Its help in ensuring that an updated Technical Review is received in time for the ExA, the Applicant, and all other IPs to review and be guided by its content, is clearly important.</p> <p>5. Given the limited scope adopted by HE itself, lack of the updated report from ICOMOS International dealing with the detail of the Botley West application would be a significant omission from the Examination. There would then be no view expressed by a competent authority on the impact on the WHS OUV resulting from changes to its wider setting.</p> <p>6. This would be a serious omission, quite possibly compromising the validity of any conclusion on the suitability of the Botley West project.</p>	<p>The ICOMOS Technical Review on the proposed Botley West solar farm was submitted into the Examination at Deadline 4 [REP4-052]. The Applicant's response to this Technical Review is set out above. The Applicant is preparing an updated version of ES Appendix 7.4: Heritage Impact Assessment – Blenheim Palace World Heritage Site (Rev 1) which responds to the proposed changes set out in their Change Request 2 Notification [REP2-045].</p>	Historic_Environment
REP4-043	Begbroke and Yarnton Green Belt Campaign (BYG)	<p>Begbroke and Yarnton Green Belt Campaign (BYG) Deadline 4: BYG Further Submission on Site Selection Relating to London Oxford Airport.</p> <p>In our previous submissions, RR-0092 and REP1-094 we set out evidence demonstrating that the Applicant failed to undertake a serious review of possible alternative sites. It can only have been the engagement of a willing landlord that would have persuaded a developer to propose a site that largely covers Green Belt land; that has a high percentage of Best and Most Versatile agricultural land; which is located next to a World Heritage Site; and that contains a multitude of other heritage assets.</p> <p>Our contention is vindicated by the Applicant subsequently choosing other, far less problematic, sites elsewhere in the country.</p> <p>1 The presence of the airport presents another significant reason why this site should not have been chosen. Through protracted negotiations, London Oxford Airport has established a "safeguarded area" as advised by The Combined Aerodrome Safeguarding Team (CAST). These negotiations during the Examination have demonstrated that the Applicant initially failed to grasp the significant effect of a utility scale solar farm on a busy airport.</p> <p>2 They have also revealed that existing guidelines for dealing with engine failure after take-off (EFATO) are not sufficiently comprehensive. The latter point is demonstrated by the PagerPower report commissioned by the RPS Group on behalf of the Applicant. The section in this report that relates to airport safety is set out below.</p> <p>3 Importantly, the guidelines only deal with the situation of an EFATO event at a time when a pilot can land in a narrow strip of land. Furthermore, there is no requirement or provision for the previous accident record to be considered; nor for consideration of the implications arising from the scale of the BWSF solar farm.</p> <p>4 During Issue Specific Hearing 1, Mr. Curtis, General Manager of London Oxford Airport, told the ExA that the airport is pre-eminent in the UK for professional pilot training. At any one time, there are roughly 1000 cadets training there for professional licences. Many of them will operate single-engine aircraft. Mr. Curtis considered there was, on average, one engine related "event" every two years. Importantly he also said that "ultimately it is the aircraft operators who take the risk. But our duty of care is to ensure that we have done our best to mitigate risks associated with the use of the airport". (EV5-007).</p> <p>[There appears to be no provision for representation of the views of trainee pilots or their school in the Examination.]</p>	<p>The Applicant has responded to BYG's relevant representations in [REP1-020]. Section 29 of that document responds to representations relating to site section and cable route alternatives, green belt, impacts on heritage sites. Section 2 of that document addresses impacts on BMV land.</p> <p>ES Chapter 5 - Alternatives Considered [APP-042] outlines how and why the application site was selected, and how the Applicant considers its approach is consistent with Government policy on the matter (see for example response at REP2-025, Q.3.1 and Q1.3.2).</p> <p>The Applicant is continuing to engage with London Oxford Airport and the CAA in relation to aviation activity and risk. As shown by the Statements of Common Ground ([REP3-051] and [REP3-045]), the parties are well progressed with resolving these issues. Relevantly, the Applicant has agreed to extend the safeguarding zone for EFTAO and CAA is agreeable to the extended zone and as such, this matter has now been resolved.</p>	Site_selection_and_Cable_Route_Alternatives

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>5 Over the 40-year period proposed for the site, the evidence indicates that forced landings will take place over the wider area involving aircraft landing on fields of panels. This would significantly increase the danger of life-threatening injuries as well as creating serious problems for emergency vehicles.</p> <p>5.1 The submission by Professor Stephen Westaby REP3-119 highlights his involvement in two crashes on Bladon Heath. Bladon Heath is well outside the safeguarded area that is being agreed for panel removal.</p> <p>5.2 A review of crashes at Oxford Airport in the last 25 years, logged by the Bureau of Aircraft Accident Archives, reveals two outside the airport. There was a further one in 2024 that is yet to be logged.</p> <p>5.2.1 The first took place on 6 December 2003. There were three fatalities. As seen on the map below, the crash site is just to the left of where the proposed safeguarded area would be.</p> <p>5.2.2 The second took place on Bladon Heath on 15 January 2010. It is located far outside the safeguarded area, possibly being one of the crash sites attended by Professor Westaby. There were two fatalities. This area would be covered in panels.</p> <p>5.2.3 The third incident occurred on 1 July 2024. A Tecnam P2008-JC light aircraft, making an emergency landing directly after take-off, managed to land in a field near Begbroke. The location of this field is shown in the Google Earth image below. The lines in red show the areas where panels would be located (although some of these panels in front of the runway will now be removed). Again, this location is some distance from the safeguarded area.</p> <p>5.3 These three incidents, in a relatively short space of time, demonstrate that there is a random pattern of widely dispersed crash sites. A safeguarded area will only provide, at best, a limited area of safety. Accidents will continue to happen in the wider area; and the scale of Botley West would make it increasingly difficult to find safe emergency landing areas free of solar panels. It is highly probable that there will be emergency landings in future that involve light aircraft crashing into panels.</p> <p>6 We have already argued on several grounds that the site proposed for BWSF is inappropriate. The introduction of airport safety hazard adds to these and could have been avoided if a less unsuitable site had been chosen. We do not regard this as a technical issue, or one requiring specialist knowledge. The evidence of hazard alluded to above, and that provided by Professor Westaby, is straightforward and merits further consideration.</p>		
REP4-044	Begbroke and Yarnton Green Belt Campaign (BYG)	<p>1. REP2-059</p> <p>1.1 In this submission we drew the ExA's attention to the following statement that had been made by Blenheim in REP1-098:</p> <p>"The land required for the solar project is held on trust. Income generated by the land must be applied to the World Heritage Site. This is a binding obligation on trustees, who provide account to HMRC on an annual basis. These are existing financial mechanisms in place today, passing funds to the Blenheim Palace Heritage Foundation. Depending on the final design of the scheme and the exact land drawn down, that flow of funds will increase from around £80k pa today to in the region of £500k pa once developed out. All of this income will be committed to the maintenance and restoration of the World Heritage Site. Accordingly, there is significant public benefit to be derived from the development of the solar project in the form of derived income supporting this important heritage asset".</p> <p>We demonstrated (REP-059) that this appeared to be a wholly inaccurate and unsupported statement that cannot be relied upon. Given the scale and significance of contribution to the WHS being suggested by Blenheim, it is reasonable to expect that the Applicant provide detailed evidence to counter our assertion, and to support what had been claimed. On the contrary, on page 10, we are given further obfuscation.</p> <p>1.2 However, BYG can assert that what we claimed to be the case is indeed correct. We pointed out, in REP2-059, that the Blenheim Palace 1984 Maintenance Fund is the only Blenheim entity that has a legal obligation to pass profits through to the WHS. This is confirmed by the Applicant, on page 10 of REP3-064, where it is stated that "Outside of the 1984 Maintenance Fund obligations, any contributions to the Heritage Property are made on a discretionary basis".</p> <p>The Applicant goes further and states that "there are no other discretionary contributions proposed as part of the Botley West project"</p> <p>1.3 We also pointed out that there is no track record of the 1984 Maintenance Fund having passed profits through to the WHS. In fact, this fund appeared to be an inactive entity. The Applicant can only refer to a "schedule of funds received from the Maintenance Funds in the Charity Accounts to March 2024". In those accounts, there is no reference to any funds being received from the 1984 Maintenance Fund. The summary of balances with related parties provides further confirmation that there is no meaningful interaction with that fund.</p> <p>1.4 The Applicant refers to the report from Withers (REP3-068), inferring that it clarifies the flow of funds from the 1984 Fund and the obligations it has. The report from Withers does no such thing. Had the</p>	<p>REP4-044 raises the question of whether rents from the Botley West Project will flow to the World Heritage Site (WHS) from freehold land held by the Blenheim Palace 1984 Maintenance Fund. These rents, currently at agricultural level flow either directly from unencumbered freehold land or via freehold land leased to the Vanbrugh Unit Trust.</p> <p>The suggestion that there is no legally binding arrangement to ensure these rents pass to the WHS is incorrect. As set out in earlier submissions, and supported by Withers LLP, the ownership structure of the Option Land establishes a legally binding obligation on the trustees, who are accountable to HMRC on an annual basis. The Withers Report 13.6 Botley West Solar Farm Blenheim Estate ownership commentary 30 May 2025 [REP3-068].</p> <p>In addition, the flow of rents from the Vanbrugh Unit Trust, as leaseholder of land owned by the Blenheim Palace 1984 Maintenance Fund, is secured under a lease that runs until 1 July 2092. The existence of these binding arrangements is not in doubt.</p>	Land_Agreements

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>Applicant wished – and had Withers been prepared to do so – a statement from Withers could have been provided clarifying both the flow of funds and the legal obligations in place which would result in £500K being contributed.</p> <p>1.5 The report does explain why the 1984 Maintenance Fund appears to be inactive. In paragraph 2.3, it confirms that “In 1984, the court authorised the transfer of some of the land held by the Parliamentary Estates to the 1984 Maintenance Fund. That land was then leased to the Blenheim Settled Estates (a settlement established by the 11th Duke of Marlborough)”. It then goes on to state that “In 2006, VUT acquired the leasehold interest in the land held by the Blenheim Settled Estates mentioned above (and the reversionary interest remains with the 1984 Maintenance Fund).”</p> <p>In other words, the Vanbrugh Unit Trust (VUT) has the leasehold interest of all the land that is owned by the 1984 Maintenance Fund. It is therefore entitled to all the profits generated from holding that leasehold interest. There would be an exception if there was a windfall clause to the benefit of the 1984 Fund, but Withers would have indicated that in their summary if that was the case. The Applicant confirms, on page 10 of REP3-064, that “The Vanbrugh Unit Trust does not have an obligation to provide funds to the World Heritage Site”.</p> <p>1.6 We therefore re-assert our view that the statements made by Dominic Hare to the ExA on this issue are inaccurate at best. There is no legally binding arrangement to ensure that any profits arising from the Botley West project would be of benefit to the WHS.</p> <p>1.7 We consider that the presentation to the ExA of such inaccurate and unsupported information undermines the integrity of the Examination, as also does the Applicant's repetition of the £500,000 claim on page 13 of REP3-064.</p>		
REP4-044	Begbroke and Yarnton Green Belt Campaign (BYG)	<p>2. REP2-060 – part 1</p> <p>2.1 Extraordinarily, the Applicant does not dispute or comment on our reference to Private Eye's claim that a false name for a director was used at Companies House when registering SolarFive and related solar companies, as well as when submitting the application to Ofgem for the Electricity Generation Licence. Yet, as we state again, this is a very serious matter.</p> <p>2.2 In its response to REP2-060, the Applicant states that Yulia Lezhen is a resident of Cyprus and owns Cypriot property, but they do not dispute our suggestion that her Cypriot passport was obtained through the “Golden Passport” scheme that used to operate in Cyprus. It may well be the case that Lezhen has, and does, spend time in Cyprus. What the Applicant fails to mention is that she also has a long and well-established track record in Russia. This is highly significant given the lack of information provided by the Applicant relating to Cransseta Investments Limited. This Cypriot registered company owned by Lezhen was confirmed by the Applicant as being the source of all the project funding (see REP2-025 answer to Q1 5.26). Without detailed information relating to this company, it is impossible for the ExA or SoS to know the source of any funds that are being, or will be, transferred to the UK to support this project. These funds could be coming from Russia - or anywhere else in the world - from unknown sources and activities. There is no proven link between any supposed funding and the solar farm projects the Applicant claims to have developed in Japan or elsewhere.</p> <p>2.3 We should also refer back to the New York Court Discovery Document, submitted as Appendix 2 in our RR-0092. Here it was stated by JSC “INGTORGSTROY” that they believed Lezhen was merely the nominee holder of her late husband Dmitry Glukov's assets, including Cransseta. As far as we know, this has never been contested. As previously detailed in our RR, Cransseta Investments is a profoundly opaque company with a multitude of possible revenue sources. It has none of the characteristics normally to be expected of a source for BWSF project funding. Yet this is the company the ExA and SoS are being asked to accept as providing the foundation funding for the largest solar farm project ever proposed in the UK.</p> <p>2.4 To summarise, there is a lack of transparency in respect of Lezhen's Russian background and connections that should raise concern; particularly so in the light of the evidence set out above, and in view of the attempts initially made to mask them by apparently using a false Europeanised name.</p> <p>2.5 In responding to our criticism that any financial information provided is out of date and unaudited, and that no information has been provided in respect of the most significant entity Cransseta, the Applicant merely confirms what is already known: that the accounts of SolarFive are indeed unaudited! No reference is made to the accounts of PVDP Germany, nor to Cransseta.</p> <p>Its failure to provide any credible financial information at this stage in the Examination can only lead to the assumption that such information - which clearly exists - is going to be withheld by the Applicant.</p>	<p>Julia Lejeune and Yulia Lezhen are two forms of the same name and both are commonly used. Ms Lezhen is a Cypriot national and has lived permanently in Cyprus since 2012; prior to that she was resident in Germany. Ms Lezhen is a taxpayer in Cyprus, which is her place of business and location for the education of her children. Her late husband is buried in Cyprus.</p> <p>2.1. Generally the Applicant does not comment on unsubstantial claims or allegations. However, we feel that a clarification is necessary. Not a false name was used but there are two transcriptions for the name of the director. According to Edward Klyshinsky, et. al. in Cross-Language Transcription of Proper Names, Computational Linguistic Laboratory, the following needs to be considered: 1. Some countries have several national transcription and transliteration systems of transfer into Latin alphabet. 2. Countries usually possess system of transcription into Latin, but if we will take some other target system, such as Greek, some countries have no developed transcription systems for it at all. Some most widespread variants usually are determined unambiguously, while other more rare combinations of letters could stay unclear and undefined at all. 4. The lack of unambiguous correspondence in the process of transcription give rise to just one more problem. If we transcribe a word from original language into the target one and then back to original language, the result of such double transcription in many cases will not coincide with the original. The discrepancy results from the loss of phonetic information in the process of transcription. This problem is connected with the lack of sounds in the target language, which are present in the phonemes of the original language. According to international requirements, machine-readable documents must be written by Latin letters. (https://keldysh.ru/pages/cgraph/articles/dep20/publ2008/Tanscription.pdf). Therefore the name in question is referring to the same person, merely written differently</p>	Funding_and_PPA

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<p>according to transcription terminology used. 2.2. Yulia Lezhen obtained her Cypriot citizenship by way on naturalization, moving her centre of living to Cyprus in 2012 and residing there ever since. There is plenty of evidence for this. However, the Applicant does not see any relevance of this to the application process for granting DCO. To the extend legally required, the Applicant has provided and is willing to further provide all necessary information. All information on Cransseta Investments Ltd. is publicly available and can be obtained from pen sources or relevant databases. Such information transparently shows all financial statements of the company. The Applicant strongly denies any irregularity in the origin of funds or any of its business operations. Funds from the development of Japanese solar projects were earned during 2012 - 2020 by the 100% subsidiary of Cransseta, Mulledmont Solar Ltd, whose financial report in the relevant FY 2019, when funds for futures solar activities, including those of the Applicant were earned, shows a cash of €43M and Total-Assets of €224M (https://ie.globaldatabase.com/company/mulledmont-solar-limited)</p> <p>2.3. The Applicant is not party to any of these proceedings. However, it is worth mentioning that documentation filed in those proceeding has consistently been falsified, which was the reason for the case being dismissed at all instances, and Ms. Lezhen maintains her right to have been acting on her own behalf. The Applicant dismissed claims of having obtained illegal funding, is not aware of Cransseta Investments being an "opaque" company and is not aware of what those "characteristics normally to be expected of a source for BWSF project funding" are supposed to be. 2.4. The Applicant strongly rejects any claims of lack of transparency in its funding or operation. On the contrary, the corporate structure of the Applicant and group companies has been made fully transparent from the beginning. 2.5. Under applicable laws the Applicant or group companies to that matter are not obliged to audit financial statements. However, all relevant information in this regard is publicly available and prepared by reputable accounting firms.</p>	
REP4-044	Begbroke and Yarnton Green Belt Campaign (BYG)	<p>3. REP2-060 – part 2</p> <p>The second part of BYG`s REP2-060 dealt with the failure by the Applicant to provide credible evidence that it had any experience of building utility scale solar farms.</p> <p>The Applicant`s response to this provides no further evidence that such experience exists. Our D3 submission (REP3-085) also deals with this matter. The Applicant appears to have exaggerated its track record to the point of misleading all parties to this Examination.</p>	<p>The Applicant developed 1GW solar generation in Japan. There are six projects, the first five of which were consented and constructed. The sixth, Ukujima, was consented then sold to a group of Japanese companies for construction.</p> <p>PVDP has successfully developed 980 MWp capacity. Further to the below quotes, publicly available evidence is provided for the following solar farms: (1) Ukujima Solar Farm with a total capacity of 480 MW: this project is Japan's largest solar farm project and is currently in construction. For the 2025 construction status, please see: www.kyudenko.co.jp/en/docs/mid_management_plan_en_20250428.pdf page 31 in the original doc (page 34 pdf). The project started in 2012. The land area for the project covers more than 800 hectares of largely unused land. To facilitate the project PVDP had established the special</p>	Funding_and_PPA

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<p>purpose company TeraSol G.K., which signed more than 11,000 individual lease agreements. In March 2013, the project obtained the METI approval, qualifying for participation under the Japanese Act on Special Measures concerning the Procurement of Renewable Electric Energy by Operators of Electric Utilities with a feed-in tariff as FY 2012 project.</p> <p>https://www.bloomberg.com/news/articles/2013-04-12/germany-s-photovoltaic-development-plans-400mw-solar-farm-correct The first application for Grid Connection was filed with Kyushu Electric Power in March 2013. In 2014, Kyocera Corporation, along with Photovoltaic Development Partners GmbH, Kyudenko Corporation, ORIX Corporation, and Mizuho Bank, Ltd., had announced in 2014 to have reached a basic agreement on the possibility of operating a 430-megawatt (MW) solar power project on the island of Ukujima</p> <p>https://solarpowermanagement.net/article/93980/Kyocera-led-consortium-announces-430MW-project-in-Japan . In July 2016 the project finally obtained Grid Connection Application approval from Kyushu Electric Power for a direct current, high voltage submarine transmission system based on VSC technology from Siemens. In April 2018, Kyocera, Kyudenko, and Mizuho were joined by Tokyo Century, Furukawa Electric, Tsuboi, The Eighteenth Bank and SPCG and agreed with Photovoltaic Development Partners GmbH that the feed-in tariff rights will be transferred to the newly established special purpose company https://www.pv-tech.org/giant-japan-solar-plant-plans-refreshed-with-five-new-participants . (2) Onikobe Solar Farm with a total capacity of 183 MWp: Onikobe Solar Power Plant is an operating solar photovoltaic farm in Osaki City, Naruko Onsen, Miyagi Prefecture, Japan and was developed by PVDP during 2013 - 2017. For this purpose, PVDP had established the special purpose company PurpleSol GK, which owns the project https://www.gem.wiki/Onikobe_Solar_Power . The Ministry of Economy, Trade and Industry, Japan had permitted the plant on October 23, 2013. (3) Kawasaki Solar Farm with a total capacity of 56 MW https://www.gem.wiki/Kawasaki_Solar_Park . This 56MW solar power plant has been built on the site of a former golf course in Kawasaki Town, Shibata District, Miyagi Prefecture. The plant is owned by Petasol Co., Ltd., a company established by PVDP. PVDP had developed the project during 2013 - 2019. (4) Akita Solar Farm with a total capacity of 40 MW was developed during 2013 – 2015. File:Yurihonjo City Solar Park.jpg - Wikimedia Commons, https://www.mmjp.or.jp/tubaki-golf/newsfile/2014/1215-akitaprestige-golf.html, The project is being planned by Photovoltaic Japan LLC (Tokyo), the Japanese subsidiary of German-based Photovoltaic Development Partners. The site will host approximately 156,000 solar panels, with a maximum output of 39,000 kW</p>	
REP4-044	Begbroke and Yarnon Green Belt Campaign (BYG)	<p>4. REP2-061</p> <p>4.1 In this submission we commented on:</p> <ul style="list-style-type: none"> - The lack of adequate information in respect of the plan for decommissioning. - The lack of evidence in respect of available funding. 	<p>Details of the plan for decommissioning are set out in the outline decommissioning plan [APP-236].</p>	Funding_and_PPA

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>- The lack of any representative for the Applicant with knowledge of the history of PVDP or of its detailed funding.</p> <p>4.2 The Applicant has chosen not to respond specifically to our detailed analysis. We again submit that our analysis is accurate and that it forms an appropriate basis on which to examine this matter.</p>	<p>The Applicant has provided information in respect of the plan for decommissioning.</p> <p>Evidence in respect of available funding can be found in the FY 2024 financial statements, according to which as of December 31, 2024, the Applicant had received funding of GBP 17,854,832 (https://find-and-update.company-information.service.gov.uk/company/12602740/filing-history/MzQ3ODU4MjcxM2FkaXF6a2N4/document?format=pdf&download=0)</p> <p>As the managing director of Photovolt Development Partners since 2009, Peter Gerstmann has full knowledge of the history of PVDP and its detailed funding (https://www.northdata.com/Photovolt%20Development%20Partners%20GmbH,%20Berlin/Amtsgericht%20Charlottenburg%20(Berlin)%20HRB%20120228%20B)</p>	
REP4-044	Begbroke and Yarnton Green Belt Campaign (BYG)	<p>5. REP2-062</p> <p>5.1 We commented in this submission that Historic England's view that BWSF "would contribute to the WHS" was based on nothing other than the evidence presented by Dominic Hare in Blenheim's written summary of the oral submissions.</p> <p>5.2 The Applicant has responded to the comment by pointing out that similar assertions were made in paragraphs 1.5.17-1.5.18 of ES Appendix 7.4 (APP141). These two paragraphs read as follows: The Blenheim Palace WHS is very unusual amongst World Heritage Sites in that it is wholly privately owned. As such it does not benefit from any form of public sector funding. Full implementation of the strategy set out in the 2017 Management Plan will be completed by 2026 at a cost of at least £40 million pounds, all of which has to be generated by The Blenheim Estate. Part of the Blenheim-owned land which would be utilised for the Project is owned by a Maintenance Fund whose purpose is the upkeep and maintenance of the World Heritage property. A significant part of the revenues from the Project would therefore flow as regular long-term income to the Maintenance Fund, giving it a significantly enhanced revenue over and above the current low grade agricultural uses. Consequently, benefits would accrue to the World Heritage property by way of increased revenues to help address the current heritage funding deficit when compared against the targets within the WHS Management Plan. This very positive impact should be taken into account when assessing the proposed Project.</p> <p>5.3 This is simply a general statement. There is no evidence providing assurance that legal obligations are in place to ensure that such benefits would arise. This topic has been thoroughly covered in the section on REP2-059 above.</p>	<p>It is regrettable that REP2-059 contains a number of inaccuracies, which the Applicant and Blenheim Palace have already addressed in written submissions. The flow of rents from the project to the World Heritage Site (WHS) has been clearly evidenced through the freehold ownership structure, the leasehold arrangements, and the binding obligations on trustees. The Withers Report 13.6 Botley West Solar Farm Blenheim Estate ownership commentary 30 May 2025" [REP3-068].</p>	Land_Agreements
REP4-045	Cumnor Parish Council	<p>Cumnor Parish Council's comments on the consultation process</p> <p>1. Your letter (Proposed changes to the Botley West Solar farm DCO Application) dated 23rd July – the start date of the consultation - was sent by post (not by email as other communications) to the Cumnor Parish Council (CPC) PO Box, and was received at some point during Friday 1st August, 9 days after the start of the consultation period.</p> <p>2. Therefore, CPC was not in a position to consider the letter until Monday 4th August. We can supply minutes of our 4th August meeting to confirm this should you so wish. This was some 12 days after the start of the 30-day consultation.</p> <p>3. This alone is sufficient for CPC to believe that the consultation as described by you to ExA cannot meaningfully take place.</p> <p>4. CPC further doubts that this consultation can meaningfully take place without the photomontages etc. requested in Cumnor Parish Council's Comments for Deadline 3 on responses to Examining Authority's 1st written questions (ExQ1) being available.</p> <p>5. In addition, your 23/07 posted letter to CPC (Appendix 1) includes no details on how consultation responses will be assessed by you.</p> <p>6. Contrasting with the incomplete information provided by you are your repeated assertions (in EN010147-001239-Applicant's Change Request 2 Notification (Rev 0).pdf) that for all three of your proposed changes in this Parish: 'overall there is unlikely to be any new or materially different significant</p>	<p>The Applicant notes these comments.</p> <p>The Applicant appreciates Cumnor Parish Council confirming receipt of the letter.</p> <p>The Applicant notes that Cumnor Parish Council lists the PO box on their contact information section of their website.</p> <p>The Applicant also consulted all relevant stakeholders – including Cumnor Parish Council - by email on 23 July 2025 and issued a reminder email on 19 August 2025.</p> <p>In determining how to consult on the Change Application, the Applicant has had regard to PINS Guidance. The Planning Inspectorate encourages applicants to provide Affected Parties with the opportunity to engage in the change process prior to the Change Application being made to the ExA. The Guidance states that it will be necessary for applicants to carry out 'appropriate</p>	Consultation_Process

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>environmental effects' These repeated assertions are unevidenced, a common theme.</p> <p>7. So, against a background of unsatisfactory prior consultations, CPC has assessed that it has a zero to very low degree of confidence in this new consultation and in your ability to provide the ExA with a complete and accurate account of this response.</p> <p>8. Given 7. above Cumnor Parish Council agreed at its 4th August meeting that it will also copy this consultation response to the ExA, so that there can be no doubt as to the nature and extent of this response.</p>	<p>consultation' with the ExA advising on the need, scale and nature of consultation that may be required, having regard to the scope of the changes proposed. This approach was agreed by the Planning Inspectorate in a letter dated 11 July 2025.</p>	
REP4-045	Cumnor Parish Council	<p>Cumnor Parish Council's comments on the proposed change 3</p> <p>9. The proposed position of the main Project substation places it immediately adjacent to PRoW 184/30/40 and 184/29/10 and within a few metres of 184/30/20 (the Oxford Greenbelt Way).</p> <p>As such, and given its permanent, not 'temporary', nature it will irretrievably change the kinetic experience of walking those PRoW; the setting of Upper Whitley Farm (Grade II) (see also para 9 - ExA q1.6.29 - in EN010147-001336-Cumnor Parish Council - Comments on responses to the Examining Authority's First Written Questions (ExQ1)); will be visible to recreational users of Farmoor Reservoir, and will be completely visible, with no possibility of mitigation given elevation changes, from Cumnor Neighbourhood Plan (CNP) Important Views 3, 7 and 31.</p> <p>In light of these facts and of para 6. above, CPC does not believe the applicant's conclusion in respect of proposed change 3 (in EN010147-001239-Applicant's Change Request 2 Notification (Rev 0).pdf) that: 'overall there is unlikely to be any new or materially different significant environmental effects compared to those already reported. '</p>	<p>The Landscape and Visual Assessment (LVIA) [PDB-006], assesses the effects of the Project substations in views from the Oxfordshire Greenbelt Way (Representative Viewpoint 50, Appendix 8.5 of the LVIA). This has concluded that there would be a Major adverse significance of visual effect (significant) upon users of the Oxfordshire Greenbelt Way (PRoW 184/50/20) at winter Year 1 within a short section along the route, when passing the substation. By year 15, the new hedgerow reinforcement, woodland planting and individual trees adjacent to the route and substation site would have matured, reducing the effect to moderate adverse (not significant).</p> <p>Representative Viewpoint 53, taken from PRoW 184/15/30 (Green Belt Way) is in proximity to CNP Important View 3. This has been assessed, and it is judged that there would not be a significant effect from this location.</p> <p>CNP Important View 31 is orientated away from the Project and would therefore not be affected.</p> <p>Representative Viewpoint 51, taken from PRoW 184/29/10, near Upper Whitley Farm, is in proximity to CNP Important View 7 and taken in the same general orientation. Although it is acknowledged that it is not at the same elevation.</p> <p>Representative Viewpoint 45 has been included and assessed. This has been taken from PRoW 184/48/10 at Farmoor Reservoir and is representative of views available to recreational users of Farmoor Reservoir.</p> <p>The Substation is located on the bottom slope of Smith Hill, next to Bushy Leaze Lane, within the context of the existing transmission line. It is backed by mature vegetation to the northwest, which provides screening in views across the Farmoor Reservoir. Smith Hill Copse to the south provides screening in views from Cumnor Road /B4017. The visibility the substation, and therefore its impact on the character of the landscape, would be limited.</p>	<p>Public_Right_of_Way</p>
REP4-045	Cumnor Parish Council	<p>Cumnor Parish Council's comments on the proposed change 6</p> <p>10. The applicant's proposed change of an additional 2.41ha of panels would place the panel arrays immediately adjacent to PRoW 184/22/20 to its south and west.</p> <p>The proposed immediately adjacent Red House Farm solar power station plans to install panels, fencing, CCTV etc. to the north and east of the same PRoW (see for example para 10 in CPC's Written Representation - EN010147-000887-Cumnor Parish Council Written Representation Ref EN010147 30th May 2025).</p>	<p>The Applicant notes the IP's comments.</p> <p>As part of the Change Request ES Addendum, the landscape and visual effects have been assessed including proposed Change 6.</p>	<p>Site_selection_and_Cable_Route_Alternatives</p>
REP4-045	Cumnor Parish Council	<p>The cumulative impact, which the applicant has repeatedly failed to address (see for example para 2.2 of EN010147-001136-Cumnor Parish Council - Responses to Examining Authority's First Written Questions (ExQ1) and para 10 of EN010147-000887-Cumnor Parish Council Written Representation Ref EN010147</p>	<p>An ES addendum will be submitted for Change Request 2 and each change will be assessed cumulatively.</p>	<p>Cumulative_Impacts</p>

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>30th May 2025), would be to create a canyon for the PRow surrounded by industrial scale equipment, fencing and CCTV, in what is currently open Green Belt farmland.</p> <p>Given the applicant's lack of attention to such details it's disappointing, but not surprising, that the applicant has already concluded (in EN010147-001239-Applicant's Change Request 2 Notification (Rev 0).pdf) that:</p> <p>'it is unlikely that this change will lead to new or materially different likely significant environmental effects to those currently reported.'</p> <p>As with the applicant's judgement on proposed change 3, CPC does not believe this conclusion.</p>		
REP4-045	Cumnor Parish Council	<p>Cumnor Parish Council's comments on the proposed change 11</p> <p>11. The applicant's July 2025 Explanatory Note for the Change Request 1 lists on page 12 the following 'approximate design parameters' 'On an indicative basis only at this stage' for the proposed NGET substation:</p> <ul style="list-style-type: none"> • Up to 3.8ha site area • 93.020m x 16.725m footprint of main GIS building • 14.495m height of main GIS building • Gas Insulated substation • 95 dB(A) sound power level • 105.020m x 10m footprint of adjoining building • 4.8m height of adjoining building <p>Thus, the main building has grown from 76m x 31m by 14m high (REP1-014) to 93.020m x 16.725m by 14.495m high.</p> <p>In the UK, 95dbA, according to HMG2, is considered 'above the permitted exposure level and requires hearing protection. Exposure to 95 dB(A) for 50 minutes is the equivalent of the maximum daily noise dose for unprotected ears'</p> <p>This would clearly transform the site, immediately adjacent to the Oxford Green Belt Way and other PRow, into both a visual and noise site typical of a major industrial enterprise, with consequential impacts on humans and wildlife.</p> <p>And yet you have already concluded (in EN010147-001239-Applicant's Change Request 2 Notification (Rev 0).pdf) that:</p> <p>'it is considered that there are no new or materially different likely significant environmental effects that would arise a result of this change.'</p> <p>CPC does not believe this statement to be true, and in light of the above requests that the relevant – and now outdated – LVIA be repeated, and that a noise envelope assessment also be undertaken, the results being overlaid with bat roosts and flightpaths to allow their disruption to be assessed.</p>	<p>Cumnor Parish Council are incorrect to state that the PCS units have a sound power emission level of 95dB(A), the correct sound power emission from the PCS units is 92dB(A). Exposure to 95dB(A) sound power level could lead to harm.</p> <p>The quoted decibel level (92dB(A)) from the PCS units is a sound power level. A sound power level is not a measured sound pressure level. The calculation of noise exposure is a sound pressure level. These decibel values cannot be directly compared with one another.</p> <p>In addition, there will be no persons regularly close to the PCS units at any stage. Therefore, the direct comparison of an incorrect sound power level from the PCS units, and the noise exposure level for an employee, is incorrect and confuses matters.</p>	Project_description_and_Design_parameters
REP4-046	Cumnor Parish Council	<p>Q1.1.5 page 2: CPC assesses from the applicant's further response, that in July/August 2025 they have decided that they have no intention of undertaking a cumulative assessment of a planning application made on 22nd November and registered on 12th December 2024 for an immediately adjacent solar power station.</p> <p>Is this assessment correct?</p>	<p>An updated Cumulative Assessment will be submitted at Deadline 5, this will be an update to Chapter 20: Cumulative Assessment</p>	Cumulative_Impacts
REP4-046	Cumnor Parish Council	<p>Q1.3.3 pages 3-4: CPC notes that the applicant's answer does not address the fact that the information supplied by NGET and the applicant do not correspond.</p> <p>The applicant characterises the 19th June NGET response to Layla Moran MP as a 'precautionary assumption' while NGET describe it as their 'indicative project timeline'.</p> <p>These are not one and the same.</p> <p>The applicant further refers CPC to 'an agreed position in the Statement of Common Ground'.</p> <p>However, this document (Botley West Solar Farm STATEMENT OF COMMON GROUND – NATIONAL GRID ELECTRICITY TRANSMISSION PLC EN010147/APP/11.7/6 July 2025 EN010147-001380-Botley West_SoCG_NGET_V1.pdf) states that there is no agreed position on a connection date.</p> <p>Instead, this document reveals yet another position which is not referenced by the applicant in their response to ExA, namely that (page 11) the connection date is not agreed but is 'in discussion', with the comment that:</p> <p>'October 2027 is the current grid connection offer date. However, this is likely to be varied to a new connection date. This is being discussed between the parties.'</p>	<p>The Applicant and NESO have signed a Bilateral Connection Agreement to connect the Project at the new 400kV substation to be built at Farmoor by NGET. The agreement allows both parties to request a change to the connection date. The Applicant is in negotiations with NGET and expects to sign an Agreement to Vary in the coming weeks.</p>	Grid_Connection
REP4-046	Cumnor Parish Council	<p>Q1.5.8 page 4 issue 1: CPC is disappointed by the dismissive nature of this response which doesn't address the concerns and difficulties expressed by residents.</p>	<p>The maps and figures submitted as part of the application have been produced to appropriate scales in accordance with the Infrastructure Planning Regulations 2009 and</p>	Consultation_Process

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<p>guidance under Planning Act 2008. All mapping is based on Ordnance Survey base data and has been prepared to recognised technical standards to ensure geographic accuracy.</p> <p>The Applicant has also kept its communication channels open throughout the Examination Process so any specific requests for maps can be provided digitally or in hard copy.</p>	
REP4-046	Cumnor Parish Council	<p>Q1.5.8 page 4 issue 2: at the risk of boring ourselves and the ExA through repetition, CPC would appreciate it if the applicant didn't double down on inaccurate information when challenged. As previously stated – and repeated here – there is no such ward in Cumnor Parish as 'Cumnor ward' and the proposed NGET substation in any case is proposed to be sited in Farmoor ward. Please see map from Vale of White Horse District Council (VWHDC) below that also features in Cumnor's made Neighbourhood Plan on page 7 – a document the applicant claims to have 'considered'. This isn't just a nomenclature issue but illustrative of a more fundamental problem with this application: namely erroneous and partial information being used to 'evidence' significant assertions – such as this one on human health. CPC draws the ExA's attention to the fact that there seems to be a theme running here of unevidenced assertions and inaccurate information from the applicant that is simply reiterated when challenged.</p>	<p>The Applicant notes the comment made by Cumnor Parish Council, and the map provided in REP4-046, which distinguishes Cumnor Village ward, and Farmoor ward, both situated within the wider Cumnor Parish, and the location of those boundaries relative to the Project and NGET substation.</p>	Acknowledgement response
REP4-046	Cumnor Parish Council	<p>Q1.5.8 page 4 issue 3: Another example of 'doubling down'. The applicant continues to ignore the question posed, by repeating prior statements about a lack of response from two entities with no remit in this subject: the TVP Police and Crime Commissioner (an elected political post responsible for holding the Chief Constable to account for the performance of the force) and the Thames Valley Resilience Forum (a multi-agency body established to respond to emergencies)</p> <p>This does not inspire trust and confidence. That level of trust and confidence is further eroded by the applicant's apparent inability (or unwillingness) to engage with the one body that does provide Designing Out Crime advice to the Secured by Design standard that all the local authorities in Oxfordshire seem to be able to successfully engage with; namely Thames Valley Police Designing Out Crime team. To help the applicant, their contact details are here on the Secured By Design website: Can the ExA require the applicant to so engage, so that there is an expert opinion on the 100+km of fencing, CCTV etc that the applicant is proposing to install across rural Oxfordshire?</p>	<p>The Applicant refers to its response to Q1.5.8 on page 6 of the Applicant's comments on Interested Parties' Responses to ExA's First Written Questions (ExQ1) Submitted at Deadline 2 [REP3-065].</p> <p>The Applicant confirms that security has been embedded into the design of the Proposed Development from the outset, consistent with the principles of "security by design" and the requirements of NPS EN-5.</p> <p>Measures secured through the DCO include perimeter deer fencing to restrict unauthorised access, CCTV with motion detection limited to the access points, secure access points, and the provision of a security service. These features are controlled through Requirements in the DCO and further detailed in the Outline Layout and Design Principles document [EN010147/APP/7.7 Rev 4], and Outline Construction Code of Practice [REP3-030], and the Outline Landscape and Ecology Management Plan [REP3-034]. The final security layout will be subject to consultation with the relevant authorities and will ensure the infrastructure is safe, resilient, and compliant with national standards without compromising landscape or amenity considerations.</p>	Human_Health
REP4-046	Cumnor Parish Council	<p>Q1.14.6 page 7: the woeful content of this response by the applicant – mirroring previous equally unevidenced answers – only grows over time, not least because of the proposed changes (numbers 3, 6 and 11) that CPC has responded to in the inadequate consultation running between 23rd July and 22nd August. That the applicant continues to assert the invisibility of the project in a landscape with extensive panoramic views, rather than engaging with interested parties (in this case including CPC, VWHDC and Layla Moran MP) is surprising, and maybe something ExA would want to probe further?</p>	<p>Please refer to the Applicant's Response to comments on ExQ2 –Landscape and Visual Matters Clarification Note [EN010147/APP/15.3]. The document further clarifies the Applicant's position regarding the LVIA [PDB-006] application of the methodology and includes further clarification regarding open panoramic views.</p> <p>Visual effects</p> <p>The likely significant effect of the Project on views is adverse, as reported in Chapter 8 [PDB-006]. However, the magnitude of impact on visual receptors is to some degree mitigated by the landscape proposals. The Applicant has explained in paragraph 1.1.26 of The Applicant's Response to the Rule 17 Letter [REP2-029]</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<p>and other responses that the constituent elements within the views, remain the same, and long views to landmarks are still available, in most cases. However, at some points along routes, views will be foreshortened before opening out again to afford wider views over the undulating landscape. Tree belts have also been used to screen particular elements from close views, where considered appropriate.</p> <p>It is also acknowledged that more elevated views in relation to the central section of the Project, as well as open aspect of views, would be changed due to the proposed mitigation proposal. Although the value of the existing views is clearly recognised by the Cumnor Parish Neighbourhood Plan Important Views Report (2021), there is no such guidance document provided in relation to West Oxfordshire. The loss of open aspect is discussed and described in more detail in the revised LVIA Chapter to be submitted at Deadline 5 [PDB-006].</p> <p>It should be further noted that a Green Way Plan, which has been produced, in consultation with the OCC Public Rights of Way (PRoW) Officer, is to be submitted by the Applicant at Deadline 5.</p> <p>The purpose of this plan and consultation exercise is to ensure PRoW are returned to their definitive map route / alignment. PRoW routes / corridors are to be 15, in width (including hedgerows) throughout the Project with natural variation, e.g. through existing retained field gates and entrances where there is an existing pinch point.</p> <p>A compensation package is to be put in place to enable improvements to the offsite PRoW network.</p>	
REP4-046	Cumnor Parish Council	See also, for example, CPC's proposed Accompanied Site Inspection (EN010147-001137-Cumnor Parish Council - Nominations for any locations for an Accompanied Site Inspection (ASI), including the information requested in Annex B of the Rule 6 documentation, under 'Site Inspections'.pdf), its D3 comments on suggested locations for ASI (EN010147-001334-Cumnor Parish Council - Comments on the suggested locations to be included in any ASI.pdf) and it's D4 submission (Cumnor Parish Council D4 Comments on Applicant's draft ASI itinerary Ref EN010147 v1.pdf)	This is noted.	acknowledgment response required
REP4-054	Cassington Parish Council	<p>Q2.3.5 Evidence the assertion</p> <p>As stated in previous submissions there is a high number of bat species detected in the area (12 species) including the rare Annex II listed barbastelle and Bechstein's bats (9.6.41; EN010147/APP/6.3). The diversity of bat species, especially within the Central Section of the proposed project, is likely a result of the mosaic of different habitats in the area including woodland, hedgerow, water bodies and open fields. So important is the bat assemblage in the area that the Applicant's own ecological consultants have classified the area as of International Importance for bats (Table 9.6.4; EN010147/APP/6.3).</p> <p>We believe the applicants were unaware of the importance of the Central Section of the proposed Solar Power Station to bats as the area was designed and has shown little or no variation in its design (apart from some newly proposed modifications near Bladon), since the very first public consultations, prior to the results of bat surveys becoming available. It is clear from the scientific literature that bats do forage over arable land to a varying extent depending on species (e.g. Heim et al., 2017; Finch et al., 2020; Tinsley et al., 2022; Foxley et al., 2023; Szabadi et al., 2023) and furthermore there is evidence in the UK and elsewhere that the presence of solar arrays have a significant impact on bat numbers over open countryside (e.g. Montag et al., 2016; Tinsley et al., 2022; Szabadi et al., 2023) which for some species is severe. As stated previously, the mechanism that causes bat numbers to decline is unclear at present.</p>	<p>The Applicant's position with respect to bats and associated avoidance measures is set out in the Bat Technical Note submitted at Deadline 5 [EN010147/APP/15.6]. This is supported by an updated ES Appendix 9.4 Bat Survey [EN010147/APP/15.6] and an updated, landscape-scale radio tracking study (Annex 2 of EN010147/APP/15.6).</p> <p>To the extent they are outside of the Order Limits, the actions of Blenheim Estates in respect of the ancient woodlands within their ownership are not a matter the Applicant can control through the DCO. However, to the extent sensitive features such as bat roosts have been identified outside of the Order Limits on Blenheim Estate land, Blenheim Estate is able to utilise this information as part of future management of those areas.</p>	Local_Ecology_and_Nature

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		Furthermore, it has come to our attention that Blenheim Estates are planning tree felling in a number of ancient woods in the area of the central section, most notably for Pinsley Wood and potentially also for Burleigh Wood. In the former case, the felling appears to be for commercial gain (ash tree felling to supply wood for sports equipment). This is a major concern as it may impact bat populations in the area and so may be regarded as a cumulative impacting factor alongside the proposed Solar Power Station.		
REP4-054	Cassington Parish Council	<p>Q2.3.9 Evidence the assertion</p> <p>As stated above we believe that the timing of the design of the Central Section of the Solar Power Station, the subsequent lack of modification, and the timing of the initial and subsequent bat surveys mean that there is no way that the design accounted for the presence of bats. The only mitigation feasible for their presence, given the lack of understanding of the mechanistic link between solar arrays and bat mortality is removal of arrays from areas which bats are using. At present there are insufficient surveys in terms of spatial density of bat detectors to understand their use of woods, hedgerows, water bodies and fields in the area of the Solar Power Station. We have certainly seen no evidence of design to reduce impacts on bat species.</p>	<p>The Applicant's position with respect to bats and associated avoidance measures is set out in the Bat Technical Note submitted at Deadline 5 [EN010147/APP/15.6]. This is supported by an updated ES Appendix 9.4 Bat Survey [EN010147/APP/6.5 Rev 1] and an updated landscape-scale radio tracking study</p>	Local_Ecology_and_Nature
REP4-054	Cassington Parish Council	<p>Q2.4.5 Maximum design parameters</p> <p>As we have presented, weather that has already occurred at Cassington and Burleigh Wood exceeds the 90mph wind speeds used as a standard in BS 62584-1 to which the Solar Power Station infrastructure will be built. Cassington Parish Council therefore remain extremely concerned as to the safety of the proposed design standards in withstanding weather we have already experienced in the last 5 years.</p>	<p>The solar infrastructure at Botley West will be designed in full compliance with EN 1991-1-4 (Eurocode 1, Part 1-4) and the UK National Annex (NA to BS EN 1991-1-4:2005). These standards reflect UK-specific wind zones, reference velocities, terrain categories, and roughness lengths. The proposed array height of 2.2 m and low tilt angle further reduce exposure to extreme wind uplift.</p> <p>During the detailed design phase, we will undertake site-specific wind-loading studies to confirm the maximum wind speeds the infrastructure can safely withstand, including those already recorded locally. This will ensure the design is robust and resilient under the weather conditions experienced at the site.</p>	Project_description_and_Design_parameters
REP4-054	Cassington Parish Council	<p>Q2.4.8 Mounting structure integrity</p> <p>We note that any corrosion or other weakening of the infrastructure associated with Botley West Solar Power Station, especially the solar arrays and mounting structures will render the installation even more prone to damage by extreme weather events such as tornadoes.</p>	<p>The mounting structures for Botley West are designed for a minimum service life of 40 years, using galvanised steel fixed-tilt supports with steel or aluminium purlins to ensure long-term corrosion resistance. Foundations will consist of driven or screw piles to depths of 1–3 m, engineered to withstand site-specific wind loads and topographical conditions. Structural integrity will be further supported through the use of stainless-steel bolts or zinc-coated fasteners, all in accordance with relevant UK and European standards.</p> <p>A structured inspection and maintenance regime, secured through the Outline CEMP and Outline Decommissioning and Restoration Plan, will ensure continued stability by addressing any signs of corrosion, distress, or misalignment throughout the operational life of the solar farm.</p> <p>Mention to extreme weather events is made in ES Chapter 14 Climate Change [REP3-016] stating weather events “such as storms with high winds are also possible in the existing and future baseline and the Project’s design will account for this. Manufacturing standards for PV modules (IEC TS 63126:2020, IEC 62548 and IEC 61215-1:2021) require consideration for extensive weathering (such as from hailstorms) and extreme thermal fluctuations. As such, extreme weather events</p>	Project_description_and_Design_parameters

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			<i>are not considered to cause significant environmental effects to the Project."</i>	
REP4-054	Cassington Parish Council	<p>Q2.6.3 Suggested omissions by ICOMOS-UK</p> <p>We will begin our comment on this question by pointing out that as a result of the 1801 Enclosure Act the Duke of Marlborough took control of most of the land to the north of the village of Cassington, re-routing the road through it, establishing local industrial sites and farms in the surrounding area (Cassington Parish Council, 2022). As such, Cassington Village not only forms part of the setting of the Blenheim Estate but historically has been part of it for more than 200 years.</p> <p>As we discussed in our submission to Deadline 3 PVDP failed to respond to ICOMOSUK's contention that the proximity of the Solar Power Station to Cassington is oppressive. We also noted that the Local Impact Report identified several issues with respect to lack of consideration of the overall visual impact of Botley West Solar Power Station on Cassington Village and the inadequacy of the 25m buffer which is applied over most of the development without consideration of local situations in many instances, including Cassington Village (see EN010147-001062) which was ignored by the Applicant. WODC have also recommended a reduction of the scheme from the hills to the north of Cassington which was also ignored by the Applicant.</p> <p>We therefore feel that the Applicant should not only respond to ICOMOS-UK but also the District Council's Local Impact Report and the submissions to Deadline 3 by Cassington Parish Council.</p>	Please refer to Q2.6.3 of the Applicants Response to the ExA's Second Written Questions [REP4-037] .	Landscape_and_Visual_Impacts
REP4-054	Cassington Parish Council	<p>Q2.6.10 Church of St Peter, Cassington (Grade I)</p> <p>The Church of St Peters is over 900 years old and is a notable feature that stands above the houses and other buildings in Cassington for considerable distance being visible from Wytham Woods to the South and the hills above Cassington to the north. Cassington Parish Council support the view of its residents and HE that the imposition of solar arrays to the north of the village, as well as the proposed mitigation of tall hedges around footpaths, would obliterate the views of the church and its value in terms of heritage and landscape of the local area, something much valued by those who live both in the village and nearby.</p>	The Applicant's position regarding the likely impacts and effects in respect of the Church of St Peter at Cassington is set out in paragraphs 1.9.45 - 1.9.49 of ES Appendix 7.5: Settings Assessment (Rev 1) [REP2-014] .	Historic_Environment
REP4-054	Cassington Parish Council	<p>Q2.6.18 Cassington Conservation Area</p> <p>We note that the Applicant has been aware of the Cassington Local Plan since the early public consultations on this proposal. We also note that, as stated above, Cassington village and the surrounding land are part of the historical setting of Blenheim Estate, but further, were part of the wider portfolio of farms and farmland incorporated into the estate following the Enclosure Act of 1801. The solar arrays to the north of the village will be visible from within the Conservation Area, impacting the rural landscape that forms its setting. It will also impact on the landscape enjoyed by residents on the northern edge of the village and Jericho Farm.</p>	The Applicant's position regarding the likely impacts and effects in respect of the Cassington Conservation Area is set out in paragraphs 1.9.164 - 1.9.171 of ES Appendix 7.5: Settings Assessment (Rev 1) [REP2-014] .	Historic_Environment
REP4-054	Cassington Parish Council	<p>Q2.8.1 Otters, voles and fish</p> <p>Cassington Parish Council believes that such wildlife surveys should be undertaken during the Examination. This is because results could influence the final design of the Solar Power Station or require other mitigation measures. If surveys are undertaken following the Examination, we are not confident that the results will be released by the Applicant for review by Interested Parties and mitigation measures undertaken to prevent damage to these elements of our wildlife subject to the proper level of scrutiny.</p> <p>2.8.11 Applicant Natural England Environment Agency Monitoring mitigation</p> <p>Applicant – What would happen if ecological monitoring found that a greater adverse effect was being had on a species (i.e. bats, breeding bird assemblage) than the ES envisages? What would the mitigation options be and where are they secured? Would panels be removed to lessen the impact?</p>	<p>The Applicant's position with respect to otter, water vole and fish surveys is set out in the response to ExQ2.8.1 [REP4-037].</p> <p>Notwithstanding this, the Applicant has committed to undertaking all necessary ecology pre-commencement surveys, as required, including, those relating to otter and water vole (section 1.10.5, oCoCP [REP4-022]).</p>	Local_Ecology_and_Nature

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		Natural England / Environment Agency – Please provide your comments on this matter and what monitoring would achieve without effective mitigation options being tabled or understood at this point in the DCO process.		
REP4-054	Cassington Parish Council	<p>Q2.8.14 Woodland fragmentation</p> <p>Cassington Parish Council identifies that although a 5m buffer may prevent physical contact with habitats such as hedgerows providing connectivity disturbance, especially during construction as a result of noise and vibration during the day may reduce or prevent connectivity for some types of wildlife. Furthermore, as we have described previously, farmland which is under cultivation forms an important connected habitat for some species, such as farmland birds, which feed on seeds from crops and bats which may use such areas for foraging. Considerations of connectivity in the ES have largely been confined to considering hedgerows and water bodies only a narrow treatment of this important aspect of ecology.</p>	<p>ES Chapter 9 Ecology and Biodiversity [REP4-010] addresses the potential effects from changes in connectivity on Important Ecological Features. The concept of maintaining connectivity requires that wildlife be able to move through a landscape unhindered by obstructions. Although farmland may form an important <i>foraging</i> habitat for some species (notably wintering birds – an impact recognised in ES Chapter 9), it is not necessary for the maintenance of connectivity through a landscape since animals that might move across a field are still able to move around it through the buffer network that will be created beside the hedgerows and other such features. The Project has committed to key design principles to ensure that this is the case (see Table 9.8.1 of ES Chapter 9 for details of these commitments).</p> <p>With respect to the maintenance of connectivity for bats, this relates to the provision of appropriate buffers. Further detail with respect to such buffers is provided in the Bat Technical Note submitted at Deadline 5 [EN010147/APP/15.6], with corresponding updates made to the oLEMP [EN010147/APP/7.6.3 Rev 4] to provide for such buffers.</p>	Local_Ecology_and_Nature
REP4-054	Cassington Parish Council	<p>Q2.10.5 Cassington vulnerability</p> <p>As stated in our response to Deadline 3 very little has changed from the PEIR and the submission of the ES with respect to design of effective flood risk mitigation measures. PVDP and their consultants have failed to respond to our submission for Deadline 1. Leaving detailed design of mitigation measures for prevention of increased flood risk to the Detailed Drainage Designs after consent is granted is not good enough. People's homes are at increased risk of flooding should this development increase the rate of water runoff from the site. Post consent, Cassington Parish Council and the residents of Cassington will have no power to influence the design or implementation of flood prevention measures, especially if the project is sold on from PVDP which is consistent with previous projects they have been involved in (see Cassington Parish Council submission for Deadline 3). Attributing increased occurrence of flooding to the Solar Power Station will be statistically very difficult and would entail employment of further experts and no doubt legal expertise which would likely be out of financial reach of the Parish Council and residents. Furthermore, there are concerns regarding flood prevention measures such as balancing ponds as these require continual and ongoing maintenance, something Blenheim Estates have failed to do for a balancing pond located on the boundary of Cassington Village for two years despite numerous requests to do so by the Parish Council. Cassington Parish Council therefore urge that the precautionary principle is applied here, and areas of the development sited on the hills overlooking Cassington Village to the north and Worton Village to the north are removed as detailed in our letter to West Oxfordshire District Council, August 13th, 2024 (see Appendix A). This would have the additional benefits of reducing landscape and</p>	<p>The Environmental Statement (ES) submitted includes comprehensive baseline data, preliminary flood risk assessments, and outline mitigation measures developed in accordance with current best practice and regulatory guidance. This approach ensures that the overall flood risk implications have been rigorously evaluated to inform the DCO application and decision-making process. Please note, as previously stated, the design principles of the site are in accordance with National and Local Planning Policy and the incorporation of additional mitigation at Cassington is an enhancement feature proposed as part of the DCO.</p> <p>Post-consent, the flood risk mitigation measures will be developed in close consultation with the relevant regulatory bodies, including the Lead Local Flood Authority (LLFA) and the Environment Agency (EA), ensuring compliance with all statutory requirements. The EA have requested a review of the modelling upon completion of option modelling, post consent to ensure best practice modelling measures and compliance.</p> <p>The approach to detailed flood risk modelling and mitigation design post-consent is consistent with established best practice for major infrastructure projects.</p>	Hydrology_and_Flood_risk
REP4-054	Cassington Parish Council	<p>Q2.13.8 Landscape mitigation and decommissioning</p> <p>In the applicant's response to the Rule 17 letter [REP2-029], the applicant states "the proposed landscape mitigation would be retained after the removal of the To all IP 4)</p> <p>The ExA recognises that the proposal would have visual impacts on the landscape, and several IP's have expressed concerns as to how adverse they would be. The ExA nonetheless is considering all stages of the development and is considering the future condition of the landscape post-decommissioning. What would your reaction be if, at</p>	<p>Please refer to the Applicant's Responses to comments on ExQ2 – Landscape and Visual Resources Clarification Note [EN010147/APP/15.3], which includes further clarification on issues raised in ExAQ2, including the effects of mitigation. It is acknowledged that the landscape mitigation would create a tension between landscape and visual effects and that the mitigation will have some beneficial landscape effects and some undesirable effects on the views affecting the open</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>this stage, areas of landscape mitigation (for example, planting hedgerows along public footpaths) were excluded from the applicant's plans and not implemented?*** This would of course result in un-mitigated visual effects being endured during operation but, at decommissioning stage, the original landscape character could be restored closer to that presented, enjoyed and described in the book by Forever Fields [REP1-101].</p> <p>** Please note the ExA is not necessarily advocating this or pursuing this as a possibility but simply seeking to consider detail of operational and decommissioning phases of the development, taking into account paragraph 2.10.151 of NPS EN-3.</p> <p>Cassington Parish Council views this as a very difficult question to answer. The reason this is such a vexing and difficult question is that the proposed mitigation hides the Solar Power Station after hedgerows have matured but obliterates the extended views of a beautiful landscape we currently enjoy. Ideally the proposed Solar Power Station should be significantly reduced in line with the reduction in spatial extent in the Local Impact Report, or at the very least (from the point of view of Cassington Parish) to the extent outlined in Appendix A of this submission. If such reductions were made, then the need for mitigation of impacts on views of the landscape would be dramatically reduced. If the proposed Solar Power Station were approved as is planned currently Cassington Parish Council would wish to see a full restoration of the landscape (as recorded by Forever Fields) as prior to the scheme going in which includes removal of newly planted hedging. We acknowledge this may have impacts on biodiversity associated with these hedgerows. A compromise may be that each newly planted hedgerow should be assessed for whether removal is necessary by local authorities and an independent landscape expert to restore extended views of the landscape with input from local people at the time of removal of the Solar Power Station.</p>	<p>aspect of existing views, enjoyed by visual receptors. Although the scale of the proposed development is large, the landscape has the inherent scope (large-scale fields, topography and its wooded nature) to absorb this type of low-lying development. The siting of the Project minimises effects on designated landscape and residential properties/ settlements. The landscape allows for the possibility of securing significant biodiversity gains on land that is relatively low in ecological value. Cognisance has been taken of the Oxfordshire Wildlife & Landscape Study OWLS, which provides an assessment of landscape character and biodiversity across the county, when developing the outline Landscape Ecology Management Plan (oLEMP).</p>	
REP4-054	Cassington Parish Council	<p>Q2.13.15 Residential Visual Amenity Assessment (RVAA)</p> <p>Cassington Parish Council identifies that there is no doubt that private views from properties on the northern side of Cassington will suffer from adverse impacts on their views as a result of this proposed development should it be approved. We note that these properties have not been included in the Assisted Site Inspections and believe it is important for the Examiners to see the potential impacts for themselves.</p> <p>As stated in our submission to Deadline 3, Cassington Parish Council is seriously concerned about the subjectivity apparent in the methodology used in the Landscape and Visual Impacts Assessment. The Applicant states that best practice was applied to the LVIA. However, we contest that scoping of "moderate effects" as non-significant had an overwhelming impact on the outcomes of the LVIA and rendered the overall impact of the proposed Solar Power Station less significant than it will actually be. This is a view that was shared by other Interested Parties, most notably ICOMOS-UK and the District Councils in terms of the Local Impact Report.</p> <p>The flawed methodology of the LVIA was used as justification for not undertaking an RVAA for this proposed development. The lack of a RVAA has had the result of downgrading of impacts on villages such as Cassington and Jericho Barns with residential properties adjacent to the proposed Solar Power Station. This has resulted in the buffer zone to the north of Cassington being far too low (25m).</p>	<p>Please refer to Q2.13.15 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p>	Landscape_and_Visual_Impacts
REP4-054	Cassington Parish Council	<p>Q2.16.8 Bird strike</p> <p>Cassington Parish Council note that water birds have been demonstrated to collide with solar arrays in the US and South Africa as they mistake them for waterbodies and effectively try to land on them (Jenkins et al., 2015; Mulvaney, 2019). These types of birds are of a considerable size in the area of the Botley West proposal and include ducks, seagulls, cormorants, geese and mute swans, the last of which frequently feed in fields around Cassington during the winter. Whilst there is no data relating to water birds and potential for attraction to solar arrays in the U.K. that we are aware of this is a particular concern in relation to this proposal as there are a number of large water bodies both within the footprint of the proposed development and in close-proximity to its boundaries. It also means that wintering birds attracted to the newly created habitat may not only be small farmland birds but could be large waterbirds, such as mute</p>	<p>The Applicant's position with respect to the potential for a 'lake effect' is set out in the response to the Local Impact Report [REP2-026].</p> <p>The oLEMP submitted at Deadline 5 [EN010147/APP/7.6.3 Rev 4] has been updated to include reference to the management of habitats near to the airport, in line with CAA guidance CAP772, to minimise the risk of bird strike as a result of the Project.</p>	Local_Ecology_and_Nature

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		swans, which represent a significant threat even to larger aircraft in the vicinity of Oxford London Airport.		
REP4-081	Dr Lidia Arciszewska and Prof David Sherratt FRS	<p>Q2.13.8</p> <p>The proposal will have a detrimental impact on the landscape in so many places; these impacts will vary depending on specific area viewpoints. In general, hiding the panels behind tall hedges and therefore removing the views of the landscape altogether is not a mitigation. It may have an even more drastic visual effect than the panels themselves. A blanket strategy should not be applied here; rather, a careful site-specific consideration of mitigation and its scale should be employed. Solar panels should be removed from the fields of highly visually sensitive sites, such as fields on the slopes of the Evenlode valley, or from highly contoured areas, as suggested in the WO Local Impact Assessment. Equally, limited removal of the panels as a mitigation measure should be considered as opposed to high hedgerows in places proximal to human activity, such as near residential properties or along PRoWs. It is not acceptable to alter the PRoW into hedgerow tunnels or box residential properties with tall hedges for the “benefit” of mitigation. Matters of mitigation should therefore be discussed at microscale levels with the local stakeholders, such as LPAs, specific local communities and affected residents. If the development is approved, affected landscapes should be restored to their original state at the post-operational stage. Some hedgerows could be retained to provide a permanent ecological benefit. The decisions, which mitigating measures should be decommissioned should be made now, not in 40 years.</p>	<p>Please refer to the Applicant's Responses to comments on EXQ2 – Landscape and Visual Resources Clarification Note [EN010147/APP/15.3], which includes further clarification on issues raised in ExAQ2, including the effects of mitigation. It is acknowledged that the landscape mitigation would create a tension between landscape and visual effects and that the mitigation will have some beneficial landscape effects and some undesirable effects on the views affecting the open aspect of existing views, enjoyed by visual receptors. Although the scale of the proposed development is large, the landscape has the inherent scope (large-scale fields, topography and its wooded nature) to absorb this type of low-lying development. The siting of the Project minimises effects on designated landscape and residential properties/ settlements. The landscape allows for the possibility of securing significant biodiversity gains on land that is relatively low in ecological value. As set out in section 7 of the oLEMP [REP4-028], the goals of the Oxfordshire Nature Recovery Network (ONRN), the forerunner for the draft Oxfordshire Local Nature Recovery Strategy (LNRS) has been drawn on from the very earliest stages of Project development to ensure that it delivered landscape-scale enhancement that supported the County-wide goals set out in the ONRN, and now the draft LNRS.</p>	Landscape_and_Visual_Impacts
REP4-081	Dr Lidia Arciszewska and Prof David Sherratt FRS	<p>Q 2.9.4</p> <p>We find the statement made by the applicant in Chapter 8 [Landscape and Visual Impact Assessment, para 8.6.80] that: “Due to the low level of the Project, particularly the solar arrays, and proposed mitigation, there is no potential for any private views to be adversely affected to an extent that would result in a level of harm of Substantial, which trigger the threshold for an RVAA being required. As such, private views are not considered further....’</p> <p>This statement is uninformed, erroneous and arrogant!</p> <p>The proposed ‘mitigations and benefits’ on the map APP_7.3.3 - Landscape, Ecology + Amenities Plan (AS-022 in the Examination Library, shows a sketchy detail of what the Applicant envisions to provide around the periphery of our property, College Farm. We do not accept being surrounded on three sides by a cycle path located immediately close to the edges of our garden; it would result in a serious infringement of our privacy. Furthermore, the design of this cycle path is flawed and potentially dangerous as the path crosses Lower Road twice from its west side to the east and back. Lower Road is a busy, narrow country road carrying thousands of cars and HGVs in each direction every day. Even a primary school child working towards the school project would not endorse a cycling path crossing this road.</p> <p>Moreover, as stated in our earlier correspondence, we do not wish any landscape amenity mitigation in the form of hedgerows or trees to be planted for our benefit near the border of our property.</p> <p>Considering that the proposed solar installation will surround our property on three sides and overwhelm our visual amenity in all directions up to the horizon line in many viewpoints, we request that any buffer zone be at least 85 meters from the boundaries of our property and not 25 meters; and be applied on all three sides. We understand that an 85 metre buffer zone may have been accepted for other properties impacted by the development. Finally, we reiterate that the proposed land for solar panels west of the river Evenlode is ALC ~85% (and almost 100% of the land between the ~120 metre frontage of our property and the river Evenlode is ALC grade 1 and 2). Solar panels should not be placed on this grade 1 and 2 land and the best way of mitigating the blight of solar panels in this area would be to remove them totally.</p>	<p>The updated LVIA [PDB-006] includes an assessment of effects from settlements and individual residential receptors, including College Farm.</p> <p>The LVIA has concluded that, in relation to residential visual amenity, the Project, would affect a relatively small number of residential properties. These would mainly be the properties which lie next to, or in the proximity of, the Application Boundary.</p> <p>It is considered that the effects resulting from the Project would fall below the Residential Visual Amenity Threshold referred to in LI TGN 02/2019 as visual effects “of such nature and / or magnitude that it potentially affects ‘living conditions’ or Residential Amenity”. The guidance note further indicates that “It is not uncommon for significant adverse effects on views and visual amenity to be experienced by people at their place of residence as a result of introducing a new development into the landscape. In itself this does not necessarily cause particular planning concern. However, there are situations where the effect on the outlook / visual amenity of a residential property is so great that it is not generally considered to be in the public interest to permit such conditions to occur where they did not exist before.”</p> <p>Based on the assessment findings, as explained above, other than Goose Eye Farm, New Barn Farm and Purwell Farm, none of these properties are considered to reach the threshold for a Residential Visual Amenity Assessment.</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
			Effects on private residential amenity are a separate matter and only require assessment when a development is likely to meet the threshold of effects becoming 'overwhelming/overbearing' or 'overly intrusive' (as described in paragraphs 2.2 and 4.19 of Landscape Institute Technical Guidance Note 2/19: Residential Visual Amenity Assessment (RVAA)), which, in the Applicant's professional opinion, is not the case in respect of this Project as it does not, for example, block the only available view from a property, nor does it overwhelm views in all directions, unpleasantly encroach or be perceived as inescapably dominant from a property.	
REP4-081	Dr Lidia Arciszewska and Prof David Sherratt FRS	<p>Q 1.3.12</p> <p>We find the Applicant's answer to the written question 1.3.12 totally insufficient, vague and authoritarian. "This distance [25 meters] was a professional judgement based on extensive experience (there is no such thing as scientific reasoning in this situation in planning terms)..... The landscape architect was aware that in some case they may need to consider applying a Residential Visual Amenity Assessment (RVAA), if it was judged to be necessary.</p> <p>To date, that has not been triggered/judged to be necessary. In some cases too, additional landscaping was proposed to help screen the solar arrays from sensitive receptors."</p> <p>Despite our property being one of the most affected by the proposed installation, the Applicant has never made an effort to contact us and discuss the potential adverse effects it would have on us. An appropriate assessment of the impact on our property should be conducted urgently, and an appropriate buffer zone of 85 meters from our boundary should be applied. As stated in our answer to Q 2.9.4, we do not wish to be imprisoned in a box of tall hedges and trees planted around our property by the developer.</p>	<p>Please see the Applicant's response to when to undertake an RVAA, in the row above.</p> <p>Further clarification regarding and RVAA has been provided within the Applicant's response to ExQ2 (2.13.15) [REP4-037] and other responses through the examination, including REP3-076 [REP4-038].</p> <p>The Applicant would add, that each individual property has to be considered in its own context. The different topography, vegetation etc. As well as the architecture (e.g. position of windows in relation to the project) as well as other matters, such as the existing aspect of the property, as well as the type of view (e.g. open, channelled, partial) and direction of view (e.g. oblique) thus there is not a 'one rule for all' distance from properties that can be applied, not indeed the type of landscape mitigation proposed – it is a matter of professional judgement.</p> <p>The requirement for an RVAA is also referred to in the Applicant's response to REP4-093 below. The updated LVIA [PDB-006] includes an assessment of effects from settlements and residential receptors, including College Farm.</p>	Landscape_and_Visual_Impacts
REP4-093	Stop Botley West Limited	<p>Omissions</p> <p>4.1. To date, various omissions have been recommended by a number of IP's including Historic England, ICOMOS, West Oxfordshire District Council, Vale of White Horse District Council and London Oxford Airport.</p> <p>4.2. Within the ExA's first set of written questions and requests for additional information, it was requested that the applicant "provide a plan with all these omissions shown as overlays, with each layer being identified with the name of the proposer" (paragraph 1.14.9).</p> <p>4.3. The applicant has failed to provide this plan, instead referring to the change request made. At 2.13.11 of the ExA's second written questions, this is again requested.</p> <p>4.4. Whilst the ExA has requested the applicant provide this, SBW have prepared their own maps to show the proposed omissions. These are provided as an appendix to this document to assist the ExA in light of the applicant's failures to do so.</p> <p>4.5. SBW are currently in the process of identifying a series of suggested omissions to assist in the examination and these will be provided in due course.</p>	<p>As explained in the Applicant's response to Q 1.14.9 [REP2-025], the Applicant submitted a second Change Request notification alongside Deadline 2 which explained the intention to capture certain scheme refinements and Order Limit reductions in response to various feedback from interested parties. This includes areas where the Applicant is proposing to omit areas of solar installation. Full copies of application documents impacted by the proposed changes as flagged in the change request notification are submitted alongside the formal second Change Application, at this Deadline 5.</p>	acknowledgment response required
REP4-093	Stop Botley West Limited	<p>Heritage</p> <p>2.2 (ref. ExQ2.6.6) The figures referenced by the ExA in the Community Impact Report submitted by SBW (dated 28th June 2025) were taken from an archaeological dig commissioned by the applicant at the end of the track from Orchard Field Lane in Bladon. At the point of writing, SBW have not had sight of the dig report and this has not been made public.</p> <p>2.3 The dig relates to field 2.1 to the north-east of Bladon, as shown on the map below. The field is subject to the Change 2 application proposed by the applicant.</p>	<p>The Applicant can confirm that the photographs presented as Figures 6.1a and 6.1b on page 24 of the Community Impact Report compiled by Stop Botley West [REP2-081] and subsequently referenced in ExQ2.6.6 were taken during the trial trench evaluation undertaken for the proposed solar farm.</p> <p>However, the Applicant disputes the location of the figures as claimed in the response to ExQ2.6.6 from Stop</p>	Historic_Environment

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>4.6. SBW welcome the further questions for the applicant raised by the ExA on impacts on specific heritage assets and the further consideration from the Applicant on the omissions proposed by ICOMOS-UK which we note have not been explored in detail.</p> <p>4.7. We also note and welcome Historic England's clarification in their comments on Deadline 2 submissions about their views on the impacts on a number of heritage assets. In particular, that they consider the impact on the Church of St Peter & St Paul (Church Hanborough), the Church of St Peter (Cassington) and the Church of St Michael (Begbroke) would be low adverse.</p> <p>4.8. Historic England also helpfully clarify their position regarding the impact from the development on the Registered Park & Garden and the World Heritage Site at Blenheim Palace which they consider to be a modest level of less than substantial harm. This is considerably greater than that identified by the Applicant. SBW would however request that this is clarified in respect of what this equates to in EIA terms and also whether this position reflects the scheme with the omissions previously proposed by Historic England.</p> <p>4.9. It is understood that further information and assessments will be forthcoming as part of the submission of Change Notification 2 and SBW look forward to the opportunity to review these documents alongside the applicant's answers to the second written questions.</p>	<p>Botley West [REP4-093]. Figure 6.1a shows part of a trial trench which clearly contains the stone footing of a wall aligned across the trench. No such wall footing was found in any trial trench within Field 2.1. Figure 6.1b shows a fragment of a clay tile (not a fragment of pottery as stated in the caption of the figure). This tile fragment is deeply etched with diagonal markings and is typical of a Roman box flue tile, most commonly used in underfloor heating systems in high status Roman buildings or in Roman bath houses. No incised tile fragments were recovered from any trial trench within Field 2.1.</p> <p>The Applicant considers that these photographs relate to a trial trench in the north-eastern corner of Field 2.12. In this area there is considerable evidence for the presence of at least one high-status Roman building and associated activity. This evidence comes from the geophysical survey and trial trenching along with the recovery (over several years) of material from the surface of the field following ploughing. Trial trenching here identified stone wall footings, and several fragments of incised box flue tiles were recovered. This area of Roman activity is within the proposed archaeological protection zone that straddles Fields 2.12 and 2.13 as shown on Figure 2.2a in ES Figures 2.1a-2.4c - Illustrative Masterplan (Rev 1) [AS-020].</p> <p>Regarding likely impacts and effects on the Blenheim Palace World Heritage Site and other designated heritage assets, Updated versions of ES Appendix ES 7.4: Heritage Impact Assessment – Blenheim Palace World Heritage Site and ES Appendix 7.5: Settings Assessment will be prepared and will respond to the changes set out in the Applicant's Change Request 2 Notification [REP2-045]. Please also see above the Applicant's response to the ICOMOS representations.</p>	
REP4-093	Stop Botley West Limited	<p>Landscape</p> <p>4.10. SBW have reviewed the applicant's response to other D2 submissions, dated July 2025 and would make the following comments in respect of this.</p> <p>Residential Visual Amenity Assessment</p> <p>4.11. SBW have previously raised the fact that a Residential Visual Amenity Assessment (RVAA) has failed to be submitted, despite it being agreed in the scoping response. The applicant's response to this matter relies on GLVIA3 guidance and in particular the Technical Guidance Note 2/19 Residential Visual Amenity Assessment(LI TGN 2/19).</p> <p>4.12. Previous comment has been raised regarding the outcomes of the LVIA, relating to methodology and determination of significance, which in turn also challenges the justification of not undertaking the RVAA. This point is further challenged by the ExA within their second written questions at 2.13.15.</p> <p>4.13. The applicant continues to maintain that a 25m buffer is appropriate, however as has previously been stated, there is no evidence to support this. SBW maintain that 100m would be recommended taking account of the size, scale and disparate nature of the proposals, with good practice advising a minimum of 50m.</p> <p>Impacts on landscape and visual receptors</p> <p>4.14. In respect of this matter, the applicant's response is similar to previous responses and does not fully address the points raised by SBW and others.</p> <p>4.15. To this end, SBW welcome the ExA's further questions to the applicant on a number of points that have been raised in previous responses. SBW look forward to reviewing the applicant's responses to</p>	<p>The revised Chapter 8: Landscape and Visual Resources [EN010147/APP/6.3 Rev 2] includes an assessment of effects from settlements and residential receptors groups as part of the key visual receptors of the Project.</p> <p>Further clarification regarding and RVAA has been provided within the Applicant's response to ExQ2 (2.13.15) [REP4-037] and other responses through the examination, including REP3-076 [REP4-038].</p> <p>The LVIA has concluded that, in relation to residential visual amenity, the Project, would affect a relatively small number of residential properties. These would mainly be the properties which lie next to, or in close proximity to, the Application Boundary.</p> <p>The Applicant notes that each individual property has to be considered in its own context. The different topography, vegetation etc. As well as the architecture (e.g. position of windows in relation to the project) as well as other matters, such as the existing aspect of the property, as well as the type of view (e.g. open, channelled, partial) and direction of view (e.g. oblique) thus there is not a 'one rule for all' distance from properties that can be applied, not indeed the type of</p>	Landscape_and_Visual_Impacts

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		these questions and requests for further information and will comment upon them as and when they are published.	<p>landscape mitigation proposed – it is a matter of professional judgement.</p> <p>The requirement for an RVAA is also referred to in the Applicant's response to REP4-093 below. The updated LVIA [PDB-006] includes an assessment of effects from settlements and residential receptors, including College Farm.</p> <p>Based on the LVIA findings, none of these properties have been considered for Residential Visual Amenity Assessment.</p> <p>The Scoping Opinion states that <i>'the requirement for a RVAA is generally dependent on the outcome of a Landscape and Visual Impact Assessment (LVIA). Therefore, in the absence of LVIA conclusions, the Inspectorate does not agree to scope out a RVAA at this time. The need for an RVAA should be justified based on the conclusions of the LVIA presented in the ES and agreed with the relevant consultation bodies.'</i></p> <p>This is not a requirement that a RVAA be undertaken. That decision should be taken on the findings of the LVIA. It has to be found that the effects of a development are likely to meet the threshold of effects becoming 'overwhelming' or 'overbearing', which, in the Applicant's professional opinion, is not the case in respect of this Project.</p> <p>It is considered that the effects resulting from the Project would fall below the Residential Visual Amenity Threshold referred to in LI TGN 02/2019 as visual effects <i>"of such nature and / or magnitude that it potentially affects 'living conditions' or Residential Amenity". The guidance note further indicates that "It is not uncommon for significant adverse effects on views and visual amenity to be experienced by people at their place of residence as a result of introducing a new development into the landscape. In itself this does not necessarily cause particular planning concern. However, there are situations where the effect on the outlook / visual amenity of a residential property is so great that it is not generally considered to be in the public interest to permit such conditions to occur where they did not exist before."</i></p>	

2.3 Public / Landowner

Table 2.3: Applicant's Responses to Representations provided at Deadline 4 – Public / Landowner

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
REP4-047	Michael Field	<p>In its D3 Response [REP3-064, page 12], the Applicant draws the ExA's attention to a disturbing practice that is undermining Britain's solar DCO process.</p> <p>It is worth noting that a number of solar projects that have obtained DCO consent since 2020 have been sold by the original developer before construction began – including the first, Cleve Hill in Kent, as well as West Burton and Mallard Pass in Lincolnshire.</p> <p>Although we might be offended (on the Inspectorate's behalf) when a disingenuous applicant masquerades as a committed solar farm constructor, this behaviour is not prohibited in the NSIP regulations.</p> <p>However, for applications that include compulsory acquisition (such as solar DCOs), the legislation effectively excludes DCO award to an applicant that intends to sell its DCO.</p> <p>Section 5(2)(h) of APFP requires an applicant to demonstrate that it has access to sufficient funds to cover the cost of the proposed development by providing This implies the need for either</p> <p>1) evidence that the company has liquidity to cover its construction costs [BWSF: £820m], or</p> <p>2) a provisional agreement with a recognised institutional investor (i.e. a Memorandum of Understanding).</p> <p>Section 6 of the Funding Statement [APP-022] restricts itself to declarations of self-confidence and to listing the various methods companies use to get funding.</p> <p>It is difficult to understanding how the recent Funding Statements satisfy the 5(2)(h) Regulation or give the SoS confidence that sufficient funding will be available.</p>	<p>The Applicant notes the IP's comments.</p> <p>1. It should be noted that Section 5(2)(h) of the Planning Act 2008 and APFP (Application for Development Consent Order) regulations refer to the Compulsory Acquisition provisions within the DCO application, specifically funds related to compensating for acquired land or interests. Thus, the ruled do not require to furnish "evidence that the company has liquidity to cover its construction costs of £820m. Also, Section 5(2)(h) of the Planning Act 2008 and APFP do not require to provide a "provisional agreement with a recognised institutional investor (i.e. a Memorandum of Understanding)". The Applicant has demonstrated that it has access to sufficient funds to cover the cost of the proposed development. The Applicant by December 31, 2024 had received funding of GBP 17,854,832 (https://find-and-update.company-information.service.gov.uk/company/12602740/filing-history/MzQ3ODU4MjcxM2FkaXF6a2N4/document?format=pdf&download=0). As stated, through cooperation with investment banks and specialised consultants, the Applicant has the ability to procure the financial resources necessary to fund the works to be authorised by the DCO. Construction costs will be funded from a combination of equity and debt finance with the exact combination dependent upon market conditions at the date construction commences. The Applicant will work with a variety of financial institutions and advisors in order to secure funding and has extensive experience of financing major capital projects.</p>	Funding_and_PPA
REP4-049	Stuart Brooks	<p>In summary, distributed generation based around solar generation on medium sized economically viable sites has distinct advantages. There is no need to build a solar power plant of the proposed size of Botley West in this location when other options exist.</p> <p>It is recommended that, before any decision is made, the alternative of a solar power plant built in this location but smaller than currently proposed for Botley West should be considered.</p>	<p>The Applicant has given extensive consideration to all reasonable feasible alternatives, including in relation to the selection of the site and the proposed scale and layout.</p> <p>The location and scale of the Project site was driven by a number of factors. The general location, overall size, and then the precise project boundaries, have been influenced by the availability of a suitable grid connection, land ownership, commercial viability, national planning policy, and environmental constraints.</p> <p>As there is no express limit to the size of any solar site in policy terms, other than the tests set out in the suite of NPS's (which the Applicant believes are met) and given the confirmed availability of a grid connection, the Applicant has chosen to pursue consent for the current Project in the location and of the size and scale set out in the Application.</p> <p>Development of a smaller scale scheme (whether on the same or another site) would only be desirable or necessary if:</p>	Principles_of_Solar_Development_and_Amount_of_Electricity_Generated

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			<ul style="list-style-type: none"> the adverse environmental impact of the development of the scale envisaged outweighed the benefits that the Project can deliver; the land was not otherwise suitable and available to construct a solar farm; the Project was commercially attractive at a smaller scale; and there was no suitable and available grid connection at the scale planned. <p>The Applicant does not consider that any of these criteria are satisfied. Far from being desirable or necessary, development on a smaller scale would in fact undermine the significant public benefits of the Project for which there is a clear, demonstrable national need.</p> <p>Please refer also to ES Chapter 5 for further details on the Applicant's rationale for the scale of development proposed and alternatives considered.</p>	
REP4-050	Colin Hewetson	<p>The planning authorities should give serious consideration to the misleading claims made by PDVP and their very limited evidence of success in getting a project successfully developed even as far as the start of construction and certainly not for any project approaching the size of BWSF.</p> <p>My research throws considerable doubt on PDVP ability or intention to see the BWSF proposal through to construction let alone completion. In the worst case scenario, if not properly financed, the BWSF site could be started and then abandoned with infrastructure scattered around the site but never connected (as in Ukujima) with the countryside ruined and no electricity being generated either. The inspectorate should officially request PDVP to outline what arrangements or contracts are in place to safeguard against such outcome.</p>	<p>The solar farm at Ukujima is under construction by a consortium of Japanese companies which bought the project from PVDP after consent had been obtained.</p> <p>PVDP has successfully developed 980 MWp capacity. Further to the below quotes, publicly available evidence is provided for the following solar farms: (1) Ukujima Solar Farm with a total capacity of 480 MW: this project is Japan's largest solar farm project and is currently in construction. For the 2025 construction status, please see: www.kyudenko.co.jp/en/docs/mid_management_plan_en_20250428.pdf page 31 in the original doc (page 34 pdf). The project started in 2012. The land area for the project covers more than 800 hectares of largely unused land. To facilitate the project PVDP had established the special purpose company TeraSol G.K., which signed more than 11,000 individual lease agreements. In March 2013, the project obtained the METI approval, qualifying for participation under the Japanese Act on Special Measures concerning the Procurement of Renewable Electric Energy by Operators of Electric Utilities with a feed-in tariff as FY 2012 project. https://www.bloomberg.com/news/articles/2013-04-12/germany-s-photovoltaic-development-plans-400mw-solar-farm-correct The first application for Grid Connection was filed with Kyushu Electric Power in March 2013. In 2014, Kyocera Corporation , along with Photovoltaic Development Partners GmbH, Kyudenko Corporation, ORIX Corporation, and Mizuho Bank, Ltd., had announced in 2014 to have reached a basic agreement on the possibility of operating a 430-megawatt (MW) solar power project on the island of Ukujima https://solarpowermanagement.net/article/93980/Kyocera_I_ed_consortium_announces_430MW_project_in_Japan . In July 2016 the project finally obtained Grid Connection Application approval from Kyushu Electric Power for a direct current, high voltage submarine transmission system based on VSC technology from Siemens. In April 2018, Kyocera, Kyudenko, and Mizuho were joined by Tokyo Century, Furukawa Electric, Tsuboi, The Eighteenth Bank and SPCG and agreed with Photovoltaic Development Partners GmbH that the feed-in tariff rights will be transferred to the newly</p>	Funding_and_PPA

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
REP4-051	James Robertshaw	<p>In the planning application the applicant claimed that the land was not productive land , after research the National Farmers union survey that was conducted , shows this land is good productive farmland. All this application does is enrich the applicant , the sunshine is only in certain months of the year, Solar production is not efficient for annual needs, it does not help the national grid for annual constant power generation , it does not help the user of electricity, there will also be a need for more transmission lines which all end users will have to pay for.</p> <p>The applicant needs a total objection and need rejection.</p> <p>I am not happy that consideration is still being given with fabrications and lies made in the application.</p> <p>Would you please reject the application.</p> <p>Thank you</p> <p>I am a county councillor and also a qualified green deal advisor and have great knowledge on renewable energy, I am speaking in a private capacity.</p> <p>Thank you</p> <p>Yours sincerely</p> <p>James Robertshaw FCMA</p> <p>Oxfordshire County Councillor</p>	<p>established special purpose company https://www.pv-tech.org/giant-japan-solar-plant-plans-refreshed-with-five-new-participants . (2) Onikobe Solar Farm with a total capacity of 183 MWp: Onikobe Solar Power Plant is an operating solar photovoltaic farm in Osaki City, Naruko Onsen, Miyagi Prefecture, Japan and was developed by PVDP during 2013 - 2017. For this purpose, PVDP had established the special purpose company PurpleSol GK, which owns the project https://www.gem.wiki/Onikobe_Solar_Power . The Ministry of Economy, Trade and Industry, Japan had permitted the plant on October 23, 2013. (3) Kawasaki Solar Farm with a total capacity of 56 MW https://www.gem.wiki/Kawasaki_Solar_Park . This 56MW solar power plant has been built on the site of a former golf course in Kawasaki Town, Shibata District, Miyagi Prefecture. The plant is owned by Petasol Co., Ltd., a company established by PVDP. PVDP had developed the project during 2013 - 2019. (4) Akita Solar Farm with a total capacity of 40 MW was developed during 2013 – 2015. File:Yurihonjo City Solar Park.jpg - Wikimedia Commons, https://www.mmjp.or.jp/tubaki-golf/newsfail/2014/1215-akitaprestige-golf.html, The project is being planned by Photovoltaic Japan LLC (Tokyo), the Japanese subsidiary of German-based Photovolt Development Partners. The site will host approximately 156,000 solar panels, with a maximum output of 39,000 kW</p> <p>With regard to the productivity of agricultural land within the Project site, please refer to Q2.11.14 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p> <p>The area of Oxfordshire identified for the Botley West Solar Farm benefits from moderate to favourable levels of solar irradiation in comparison to much of the UK, making it a viable and efficient location for solar PV generation.</p> <p>The region's landscape characterised by broad stretches of flat or gently sloping farmland further contributes to its suitability for hosting a large-scale solar energy project.</p> <p>Importantly, solar photovoltaic panels do not rely exclusively on direct sunlight to function. While clear skies may result in higher energy yields, the system will continue to generate meaningful levels of low-carbon electricity even under overcast conditions. The installation is also designed to operate effectively during the shorter and less sunny winter months, ensuring year-round contribution to the electricity grid despite seasonal variations in daylight.</p> <p>The Project is designed to operate effectively under UK solar conditions using 1.8–2.2 million PV modules, delivering a peak capacity of 1,200–1,375 MWp and approximately 840 MWe AC output (Table 6.3, Chapter 6: Project Description [APP 043]).</p> <p>The modules comply with international standards (IEC 61215-1:2021), ensuring reliable performance in low irradiance and variable weather (Section 6.4.8 [APP 043]).</p>	Agricultural_Land_Use
REP4-059	Diane Berry	<p>Q2.6.1 Cultural Heritage</p> <p>The remains of Gabe's Barn are located at the grid co-ordinates 51°49'36.2"N 1°20'10.1"W shown on the attached pictures as designated by google maps. I have also attached aerial photos, courtesy of Google</p>	<p>The Applicant is grateful to the IP for confirming the location of this former agricultural building, which is located within a roughly triangular area of dense vegetation at the junction of Fields 2.7, 2.10 and 2.11. Historic maps confirm</p>	Historic_Environment

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		Maps. There remains of the barn are in an L- shape and were visible about 20 years ago but are now totally overgrown with bushes and trees. It is sited in the corner of one of the fields marked for solar panels. Many locals remember the barn well - I can give names of other locals (if needed) who would also be upset for the ruins to be destroyed. It has no known designation but is part of Bladon's local history.	<p>the presence here of an L-shaped building (formerly two buildings and presumably agricultural in nature) along with a small pond. The pond had dried up when visited in the summer of 2025, but may refill as some of the adjacent land is drained directly into it. The adjacent vegetation was too dense for the presence of any surviving built elements to be confirmed.</p> <p>This area of vegetation will be retained within the proposed development and no part of it would be removed. This is shown on Figure 2.2a in ES Figures 2.1a-2.4c - Illustrative Masterplan (Rev 1) [AS-020]. Consequently, the proposed development would have no physical impact on any surviving part of the former farm buildings at this location.</p>	
REP4-063	Forever Fields Community Art Project	<p>Q2.13.8</p> <p>In summary, in order to consider question ExQ2.13.8 properly, the developer needs to address the above and provide more information as follows:</p> <ol style="list-style-type: none"> 1. A detailed plan and photomontages that illustrate the impact of the proposal on the landscape and views, including hedges across the whole scheme. 2. Clarity about how the land will be managed during the lifetime of the project if it is given approval. 3. A detailed and fully costed plan for reinstatement of the land and removal of the solar panels at the end of the 42 year term. <p>There is also feedback attached in the response.</p>	<p>The IP's comments are noted. Plans for decommissioning are set out in the Outline Decommissioning Plan [APP-236]. Management of the land during operation is set out in the Outline Landscape and Ecology Management Plan, and the Outline Operational Management Plan. [APP-235] and [APP-234] respectively.</p> <p>A Green Way Plan, has been produced, in consultation with the OCC Public Rights of Way (PRoW) Officer, this is to be submitted by the Applicant at Deadline 5.</p> <p>The purpose of this plan and consultation exercise is to ensure PRoW are returned to their definitive map route / alignment. PRoW routes / corridors are to be 15, in width (including hedgerows) throughout the Project with natural variation, e.g. through existing retained field gates and entrances where there is an existing pinch point.</p> <p>A compensation package is to be put in place to enable improvements to the offsite PRoW network.</p> <p>The Applicant would have the responsibility of ensuring the hedgerows and other 'soft' landscape proposals are maintained. This responsibility is likely to pass onto a separate management company but working to any approved management plan.</p> <p>Photomontages illustrating the proposed hedgerows from agreed 31 Representative Viewpoints have been updated as part of Deadline 5 (ref. Figures 8.248-8.371 Photomontages (Winter and Summer) Rev 1). The locations of photomontages are shown on Figure 8.9-8.11 [APP-085].</p>	Local_Community_Suggestions
REP4-069	Judith Frances Wardle	<p>Q2.2. I wish to express regret that there are no questions to the Applicant requesting more detail about the impact on Human Health, in view of the fact that the Applicant has given such vague assessments on this topic. It appears that they have not sought any professional assistance, whether at international or local level: OCC has an excellent Director of Public Health, Dr who could have been consulted.</p> <p>Q2.3.6. In my role with the West Oxon. group of the Ramblers Association, I will be interested to see the answer to the question asked by the ExA about why the Applicant is offering only minimum buffers to "rivers, water courses, ancient woodlands etc." Larger buffers would be of benefit to walkers and other people accessing the countryside.</p> <p>Q2.7.12. Ramblers throughout the county will appreciate it if the applicant agrees to the request to "maintain in an electronic form suitable for inspection by members of the public a register of those requirements contained in Part 1 of this Schedule that provide for further approvals to be given by the approving authority." If the application were to be approved,</p>	<p>Please refer to Q2.2, Q2.3.6, Q2.7.12,Q2.10.8 and Q2.14.1 of the Applicants Response to the ExA's Second Written Questions [REP4-037].</p> <p>Q2.2 and 2.9.4: The Applicant has provided a detailed assessment of the impacts of the proposed development on human health and public rights of way in ES Chapter 16 – Human Health [APP-053] and ES Chapter 17 - Agricultural Land Use and Public Rights of Way [APP-054]. Specific signposting to issues around access to open space and public rights of way, is set out in the Botley West Solar Farm Applicant Responses to Relevant Representations [REP1-020] (pdf page 74 of 545). The Applicant is confident that its assessment provides</p>	Public_Right_of_Way

Examination Library Ref.	Name	Comment	Applicant's Response	Issues
		<p>members of the public would be left with the need to keep track of whether further approvals are being given.</p> <p>Q2.9.4. As an interested party, West Oxon. Ramblers are concerned that the applicant is, in many respects, “underplaying the effects arising from the proposed project”. Our concern is particularly about the underplaying of the negative effects on people using Public Rights of Way – and overstating the effects of mitigation proposed. Therefore, we would like to see further proposals for mitigation – proposals backed by scientific data regarding effectiveness – or offers to remove areas from the project that would suffer the worst of these negative effects.</p> <p>Q2.10.8. We are pleased to see the question as to whether “haul” roads will continue to be used during the operational phase. The “road” we are particularly concerned about is the track that the OS Map identifies as “Dornford Lane” – the applicant actually ignores the fact that this route is an ancient drovers’ road (about 1,000 years old) – they only refer to it as a national cycle route. While the route has indeed been recently designated as a national cycle route, omitting the reference to its historical name</p> <p>kates over the question of what damage could be done by modern vehicles to the ancient underlying structure of the Right of Way.</p> <p>Q2.13.8. The answer to part 4 of this question, from users of Public Rights of Way, has to be that since the Applicant’s own photomontages show that hedges, once fully grown, would not provide ANY mitigation – just present them with an alternative oppressive landscape – the choice is like something out of Kafka. Indeed, the Applicant has not proved that in 40 years’ time, there would be any improvement in soil quality (more likely - from observed decrement at smaller solar farms locally - negative BNG). Therefore, local residents (and interested parties through the county, and people from further afield who use local PRoW) can only say that they are unable to make a choice.</p> <p>Q2.14.1. West Oxon. Ramblers – and the wider county group – are pleased to see the ExA’s recognition that walkers would be likely to encounter several areas of solar panels in the course of any particular walk – walks put on by Oxon Ramblers range from 4 to 15 miles. Therefore, on most walks that cross the area concerned, participants would experience not only the noise from individual areas of solar panels (and battery storage units), but several such impacts successively – and in all probability there would be a cumulative negative effect.</p>	<p>adequate mitigation measures to address impacts to public rights of way.</p> <p>Q 2.13.8: Please refer to Q2.13.13 of the Applicant’s Response to the ExA’s Second Written Questions [REP4-037]. The ES Chapter 17 - Agricultural Land Use and Public Rights of Way [APP-054] concludes that the temporary and permanent impacts on agricultural land quality and soils is not significant in EIA terms. ES Appendix 9.13 Biodiversity Net Gain Assessment [APP-162] concludes there would be a positive net gain of biodiversity.</p>	
REP4-080	Siemens Healthcare Limited	<p>1. These written representations are made on behalf of Siemens Healthcare Limited (UK Company registration number 09567186, referred to below as “Siemens”), as the owner of the relevant land (referred to in this submission as “Siemens’ Land”).</p> <p>2. We refer the Examining Authority (“ExA”) to the response made by JLL to the consultation closing on 28 July 2024, and to the Interested Party submission made by JLL on 19 February 2025, which outline previous concerns raised by Siemens in relation to the proposed cabling route and the impact this would have on access to Siemens’ facilities.</p> <p>3. This submission principally focusses on the ExA’s second written questions and requests for information (EXQ2) issued on 30 July 2025, with responses due by 22 August 2025, in particular the following questions raised:</p> <p>a. Question 2.7.14: The ExA notes an outstanding disagreement between the applicant and Siemens Healthcare Limited. Both parties are requested to consider whether the differences could be solved via bespoke protective provisions and, if so, work urgently on drafting these. In response to this question, inform the ExA what is being done, when and why.</p> <p>b. Question 2.16.1: ...Siemens Healthcare – Can you explain how the business operates on a day-to-day basis in terms of its demands on the highway network and when certain activities (deliveries) occur that require the network to be as clear as possible?</p> <p>4. Siemens’ response to Question 2.16.1 is set out in the separate response submitted by JLL on behalf of Siemens Healthcare Limited dated 22 August 2025, which also provides further detail on Siemens’ operations at Eynsham.</p> <p>5. Siemens’ position is otherwise reserved in regard to the content of the DCO application documents</p>	<p>The Applicant acknowledges the IP’s comments about protective provisions, which were discussed at a meeting at Siemens’s Eynsham site on 19th August; they will continue to work to agree them in a timely manner.</p> <p>The Cable Optionality Report was submitted at Deadline 4 [REP4-039]. 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.</p>	Grid_Connection

References:

Landscape Design Associates (for West Oxfordshire District Council) (2016) Renewable Energy and Low Carbon Energy Assessment and Strategy for West Oxfordshire.

Landscape Institute (March 2019) Technical Guidance Note 2/19: Residential Visual Amenity Assessment (RVAA).