

Application by Photovolt Development Partners on behalf of Solar Five Limited (the applicant) for an Order Granting Development Consent for the Botley West Solar Farm Project

The Examining Authority's schedule of proposed changes to the draft Development Consent Order (dDCO)

Issued on Monday 18 September 2025

This document sets out the Examining Authority's (ExA) proposed changes to the latest version of the Applicant's dDCO submitted at Deadline 5 of the Examination, which forms part of the applicant's second change request.

Column 1 of the table sets out the unique reference number for each proposed change. Column 2 sets out the provision in the dDCO to which the proposed change relates. Column 3 describes the recommended change. Column 4 provides the ExA's reasoning as to the recommended change and any further commentary.

This document is without prejudice and does not reflect any decision made on these matters by the ExA at this stage, but is used as the latest most complete version of the dDCO on which all comments can be captured and is used to assist completeness, clarity and convenience.

There may be further changes to the dDCO which the ExA recommends to the Secretary of State to take account of other matters that have been and continue to be examined. This is particularly likely in the event that it is clear that there are fundamental differences between parties on a number of issues. These will need to be reported to the Secretary of State along with the ExA's conclusions when all the evidence has been submitted.

Should the Applicant or any other party wish to make any comments on this schedule of proposed changes then these should be submitted at **Deadline 6, Monday 20 October 2025**.



Reference No.	Provision	Proposed Change	Reasoning
PC001	New Requirement	<p>Pre-commencement works</p> <p>“No part of the authorised development may commence until details of the following have been submitted to and approved by the Secretary of State:</p> <p>(1)</p> <p>a) the planning permission and/or development consent for the National Grid Electricity Transmission proposed Substation at Farmoor Reservoir (if delivered outside the Order limits);</p> <p>b) a construction programme that aligns the completion of the National Grid Electricity Transmission proposed substation and the connection offer of the Applicant (regardless of whether the substation is to be delivered within or outside the Order limits).</p> <p>(2) With respect to paragraph (1) above, in the event of the National Grid substation being delivered within the Order limits, this shall be in accordance with the layout shown on</p>	<p>There are evident discrepancies between the National Grid delivery programme and that of the applicant for the Proposed Development with a range of dates from October 2027 to late 2029. To further complicate matters, the Oxfordshire Host Authorities have reported a screening opinion has been sought by National Grid that seems to straddle the Order limits.</p> <p>The proposed development should only take place once there is certainty that the important and relevant national grid infrastructure is in place. Without that infrastructure first being secured, it would be a waste of resources and/ or disadvantageous to landowners for the applicant to commence construction or acquire land compulsorily.</p> <p>The provision is deemed necessary for the proper functioning of the development consent regime.</p>



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		sheet 13a of the Works Plans. In the event that National Grid substation is to be delivered outside of the Order limits (outside the scope of this Order), Work No.2 shall not occur and, instead, the layout shown on sheet 13b of the Works Plans shall be implemented.	
PC002	New Requirement	Decommissioning Fund (1) No phase of the authorised development may commence until a decommissioning fund or other form of financial guarantee that secures the cost of performance of all decommissioning obligations under Requirement 14 of this Order has been submitted to and approved by the local planning authority. (2) The value of the decommissioning fund or other form of financial guarantee shall be agreed between the undertaker and the local planning authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning obligations referred to in Requirement 14 of this Order.	<p>The applicant has made some pledges towards decommissioning, though has previously answered that nothing can be guaranteed regarding funds being available for decommissioning [REP1-019, page 33].</p> <p>The applicant has also stated that if development consent is granted, the interest would fall back to having just an “adequate equity ratio.”</p> <p>The provision is deemed necessary to ensure that decommissioning would be adequately financed and the restoration of the land to its original condition is secured.</p>



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		<p>(3) The decommissioning fund or other form of financial guarantee shall be maintained in favour of the local planning authority until the date of completion of the works to be undertaken in accordance with Requirement 14 of this Order.</p> <p>(4) The value of the decommissioning fund or other form of financial guarantee shall be reviewed by agreement between the Undertaker and the local planning authority by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with decommissioning obligations and best practice prevailing at the time of each review.</p>	
PC003	New Requirement	<p>Development Consent Obligations</p> <p>(1) The authorised development must not begin for the purposes of section 155(1) of the 2008 Act unless and until the undertaker completes the following development consent obligations pursuant to section 111 of the Local Government Act, section 106 of the 1990 Act and section 278 of 1980 Act—</p>	<p>The ExA notes the positions of all parties on the need for (or otherwise) planning obligations and side agreements. The applicant has stated commitment towards the delivery numerous community benefits ‘if development consent is granted’. There has also been written commitment to undertaking highways works. The applicant has, and it is acknowledged, stated there is no need for a planning obligation.</p>



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		(a) the Oxfordshire County Council development consent obligation. (b) the West Oxfordshire District Council development consent obligation. (c) the Cherwell District Council development consent obligation; and (d) the Vale of White Horse District Council development consent obligation.	Whilst recognising these matters are subject to different regimes (i.e. section 111 of the Local Government Act, section 106 of the Town and Country Planning Act and section 278 of the Highways Act), the ExA consider such matters should not be left to side agreements in the post-consent phase but formally recognised in the DCO process. The proposed new requirement would give legitimacy to the legal obligations being sought for the project.
PC004	New Requirement	Farmland Bird Strategy (1) No part of Work No. 1 may commence until a Farmland Bird Strategy (FBS) has been submitted to and approved by the Secretary of State in consultation with the relevant statutory nature conservation body and the local planning authority for the area in which the compensation measure is to be provided. (2) The FBS must include— (a) the location where the compensation measures will be delivered and the suitability of that location (including why the location is appropriate ecologically and likely to support successful compensation),	Noting the status of both skylark and corn bunting as Red List Birds of Conservation Concern and Species of Principal Importance, as well as The Environmental Targets (Biodiversity) (England) Regulations 2023, the Applicant, NE, and OHA are invited to provide comments on the wording for a potential farmland bird compensation plan requirement within the Order. The retention of 17.6ha of land as skylark mitigation, whilst welcomed, is not detailed to any degree as to its management or how nesting/ breeding bird habitat is going to be created. None of the other species noted by the OHA appear to be provided for, and yet this



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		<p>and confirmation that the necessary landowner agreement(s) are in place;</p> <p>(b) details of the capacity and ability of the compensation areas to compensate for the impact of the authorised development on skylarks and corn bunting;</p> <p>(c) an implementation timetable for delivery including any arrangements made with a third party for implementation of the measures; (d) details for the ongoing management and maintenance of the compensation measures;</p> <p>(e) details for the ongoing monitoring and reporting of the effectiveness of the compensation measures identified in the FBCP including— (i) survey methods; (ii) survey programmes; (iii) success criteria; and (iv) timescales for the monitoring reports to be delivered;</p> <p>(f) details of any adaptive management measures, with details of the factors used to trigger any alternative and/or adaptive management measures; and</p> <p>(g) details of how survey and monitoring data will be shared in the appropriate formats with the relevant Local Environmental Records</p>	<p>opportunity for biodiversity gain should be taken.</p> <p>This follows both the recent consultation from the SoS on the Five Estuaries Offshore Wind Farm and the request from the OHA for a farmland bird strategy to be produced, albeit without explicit wording.</p>



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		<p>Centre(s) and relevant national/regional environmental recording schemes, and any potential research collaborations.</p> <p>(3) The undertaker must implement the measures set out in the FBS approved by the Secretary of State, unless otherwise agreed by the Secretary of State following consultation with the relevant statutory nature conservation body and the local planning authority for the area in which the compensation measure is to be provided.</p> <p>(4) Results from the monitoring and reporting scheme referred to in paragraph 2(e) must be submitted at least annually to the Secretary of State, the relevant statutory nature conservation body, and the local planning authority for the area in which the compensation measure is to be provided. This must include details of the effectiveness of the compensation measures delivered. If the undertaker, or on receipt of a monitoring report, the Secretary of State, determines that the compensation measures delivered have been ineffective the undertaker must provide proposals for any</p>	



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		<p>alternative and/or adaptive management measures to address this. Any proposals to address the ineffectiveness of the compensation measures must thereafter be implemented by the undertaker as approved in writing by the Secretary of State in consultation with the relevant 6 statutory nature conservation body and the local planning authority for the area in which the compensation measure is to be provided.</p> <p>(5) The FBS approved under paragraph (1) includes any amendments that may subsequently be approved in writing by the Secretary of State.</p>	
PC005	Article 6	Delete sub-paragraph (a) in relation to s23 of the Land Drainage Act 1991(a). Subsequent renumbering of the list of disappplied provisions.	<p>In answer to ExQ2.7.2, the applicant makes clear the disapplication could only take place with agreement from the relevant drainage board (the Local Lead Flood Authority). In this instance the LLFA object to the disapplication. It is suggested such reference is therefore removed from the Order.</p> <p>This suggestion is not prejudicial to any subsequent or prospective agreement between the applicant and the LLFA on protective provisions regarding this</p>



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			matter. Should such provisions be agreed prior to the close of the Examination, the ExA may withdraw this suggested change.
PC006	Requirement 7	Add sub-paragraph (3) to read “The biodiversity net gain plan must include details of how the strategy will secure a minimum of 81.28% biodiversity net gain in area-based habitat units, a minimum of 59.18% biodiversity net gain in hedgerow units, and xxx% biodiversity net gain in watercourse units for all of the authorised development during the operation of the authorised development, using the Department of Environment, Food and Rural Affairs’ 4.0 metric to calculate those percentages (or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature conservation body).”	<p>The ExA consider this provision secures the delivery of the ambitious biodiversity net gain objectives of the applicant. This would be consistent with the wording used in other recently made Development Consent Orders for solar projects.</p> <p>The “xxx” is not a typo. The applicant had committed [REP4-037, Q2.1.13] to include watercourse units in its assessment to appease the Environment Agency, Natural England and the OHA. The Deadline 5 version of the BNG statement does not do this.</p>